

**SERVICE
RULES AND REGULATIONS
VOL, I. CH, 1**

**Rules and Regulations
of the
Borough of Fort Lee Police Department**

**Rules and Regulations
Borough of Fort Lee Police Department**

TABLE OF CONTENTS

PREAMBLE2

DEFINITIONS3

REGULATION I13

RULE 113

Police Department Authority13

RULE 213

Department Rules13

REGULATION II16

ESTABLISHMENT OF THE POSITIONOF CHIEF OF POLICE16

RULE 116

1.Chief of Police - Authority and Responsibilities16

2.Responsibilities17

REGULATION III18

GENERAL RULES AND REGULATIONS PROFESSIONAL CONDUCT AND
RESPONSIBILITIES18

RULE 118

Violation of Rules18

RULE 218

Loyalty18

RULE 318

1.General Duties and Responsibilities.18

RULE 421

Unbecoming Conduct21

RULE 521

Bribes21

RULE 622

**Rules and Regulations
Borough of Fort Lee Police Department**

Corruption	22
RULE 722	
Conformance to Laws	22
RULE 822	
Unsatisfactory Performance	22
RULE 923	
Insubordination	23
RULE 1023	
Criticism of Official Acts or Orders	23
RULE 1123	
Conduct Toward Superior and Subordinate Officers and Associates	23
RULE 1224	
Labor Activity	24
RULE 1324	
Intervention	24
RULE 1425	
Abuse of Process	25
RULE 1525	
Residency/Telephone Numbers	25
RULE 1625	
Truthfulness	25
RULE 1725	
Rewards	25
RULE 1825	
Code of Ethics	25
RULE 1926	
Intercession - Soliciting	26
RULE 2026	
Approaching Governmental Agencies or Representatives	26
RULE 2126	
Withholding Information	26
RULE 2226	
Reporting and Acting Upon Violations of Laws, Ordinances, Rules or Orders	26
RULE 2327	

**Rules and Regulations
Borough of Fort Lee Police Department**

Absence from Duty27
 RULE 2427

Obedience to Laws and Rules27
 RULE 2527

Comprising Criminal and Civil Cases27
 RULE 2627

Recommending Attorneys and Bail Bond Brokers Prohibited27
 RULE 2727
 Posting Bail27
 RULE 2829
 Use of Force29
 RULE 2929
 Driver's License29
 RULE 3029

Address and Telephone Numbers29
 RULE 3129

Official Accusation, Arrest, Conviction, Civil Judgment, or
 Restraining Order29
 RULE 3230

Sick and Injury Leave30

REGULATION IV32
 RULE I32
 Orders32

REGULATION V34
 RULE I34
 Police Records and Information34

REGULATION VI35

GIFTS AND REWARDS35
 Soliciting or Accepting Benefits35
 RULE 235
 Rewards35

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 336
Disposition of Unauthorized Gifts, Gratuities36

REGULATION VII37

USE OF INTOXICANT37

RULE I37

Defined37

RULE 238

Not Under The Influence Of Intoxicants On Duty38

RULE 338

No Consumption Of Alcoholic Beverages Before Duty Periods38

RULE 438

No Use Of Intoxicants On Duty38

RULE 538

Consuming Alcoholic Beverages Off Duty In Full Or Partial
Uniform38

RULE 639

Intoxicants and Alcoholic Beverages In Police Buildings39

RULE 739

Supervisors' Responsibility39

RULE 839

Possession Of Intoxicants39

RULE 939

Entering Licensed Premises39

RULE 1039

Taking Medication On Duty39

RULE 1140

Notification About Medication40

REGULATION VIII41

DUTY CONDUCT41

RULE 141

Reporting For Duty41

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 241

Absence From Duty41

RULE 341

Prohibited Activity On Duty41

RULE 441

Use of Tobacco Products While On Duty41

RULE 542

Personal Electronic Equipment42

RULE 642

Relief42

RULE 742

Meals42

RULE 842

Training42

RULE 942

Inspections42

RULE 1043

Investigations43

RULE 1148

Arrests48

RULE 1250

Detention50

RULE 1350

Roll Call50

RULE 1450

Physical Fitness For Duty50

RULE 1550

Loitering50

REGULATION IX52

UNIFORMS, APPEARANCE AND IDENTIFICATION52

RULE 152

Regulation Uniforms Required52

RULE 252

**Rules and Regulations
Borough of Fort Lee Police Department**

Manner of Dress on Duty52

RULE 352

Wearing Jewelry on Duty52

RULE 452

Personal Appearance52

RULE 553

Wearing or Carrying Identification53

RULE 653

Identification as Police Officer53

REGULATION X54

EQUIPMENT, PROPERTY, FIREARMS AND USE OF FORCE54

RULE 154

Equipment on Duty54

RULE 254

Equipment off Duty54

RULE 354

Firearms54

RULE 457

Use of Force, Including Deadly Force, By Law Enforcement
Officers.57

RULE 560

Department Property and Equipment60

RULE 660

Use of Department Property and Equipment60

RULE 760

Damaged, Unduly Worn or Inoperative Property or Equipment60

RULE 860

Care of Department Buildings60

RULE 961

Notices61

RULE 1061

Use of Department Vehicles61

RULE 1161

**Rules and Regulations
Borough of Fort Lee Police Department**

Operation of Department Vehicles61

RULE 1261

Transporting Citizens61

RULE 1361

Reporting Accidents61

RULE 1462

Inspection62

RULE 1562

Liability62

RULE 1662

Surrender of Department Property62

REGULATION XI63

COMMUNICATIONS AND CORRESPONDENCE63

RULE 163

Restrictions63

RULE 263

Forwarding Communications63

RULE 363

Use of Department Equipment and Address63

RULE 463

Telephones63

RULE 564

Radio And Other Electronic Equipment Discipline64

REGULATION XII65

CONDUCT TOWARD PUBLIC65

RULE 165

Courtesy65

RULE 265

Request for Identification65

RULE 365

Impartiality65

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 465

Use of Derogatory Terms65

RULE 566

Affiliation with Certain Organizations Prohibited66

RULE 666

Representing the Police Department66

RULE 766

Public Statements66

REGULATION XIII67

POLITICAL ACTIVITIES67

RULE 167

Partisan Political Activities Permitted67

RULE 267

Non-Partisan Political Activities Permitted67

RULE 367

Participation in Public Affairs67

RULE 467

Contribution of Funds67

RULE 568

Use of Official Position68

RULE 668

Polling Activities68

RULE 768

Political Material68

REGULATION XIV69

JUDICIAL APPEARANCE AND TESTIMONY69

RULE 169

Duty of Employee to Appear and Testify69

RULE 269

Subpoena69

RULE 369

**Rules and Regulations
Borough of Fort Lee Police Department**

Official Appearance69

RULE 470

Testifying for the Defendant70

RULE 570

Truthfulness70

RULE 670

Civil Depositions and Affidavits70

RULE 770

Civil Action, Expert Witness70

RULE 870

Civil Process70

REGULATION XV71

PERSONNEL REGULATIONS71

RULE 171

Hours and Leave71

RULE 272

Secondary Employment72

RULE 373

Resignation/Retirement73

REGULATION XVI74

PUBLIC ACTIVITIES AND PUBLIC CONTACT74

RULE 174

Identification74

RULE 274

Citizen Complaints74

RULE 374

Courtesy74

RULE 475

Requests for Assistance75

RULE 575

Impartial Attitude75

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XVII76

OATH OF OFFICE76
RULE 176

REGULATION XVIII77

PROBATIONARY PERIOD77
RULE 177

REGULATION XIX78

DISCIPLINE78
RULE 178

Disciplinary Action78
RULE 279

Suspension and Removal of Officers and Employees79
RULE 379

Authority to Discipline79
RULE 479

Appropriate Authority79

REGULATION XX82

INITIATION OF DISCIPLINARY ACTION82
RULE 182

Initiation and Procedure for Oral Reprimand82
RULE 282

Initiation and Procedure for Written Reprimand82
RULE 383

Initiation Procedure in Other Cases83
RULE 484

Initiation of Charges84
RULE 584

**Rules and Regulations
Borough of Fort Lee Police Department**

Forum Of Hearing84

RULE 685

Adjournments85

RULE 785

Conduct of the Hearing85

RULE 887

Action by the Appropriate Authority After Hearing87

REGULATION XXI88

DISCIPLINARY ACTION INVOLVING SENIOR OFFICERS88

RULE 188

Disciplinary Action Involving Captains, Inspectors, Deputy Chiefs and
the Chief of Police88

REGULATION XXII89

PENALTIES89

RULE 189

Assessment of Penalties89

RULE 289

Court And Other Required Appearances During Suspensions89

RULE 390

Restrictions During Suspensions90

RULE 490

Employment During Suspension90

REGULATION XXIII91

EMERGENCY SUSPENSION91

RULE 191

Emergency Suspension91

RULE 291

Follow-up on Emergency Suspensions91

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XXIV93

CIVILIAN COMPLAINTS AGAINST DEPARTMENT PERSONNEL93

RULE 193

Receipt of Complaint93

REGULATION XXV94

INTERNAL AFFAIRS INVESTIGATION94

RULE 194

Investigation of Alleged Misconduct94

RULE 294

Reports of Investigation of Alleged Acts of Misconduct94

RULE 395

Findings95

RULE 496

Action On The Report96

LAW ENFORCEMENT CODE OF ETHICSSchedule A

**ACKNOWLEDGMENT OF RECEIPTCONFIDENTIALITY
AGREEMENTSCHEDULE B**

**Rules and Regulations
Borough of Fort Lee Police Department**

PREAMBLE

The contents of this manual have been developed to guide and assist members in reaching the goals of this department. Adherence to these principals and guidelines by all Members of the department will eliminate the need for disciplinary action and will insure our acceptance by the community as a truly professional Police Department.

Chief of Police

Adopted:

Jack Alter
Mayor

Peggy E. Thomas
Borough Administrator/
Appropriate Authority

**Rules and Regulations
Borough of Fort Lee Police Department**

DEFINITIONS

ANNUAL VACATION

Vacation period granted to all Members annually pursuant to the terms of their respective collective bargaining agreement.

APPROPRIATE AUTHORITY

Appropriate Authority is defined in N.J.S.A. 40A:14-118.

BUREAU

A functional unit immediately subordinate to a division.

CHAIN OF COMMAND

The unbroken line of authority extending from the Chief of Police through a single subordinate at each level of command down to the lowest and vice versa.

COMMANDING OFFICER

Any Officer with the rank of Lieutenant or above assigned to head a division.

CUSTODY

Legal or physical control of a person or property; legal supervision or physical responsibility for a personal property.

DATE OF RANK

The date on which an Officer was appointed to a particular rank.

**Rules and Regulations
Borough of Fort Lee Police Department**

DEPARTMENT/DEPARTMENTAL

The Fort Lee Borough Police Department.

DETAIL

A temporary assignment of personnel for a specialized activity.

DETECTIVE

An Officer regularly assigned to the Detective division to conduct investigations while in civilian clothing.

DIRECT ORDER

Any lawful order communicated by a Superior Officer or a Member in charge specifically to a subordinate or group of subordinates personally or in writing.

DISCIPLINARY ACTION

Disciplinary action includes oral and written warnings, suspensions, fines, loss of privileges or benefits and discharge.

DIVISION

A large functional unit having responsibility for a number of varied smaller units with different purposes and goals whose commanding officer reports directly to the Chief of Police.

DIVISIONAL COMMANDER

A Superior Officer who commands a Division of the Police Department.

**Rules and Regulations
Borough of Fort Lee Police Department**

DOCUMENT

Departmental information contained in printed or written papers, photographs, video tapes, films, recording or electronic data storing devices or live media.

EMPLOYEE

Civilian employee of the Police Department. Dispatcher, Clerk, Secretary, School Crossing Guard and any persons temporarily assigned to work for the Police Department.

FIELD INTERVIEW

The stopping and questioning of a person by an Officer because the Officer:

1. has reasonable suspicion that the subject may have committed, may be committing, or may be about to commit a crime; or
2. believes the subject may be a hazard; or
3. believes this may have a preventative effect; or
4. believes the subject may be in need of assistance.

FOLLOW-UP INVESTIGATION

The investigation which takes place after transfer from the Officer(s) making the preliminary investigation or after a lapse of time from the conclusion of the preliminary investigation. An extension of the preliminary investigation.

GENDER

Use of masculine gender herein shall also include, where applicable, the female gender.

**Rules and Regulations
Borough of Fort Lee Police Department**

HEADQUARTERS

The police buildings that house the headquarters staff and members of the department.

INCOMPETENCE

Lack of ability, knowledge, legal qualification, or fitness to discharge the required duty or professional obligation. A relative term which may be employed as meaning disqualification, inability or incapacity and it can refer to lack of legal qualifications or fitness to discharge the required duty and to show want of physical or intellectual or moral fitness.

INSUBORDINATION

Failure or deliberate refusal of any Member or Employee to obey a lawful order given by a Superior Officer. Ridiculing a Superior Officer or his order, whether in or out of his presence. Disrespectful, mutinous, insolent, or abusive language directed toward a Superior Officer.

LAWFUL ORDER

Any department rule or regulation, police manual, policy, procedure, SOP, written or oral directive issued by a Superior Officer to any subordinate or group of subordinates in the course of police duty which is not in violation of any law, ordinance, or department rule or regulation. Lawful Orders include Operations Orders, Special Orders and Personnel Orders.

LEAVE OF ABSENCE

The period of time an Officer is excused from working, either with or without pay.

MANUAL

These Rules and Regulations.

MAY

**Rules and Regulations
Borough of Fort Lee Police Department**

“May” shall mean the action indicated is permitted.

MEMBER

A duly-appointed sworn police officer of the department, including all ranks from Officer to Chief.

MEMORANDUM

Information bulletins which are primarily designed to inform and, secondarily, to direct personnel at department and divisional levels. Such memorandums are not official orders, but express the thinking of the issuing authority on the subject under consideration.

MILITARY LEAVE

The period of time during which an Officer is excused from duty by reason of serving the Armed Forces of the United States in an active capacity as provided by law.

MISCONDUCT

Any conduct which violates any Lawful Order, Department Rule or Regulation, Ordinance of the Borough, or any State or Federal law or statute or regulation carrying the force of law.

NEGLECT OF DUTY

Failure to perform or give suitable attention to the performance of duty.

NEW JERSEY LAW AGAINST DISCRIMINATION

N.J.S.A. 10:5-1 et seq.

**Rules and Regulations
Borough of Fort Lee Police Department**

OFF DUTY

The status of a Member during the period he is free from the performance of specified duties.

OFFICER

Same as Member.

ON DUTY

The status of a Member during the period of the day when he is actively engaged in the performance of his duties. Technically, an Officer is subject to call at all times.

OPERATIONS ORDER/SPECIAL ORDERS

Written directive issued by the Chief of Police. They specify instructions, Policy or Procedure governing particular situations. Special Orders are usually of limited duration and are automatically canceled when their objectives are achieved. Included in Lawful Order.

PERSONNEL ORDER

Appointment, assignment or any other status change of personnel within the department accomplished by department personnel orders issued by the Chief of Police. Included in Lawful Order.

POLICE MANUAL

Reference guide specifying the Rules and Regulations governing the conduct of personnel and the operation of the Department, as well as specifying Department Policies and Procedures. This Manual is issued by authority of the Borough governing body and the Chief of Police, and is included in Lawful Order.

**Rules and Regulations
Borough of Fort Lee Police Department**

PRELIMINARY INVESTIGATION

Generally, the activity that begins when Officers arrive at the scene of an incident. The activity should continue until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation.

PROCEDURE/POLICY

A written directive which is a guideline for carrying out Department activities. It regulates the formal steps in an action. Included in Lawful Order.

RULES AND REGULATIONS

Department legislation consisting of detailed directives binding Members and Employees of all ranks in terms of authority, responsibility and conduct. Rules and Regulations require the approval of the Appropriate Authority pursuant to N.J.S.A. 40A:14-118 before taking effect. Included in Lawful Order.

SECTOR, GRID OR POST

A geographical area assigned to a patrol Officer. The term applies to the area patrolled by an Officer on foot or in a vehicle.

SENIORITY OF COMMAND

Seniority in the department is established first by rank and second by date of rank. When Members have identical dates of rank, seniority shall be determined by the lower badge member for Police Officers and for Supervisors by the official Police Department roster. In situations requiring decision or control, where the Officers are of equal rank, the Senior Officer will make the decision and exercise control unless directed otherwise by a higher ranking command or supervisory officer.

**Rules and Regulations
Borough of Fort Lee Police Department**

SERIOUS PHYSICAL INJURY

A bodily injury that creates a substantial risk of death; causes serious permanent disfigurement; or results in long term loss or impairment of the function of any function of any bodily member or organ.

SHALL/WILL

Both terms shall indicate that the action required is mandatory.

SHIFT SUPERVISOR

A supervisory Officer, usually a Lieutenant, who is responsible for overall operations of the Department in the absence of higher ranking personnel.

SICK LEAVE

The period of time when an officer is excused from active duty by reason of illness or injury.

SOP (STANDARD OPERATING PROCEDURE)

Written directive issued by the Chief of Police. Standard Operating Procedures remain in full force and effect until amended, superseded, or canceled by the Chief of Police. Department Standard Operating Procedures establish policy and procedure governing matters which have broad application and usually affect the entire department. They are the most authoritative directive issued in the Department, and may be used to amend, supersede or cancel any other Lawful Order. Included in Lawful Order.

SPAN OF CONTROL

The number of persons reporting to any one supervisor. Span of management or supervision.

SPECIAL DUTY

**Rules and Regulations
Borough of Fort Lee Police Department**

Police service, the nature of which requires that the member be excused from the performance of his regular duties.

SUPERIOR OFFICER

Any Officer above the rank of police Officer. In certain situations a Member in charge shall also be considered a Superior Officer.

SUPERVISOR

Same as Supervisory Officer.

SUPERVISORY OFFICER

Member of the Department assigned to a position requiring the exercise of immediate supervision over the activities of other Members and Employees.

SUPPLEMENTARY INVESTIGATION

Same as follow-up investigation.

TENSE OF WORDS

The words used in the present tense include the future.

**Rules and Regulations
Borough of Fort Lee Police Department**

TOUR COMMANDER

A commander of a tour of duty, usually a Sergeant or Lieutenant in the Patrol Division.

TOUR OF DUTY

The number of hours of work on a given shift during which an individual Member is on duty.

TRAINING BULLETIN

Bulletins published and designed to keep Officers of the Department abreast of current police techniques and procedures. The bulletins and their presentation act as a continuous training program and as stimulus for further study.

UNIT

A grouping of Officers within the department who have special or specific purposes or missions. Such grouping may include any number of Officers, and may have more than one mission or purpose.

UNITY OF COMMAND

Each individual in the organization has one and only one immediate supervisor.

NOTE: Any undefined term used herein shall have its usual and common meaning and definition as applicable in general usage and police work.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION I

RULE 1

Police Department Authority

The Police Department of the Borough of Fort Lee is established pursuant to N.J.S.A. 40A:14-118 and municipal Ordinance. The Borough of Fort Lee Police Department shall after this be called the “Department.”

RULE 2

Department Rules

- 1. Rules and Regulations Established.** The Appropriate Authority of the Borough of Fort Lee hereby adopts and promulgates the department Rules and Regulations, known as the Borough of Fort Lee Police Department Rules and Regulations and after this called the “Rules and Regulations” or “Rules.”
- 2. Right to Amend or Revoke.** In accordance with N.J.S.A. 40A:14-118, the right is reserved by the Appropriate Authority to amend or to revoke any of the rules contained herein or to add thereto, as the circumstances dictate, subject to applicable law.
- 3. Previous Rules, Policies and Procedures.** All Rules, Regulations, and Orders previously issued, and Policies and Procedures that are contrary to the Rules contained herein, are hereby revoked. All other Policies and Procedures, Rules, Regulations and Ordinances shall remain in full force and effect.
- 4. Application.** These Rules are applicable to all Officers of the Department and to all Civilian Employees of the Department where appropriate.
- 5. Distribution.** One copy of these Rules and Regulations shall be distributed to each Member of the Department. Also, for reference purposes, copies shall be distributed to the Office of the Borough Clerk, the Borough Business

**Rules and Regulations
Borough of Fort Lee Police Department**

Administrator and the Mayor. Members and Employees in receipt of these Rules and Regulations shall not disseminate them to any unauthorized persons or entitles without authorization from the Borough of Fort Lee.

- 6. Responsibility for Maintenance.** Members shall be responsible for possessing a current copy of the Rules and Regulations, including all additions, revisions and amendment as issued. All Manuals shall be kept current and supplementary pages concerning additions, revisions or amendments shall be promptly and properly inserted.
- 7. Familiarization.** Members shall thoroughly familiarize themselves with the provisions of the Rules and Regulations. Ignorance of any provision of these rules will not be a defense to a charge of a violation of these Rules and Regulations.
- 8. Law Enforcement Response.** The Fort Lee Borough Police Department shall provide:
 - a. Law enforcement response to emergencies twenty-four (24) hours a day, every day of the week; and
 - b. Preventive patrol twenty-four (24) hours a day every day of the week; and
 - c. A staffed communication desk where citizens may contact the department twenty-four (24) hours a day, every day of the week.
- 9. Ignorance of Contents of Rules and Regulations.**
 - a. In the event neglect of duty is charged against a Member or Employee for failure to observe the Rules and Regulations, Department procedures or Lawful Orders, ignorance of any provision thereof will not be accepted as an excuse.

**Rules and Regulations
Borough of Fort Lee Police Department**

- b. **In the event that any Member is unsure of the application or interpretation of these Rules and Regulations, Department Procedures, or Lawful Orders, he shall, at his earliest possible opportunity, seek a clarification from his Supervisor or Commanding Officer.**

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION II

**ESTABLISHMENT OF THE POSITION
OF CHIEF OF POLICE**

RULE 1

1. Chief of Police - Authority and Responsibilities

Pursuant to N.J.S.A. 40A:14-118 and municipal Ordinance, the Chief of Police shall be the head of the Police Department and shall be directly responsible to the Appropriate Authority for its efficiency and day-to-day operations. Pursuant to policies established by the appropriate authority, the Chief of Police shall:

- a. Administer and enforce the Rules and Regulations of the Police Department and any special emergency directives for the disposition and discipline of the Department and its members and officers;
- b. Have, exercise and discharge the functions, powers and duties of the Police Department;
- c. Prescribe the duties and assignments of all Members and Employees;
- d. Delegate such authority as may be deemed necessary for the efficient operation of the Police Department to be exercised under the Chief's direction and control; and
- e. Report at least monthly to the Appropriate Authority in such form as shall be prescribed on the operation of the Police Department during the preceding month and make such other reports as may be requested by the appropriate authority.

**Rules and Regulations
Borough of Fort Lee Police Department**

- 2. Responsibilities.** The Chief of Police is responsible to:
- a. Establish and maintain the efficient operation of the Department.
 - b. Organize, control and maintain all property and resources of the Department.
 - c. Develop the written organizational structure of the Department, 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 Department Members and Employees.
 - f. Provide for periodic inspections of all police operations to insure compliance with Department Rules, Policies, and Procedures.
 - g. Maintain the overall discipline of the Department.
 - 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. When given discretion, allocate funds within the budget which are appropriated by the governing body.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION III

**GENERAL RULES AND REGULATIONS
PROFESSIONAL CONDUCT AND RESPONSIBILITIES**

RULE 1

Violation of Rules. Members and Employees shall not commit any acts which constitute a violation of any of the Rules and Regulations, directives, or Lawful Orders of the Department, whether stated in this Manual or elsewhere.

RULE 2

Loyalty. Loyalty to the Department and to fellow Members and Employees is an important factor in Departmental morale and efficiency. Members and Employees shall maintain loyalty to the Department and their associates as is consistent with the law and personal ethics.

RULE 3

1. General Duties and Responsibilities.

A. Police officers shall (in order of importance):

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 Departmental jurisdiction;
 - f. Safely and expeditiously regulate traffic;

**Rules and Regulations
Borough of Fort Lee Police Department**

- g. Aid citizens in matters within police jurisdiction; and
 - h. Take appropriate police action in aiding fellow Officers as needed;
and
 - i. Provide miscellaneous services.
- 2. Exercise authority consistent with the obligations imposed by the oath of office and in conformance with the policies of the Department.
- 3. Abide by all Rules and Regulations, Lawful Orders, and Departmental Procedures and Directives governing Members. It shall be the duty of all Members to properly report in accordance with the Chain of Command, all violations of the Manual or Lawful Orders by other Members and Employees.
- 4. Be accountable and responsible to their supervisors for obeying all Lawful Orders of Superior Officers and other proper authorities, as well as calls for police assistance from citizens.
- 5. Coordinate their efforts with other Members and Employees of the Department to achieve Departmental objectives. All Officers are charged with establishing and maintaining a high spirit of cooperation within the Department.
- 6. Conduct themselves in accordance with high ethical standards, on and off-duty and in such a manner to avoid bringing public criticism and disrespect to the Department.
- 7. Strive to improve their skills and techniques through study and training.
- 8. Familiarize themselves with their area of authority and responsibility for their current assignment.
- 9. Perform their duties promptly, faithfully and diligently. Members shall demonstrate and maintain loyalty to the Department consistent with the obligations imposed by law and personal ethics.
- 10. Perform all related work as required.

**Rules and Regulations
Borough of Fort Lee Police Department**

11. Shall not unlawfully discriminate against any person or class of persons set forth in applicable United States or New Jersey statutes or regulations carrying the force of law.

B. Supervisors in the Department shall:

1. Enforce Departmental Rules, Lawful Orders and insure compliance with Departmental policies and procedures. It shall be the duty of all Supervisors to promptly report, in accordance with the Chain of Command, all violations of this Manual or Lawful Orders by other Members and Employees.
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 Department.
4. Guide and train subordinates to gain effectiveness in performing their duties.
5. Use Departmental disciplinary procedures when necessary.
6. When using discipline, comply strictly with the provisions of the Department disciplinary process.

C. Employees shall:

1. Take appropriate action to perform the duties of their positions promptly, faithfully and diligently. It shall be the duty of all Employees to promptly report, in accordance with the Chain of Command, all violations of this Manual or Lawful Orders by other Employees or Members of the Department.
2. Exercise authority consistent with the obligations imposed by their position and in conformance with the policies of the Department.

**Rules and Regulations
Borough of Fort Lee Police Department**

3. Be accountable and responsible to their supervisors for obeying all Lawful Orders.
4. Coordinate their efforts with other Employees of the Department to achieve Departmental 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 and Regulations, Lawful Orders and Departmental procedures and directives governing civilian employees.
9. Perform all related work as required.

RULE 4

Unbecoming Conduct. Members and Employees shall conduct themselves at all times, both on and off duty in such a manner as to reflect most favorably on the Department. Conduct unbecoming a Member or Employee shall include that which brings the Department into disrepute, or reflects discredit upon the Officer or Employee as a Member or Employee of the Department, or that which impairs the operation or efficiency of the Department, Officer or Employee.

RULE 5

Bribes. Members and Employees shall, as soon as possible, report to the Chief, in a signed and dated writing, offers of bribes, gratuities, favors, or the offer of anything of value, to take or withhold any action concerning the business of the Department or any other government agency.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 6

Corruption. Members and Employees shall report to the Chief knowledge of corruption within the Department, including, but not limited to, any bribe(s) or illegal act or violation of this Manual or any Lawful Order committed by a Member of the Department, or solicited by any person or entity to any Member or Employee.

RULE 7

Conformance to Laws.

- a. Members and Employees shall obey all laws of the United States and of any State and local jurisdiction in which the Members and Employees are present.
- b. A conviction for a violation of any law, Ordinance or regulation carrying the force of law shall be prima facie evidence of a violation of this section.

RULE 8

Unsatisfactory Performance. Members and Employees shall maintain sufficient competency to properly perform their duties and assume the responsibility of their positions. Members and Employees shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may include and be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the Member's or Employee's rank, grade or position; the failure to take appropriate action as required by this Manual or a Lawful Order or on the occasion of a crime disorder, or other condition deserving attention or absence without leave.

In addition to other indicia of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: a written record of repeated infractions of Rules and Regulations, Directives or Lawful Orders of the

**Rules and Regulations
Borough of Fort Lee Police Department**

Department, or any other course of conduct indicating that the Member or Employee has insufficient regard for his responsibility as a Member or Employee of the Department.

RULE 9

Insubordination. Members and Employees shall promptly obey any Lawful Orders of a Superior Officer or another person in lawful authority. This will include orders relayed from a Superior Officer by an Officer of the same or lesser rank. Members and Employees shall not make any disrespectful, insolent, or abusive language or action toward any person, Superior Officer or municipal official.

RULE 10

Criticism of Official Acts or Orders. Members and Employees shall not criticize the official actions, instructions, or orders of any Department Member or Employee in a manner which tends to impair the efficient operation of the Department, interferes with the maintenance of discipline or is made with reckless regard for truth or falsity. Members and Employees shall not discuss or disclose, directly or indirectly, Department business or documents with any person not authorized by the Department to receive such information, unless given written authorization by the Chief or his designee.

RULE 11

Conduct Toward Superior and Subordinate Officers and Associates. Members and Employees shall treat Superior Officers, subordinates and associates with respect. They shall be courteous and civil at all times in their relationship with one another. When on duty, and particularly in the presence of other Members, Employees, or the public, Officers shall be referred by rank. Subordinates shall salute Officers of the rank of Lieutenant and above in accordance with the norms of military courtesy.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 12

Labor Activity.

- a. Officers shall have the right to join any lawful labor organizations, but nothing herein shall compel the Department to recognize or engage in collective bargaining with any such labor organization, except as provided by law.
- b. Officers shall not engage in any strike. "Strike" includes the concerted failure to report for duty, willful absence from ones' position, unauthorized holidays, sickness unsubstantiated by a physician's statement, the stoppage of work, slowdown of work, sabotage or intentional injury to public property, or the abstinence in whole, or in part, from the full, faithful and proper performance of the duties of employment for any purpose.

RULE 13

Intervention.

- a. Officers and Employees shall not interfere with cases being handled by other Officers of the Department, or by any other governmental agency unless:
 - 1. Ordered to intervene by a Superior Officer and/or
 - 2. The intervening Officer believes beyond a reasonable doubt that a manifest injustice would result from failure to take immediate action.
- b. Officers and Employees shall not undertake any investigation or other official action not a part of their regular duties without obtaining permission from their Superior Officer, unless the exigencies of the situation require immediate police action.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 14

Abuse of Process. Members and Employees shall not make false or misleading accusations of a criminal or traffic charge or violation of this Manual or Lawful Order.

RULE 15

Residency/Telephone Numbers. Every Member shall be a resident of the State of New Jersey while serving in such a position. Members shall immediately report, in writing, any change of residence or telephone numbers to the Chief of Police through their Division Commander within twenty-four (24) hours of the change.

RULE 16

Truthfulness. Upon the order of the Chief, the Chief's designee, or a Superior Officer, Members and Employees shall truthfully answer all questions specifically directed and related to the scope of employment and operations of the Department which may be asked of them. Members and Employees shall not make false or misleading statements in response to an official Departmental investigation, or fail to fully and completely answer any question regarding official duty or responsibility.

RULE 17

Rewards. Members and Employees shall not accept any gift, gratuity, or reward in money, other compensation or any other thing of value for services rendered in the line of duty to the community or any person, business, or agency except lawful salary and that which may be otherwise authorized by law.

RULE 18

Code of Ethics. All sworn Officers are to abide by the Law Enforcement Code of Ethics as set forth in Chapter I of the Rules and Regulations.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 19

Intercession - Soliciting. Members and Employees shall not solicit any person or entity to intercede with the Chief of Police, Mayor or Members of the Borough Council in relation to promotion, assignments, disposition of pending charges, or findings in a Departmental trial or other related matter. This rule is not intended to restrict the rights of the authorized bargaining representative and its agents to engage in protected activities pursuant to N.J.S.A. 34:13A-1, et. seq.

RULE 20

Approaching Governmental Agencies or Representatives. No Member shall communicate with any governmental agencies or representatives regarding any Departmental matter without prior notice to and permission from the Chief of Police, except as otherwise provided by applicable law.

RULE 21

Withholding Information. Members and Employees shall not, at any time, withhold any information from the Chief of Police or Designee concerning suspected or existing criminal activity or violations of this Manual or Lawful Orders.

RULE 22

Reporting and Acting Upon Violations of Laws, Ordinances, Rules or Orders. Members and Employees knowing of other Members or Employees violating laws, ordinances, Rules and Regulations of the Department, or disobeying Lawful Orders, shall promptly report same in writing to the Chief of Police through official channels. If the Member or 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 and the information delivered verbally, to be subsequently resubmitted in writing to the Chief. **However, absent an emergency condition requiring immediate action to protect life or property from imminent and substantial injury, no Member or Employee shall file any criminal or quasi-criminal complaint, civil or administrative action, motor vehicle or other summons, or effect the detention or arrest of any other Member or Employee without the express written consent of the Chief of Police or the Bergen County Prosecutor.**

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 23

Absence from Duty. Every Member or Employee who fails to appear for duty at the date, time and place specified, without the consent of competent authority, is “absent without leave”. Such absence within the period of one day must be promptly reported in writing to the Commanding Officer. All absences without leave must be reported in writing to the Chief of Police.

RULE 24

Obedience to Laws and Rules. Members and Employees shall obey all laws, ordinances, Rules and Regulations, Lawful Orders, Policies and Procedures and Directives of the Department.

RULE 25

Comprising Criminal and Civil Cases. Members and Employees shall not interfere with the proper administration of criminal justice or the civil law.

RULE 26

Recommending Attorneys and Bail Bond Brokers Prohibited. Members and Employees shall not suggest, recommend, or advise the retention of any particular attorney or bail bond broker to any civilian with whom the Member or Employee comes into contact as a result of Departmental business.

RULE 27

Posting Bail. Members and Employees shall not post bail for any person in custody, except relatives. In the event the P.B.A. wishes to post bail for a Fort Lee Police Officer, permission to do so shall be sought from the Chief of Police.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 28

Use of Force. Members and Employees shall follow Departmental Rules and Regulations, Lawful Orders, Policy and Procedure on use of force.

RULE 29

Driver's License. Members and Employees operating Department motor vehicles shall possess a valid New Jersey driver's license. Whenever a Member or Employee receives a motor vehicle summons, or a driver's license is revoked, suspended, or lost, the Member or Employee shall immediately notify the appropriate supervisor giving full particulars.

RULE 30

Address and Telephone Numbers. Employees are required to have a telephone in the place where they reside. Changes in address or telephone number shall be reported in writing to the appropriate supervisor within 24 hours of the change.

RULE 31

Official Accusation, Arrest, Conviction, Civil Judgment, or Restraining Order. Members and Employees shall immediately inform their Supervisors or Commanding Officers if they are accused of any of the following: criminal conduct; official misconduct; arrested; convicted of an offense, misdemeanor or a crime; indicted, subject of a Grand Jury information; named as a target of an official investigation; subject to a judicial restraining order or civil judgment. Such reports shall be kept confidential.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 32

Sick and Injury Leave.

- a. **Reporting Sick or Injured.** Members and Employees unable to report for regular duty and other scheduled duty, including court, because of sickness or injury shall make an immediate report to the desk Officer in person or by telephone specifying the reason for his absence no less than three (3) hours prior to his scheduled tour of duty. If unable to report, a relative or other responsible person shall notify the desk officer of all pertinent facts either in person or by telephone.
- b. **Address of Confinement.** Members and Employees, when sick or injured, shall be responsible for notifying the desk Officer as to their place of confinement and shall remain available by telephone at said location or advise of any subsequent change in their place of confinement.
- c. **Sick or Injured on Duty.** Members and Employees taken sick or injured on duty shall report the facts to their command and shall remain on duty until relieved, unless excused by a Superior Officer. The only exception to this rule would be where the sickness or injury is disabling to the point of preventing compliance.
- d. **Unauthorized Absence.** Members and Employees who absent themselves in an improper manner shall be subject to disciplinary action. Unauthorized absence occurs when Members or Employees:
 1. Feign illness or injury;
 2. Deceive the town or their own physician in any way as to their true condition;
 3. Are injured or become sick as the result of improper conduct or of intemperate, immoral, or vicious habits or practices;

Rules and Regulations
Borough of Fort Lee Police Department

4. Violate any provisions concerning reporting of sickness or injury;
 5. Are not at home or at their place of confinement when visited by the Department physician or Superior Officer.
- e. **Convalescent Time.** Any Member or Employee on sick or injured leave will be confined to his home unless specifically excused by the Department physician or the ranking Superior Officer at the time the request is made.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION IV

RULE I

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 Departmental Rule, Policy or Procedure.

2. Receiving Orders

- a. **Questions Regarding Orders.** Members and Employees in doubt as to the nature or detail of an order shall seek clarification from their Supervisors by going through the Chain of Command.
- b. **Obedience to Unlawful Orders.** Members and Employees are not required to obey any order which is contrary to any law or Ordinance. Responsibility for refusal to obey rests with the Member or Employee, who will be required to justify the refusal to obey.

Rules and Regulations
Borough of Fort Lee Police Department

- c. **Obedience to Improper Orders.** Members and Employees who are given any order which is contrary to Departmental 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 Member or 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 Department.

- e. **Reports of Unlawful or Improper Orders.** A Member or Employee receiving an unlawful or improper order shall, at first opportunity, report in writing to the next highest ranking Supervisor above the Supervisor who issued the unlawful or improper order. Action regarding such a report shall be conducted by the Chief of Police.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION V

RULE I

Police Records and Information.

1. **Release of Information.** Members and Employees shall not release any information nor reveal any confidential business of the Department to any person or entity except as provided in Departmental Policy and Procedure.
2. **Department Documents and Records.** Contents of any Document, record or report filed within the Department shall not be exhibited or divulged to any person or entity other than a duly authorized Member or Employee of the Department, except with the approval of the Chief of Police, or under due process of law, or as permitted under Departmental 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 Department.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION VI

GIFTS AND REWARDS

RULE 1

Soliciting or Accepting Benefits. Members and Employees shall not directly or indirectly solicit, accept or agree to accept any benefit or bribe (as defined herein) to influence the performance of their official duties.

- a. **Other Transactions.** Members and Employees are prohibited from buying, selling or bartering anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention or which arose out of their Department employment except as may be specifically authorized by the Chief of Police.
- b. **Debt Obligation.** Members and Employees shall promptly pay all their just debts and meet all their legal obligations and liabilities.

RULE 2

Rewards. Members and Employees shall not accept any gift, gratuity, or reward in money or other compensation for services rendered in the line of duty, except for salary and benefits directly paid by the Borough of Fort Lee.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 3

Disposition of Unauthorized Gifts, Gratuities. Any unauthorized benefit (as defined herein), gift, gratuity, loan, fee, reward, or other object or thing of value coming into the possession of any Member or Employee, which is not lawfully their own, lawfully, shall be immediately forwarded to the Chief of Police or his designee (example: a Commanding Officer of a shift), together with a written report explaining the circumstances.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION VII

USE OF INTOXICANT

RULE I

- a. **Intoxicants Defined.** Any beverage, drug (legal or illegal), medication or medicinal agent which by the use in question thereof, may cause a person not to have normal use of his physical or mental faculties, thereby rendering him, or likely to render him, impaired from or incapable of acting in the manner in which an ordinarily prudent and caution man or police officer, in full possession of his faculties and using reasonable care, would act under like conditions.

- b. **Intoxification and Intoxified Defined.** The situation where, by reason of ingesting intoxicants, a person does not have the normal use of his physical or mental faculties, thus rendering him impaired from or incapable of acting in the manner in which an ordinarily prudent and caution man or police officer, in full possession of his faculties, using reasonable care, would act under like conditions.

- c. **Alcoholic Beverage Defined.** Alcoholic Beverage means alcohol, fermented or distilled spirits and malt liquors which can be used as a beverage, and which, when drunk to excess, will produce intoxication. Alcoholic Beverages are also Intoxicants as defined herein.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 2

Not Under The Influence Of Intoxicants On Duty. Members and Employees shall not report for duty under the influence of Intoxicants, except as specifically permitted by the Chief of Police or his designee, after timely and full notification by the Member and Employee as later set forth in these Rules and Regulations.

RULE 3

No Consumption Of Alcoholic Beverages Before Duty Periods. Members and Employees shall not ingest Alcoholic Beverages within four (4) hours prior to reporting for duty.

RULE 4

No Use Of Intoxicants On Duty. Members and Employees shall not ingest any Alcoholic Beverages or Intoxicants while on duty.

- a. **Exception.** Members may ingest Alcoholic Beverages (but not other Intoxicants) when assigned to duty in civilian clothes if: (i) it is absolutely necessary in the performance of duty; and (ii) such ingestion has been pre-approved by the appropriate Supervisor; and (iii) such ingestion does not render the Member intoxicated or in any way unfit for duty.
- b. See Also: Rule 10.

RULE 5

Consuming Alcoholic Beverages Off Duty In Full Or Partial Uniform. Members and Employees shall not consume Alcoholic Beverages while off duty and in uniform or any recognizable component of the uniform.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 6

Intoxicants and Alcoholic Beverages In Police Buildings. Intoxicants and Alcoholic Beverages shall not, at any time, be consumed within or around police headquarters or on public grounds or police vehicles.

RULE 7

Supervisors' Responsibility. Supervisors shall not assign to duty or allow to remain on duty any employee whose fitness for duty is questionable due to the use of Intoxicants, including, but not limited to, Alcoholic Beverages or Medication.

RULE 8

Possession Of Intoxicants. Members and Employees shall not have Intoxicants on their person while on duty or in uniform, nor in any police Department building or vehicle, except for evidential or other authorized purposes.

RULE 9

Entering Licensed Premises. Members and Employees in uniform shall not enter any licensed premises where Illegal Intoxicants and Alcoholic Beverages are sold or stored, except in the performance of duty and in compliance with Departmental Policy.

RULE 10

Taking Medication On Duty. Members and Employees of the Department shall not take any medication which may diminish their alertness or impair their senses or physical abilities or which cause or are likely to cause Intoxification prior to or after reporting for duty unless directed by a physician. Notwithstanding the foregoing, Members and Employees may not be on duty if they are intoxicated.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 11

Notification About Medication. When Members and Employees are required to take any prescription medication or any non-prescription medication which may diminish their alertness or impair their senses or physical ability, the Member or Employee shall consult with their physician as necessary and shall notify their Supervisor as far in advance of their reporting to duty as is possible, as to the medication required, its properties and the possible effects on the person's physical and mental abilities, the dosage and the period during which the employee is required to take this medication. It shall be the duty of the Member or Employee to obtain this information from his prescribing physician. If the medication is a nonprescription drug, the Member or Employee shall make this notification. The information so provided shall be confidential.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION VIII

DUTY CONDUCT

RULE 1

Reporting For Duty. Members and Employees shall report for duty at the time and place specified, properly uniformed and equipped.

- a. The prescribed seasonal uniform and equipment are listed in Appendix "A" of these Rules and Regulations.

RULE 2

Absence From Duty. An Employee or Member 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 Member or Employee who is absent without leave.

RULE 3

Prohibited Activity On Duty. Members and 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, card playing, gambling).

RULE 4

Use of Tobacco Products While On Duty. Members and Employees shall not use tobacco products except in authorized areas and shall not use tobacco products on duty while in direct contact with the public.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 5

Personal Electronic Equipment. The use of portable televisions, tape or disc players, radios, and any other form of entertainment other than equipment authorized by the Department while on duty is prohibited.

RULE 6

Relief. Members and Employees are to remain at their assignments and on duty until properly relieved or until dismissed by competent authority.

RULE 7

Meals. All meals are to be consumed within authorized areas, subject to modification by the supervisor. At no time shall such Member or Employee leave his patrol to go “out of service” for such purpose.

RULE 8

Training. Members and 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.

RULE 9

Inspections. Members and 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.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 10

Investigations.

- a. **Command Of Scene.** At the scene of a crime, accident, or other police incident, the ranking Member 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 Members of the same rank are present and one of these is assigned to the investigation detail that will follow up the investigation, that ranking Member 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 Member assuming such control to become acquainted with the facts and ensure that appropriate action is being taken or is initiated.

- b. **Responsibilities Of Members Arriving At Crime And Incident Scenes.** 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:
 1. Summon medical assistance and administer first aid as required to prevent further injury or loss of life.
 2. Arrest violator(s).
 3. Secure the scene.
 4. Conduct a preliminary investigation.

**Rules and Regulations
Borough of Fort Lee Police Department**

- c. **Responsibilities Of Assigned Members At Crime Scene.** The Members officially assigned to perform the preliminary or other investigation of an alleged crime or other incident are responsible for the duties set forth in these Rules 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(s).

- d. **Identification As Police Officer.** Except when impractical or where the identify is obvious, Members shall identify themselves by displaying the official badge or identification card before taking police action.

- e. **Release of Information At Crime Scene.** Unauthorized persons, including members of the press, shall be excluded from crime scenes. Information which will not hinder or nullify an investigation shall be given to the press by the Superior Officer in charge of the investigation or in accordance with Departmental Policy. In order not to jeopardize the prosecution of a criminal case and to insure that an accused will not have cause to challenge the fairness of the court proceeding against him, every member of the department is hereby advised of the following guidelines to be used in dealing with the press.

**Rules and Regulations
Borough of Fort Lee Police Department**

- f. **A Member shall not make nor participate in making any statement to the media or any person outside the Department or other Authorized Agency that relates to:**
1. The character, reputation, or prior criminal record (including arrests, indictments, or other charges of crime) of the accused.
 2. The possibility of a plea of guilty to the offense charged or to a lesser offense.
 3. The existence or contents of any confession, admission, or statement given by the accused or his refusal or failure to make a statement.
 4. The performance or results of any examinations or tests or the refusal or failure of the accused to submit to examinations or tests.
 5. The identity, testimony, or credibility of a prospective witness.
 6. Any opinion as to the guilt or innocence of the accused, the evidence, or the merits of the case.
- g. **These rules do not preclude an Authorized Senior Member or Member in Charge from announcing:**
1. The name, age, residence, occupation, and family status of the accused, except if a juvenile;

Rules and Regulations
Borough of Fort Lee Police Department

2. If the accused has not been apprehended, any information necessary to aid in the apprehension or to warn the public of any dangers the accused may present;
3. A request for assistance in obtaining evidence;
4. The identify of the victim of the crime unless a minor or sexual assault is involved or there is some other reason to protect the privacy of a victim;
5. The facts, time and place of arrest; resistance; pursuit; and the use of weapons;
6. The identify of investigating and arresting Officers or agencies and a general description of the investigation;
7. At the time of seizure, a description of the physical evidence seized, other than a confession, admission or statement;
8. The nature, substance, or text of the charge;
9. Quotation from or reference to public records of the court in the case;
10. The scheduling or result of any step in the judicial proceedings;
11. That the accused denies the charge made against him.

**Rules and Regulations
Borough of Fort Lee Police Department**

h. 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 for whom it is intended or as directed by their Commanding Officer.
2. Members and Employees shall not make known to any person any Departmental order which they receive unless so required by the nature of the order.
3. Contents of any record or report filed within any Department in the police department shall not be exhibited or divulged to any person other than a duly authorized police officer, except with the approval of the Chief of Police, or under due process of law, or as permitted under department regulations.

i. Compromising Criminal Cases. Members and Employees shall not interfere with the proper administration of criminal justice.

1. 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.
2. Members and Employees shall not attempt to have any summons or notice to appear reduced or stricken from the calendar. In any instance of voiding a traffic summons, a full report explaining reasons and circumstances shall be submitted to the division office.

**Rules and Regulations
Borough of Fort Lee Police Department**

3. Any Member or Employee having knowledge of such action and failing to inform his Superior Officer thereof shall be subject to disciplinary action.

RULE 11

Arrests.

- a. In the making of arrests, Members shall strictly observe the laws of arrest and the following provisions:
 1. The arresting Officer shall employ only such reasonable force and necessary restraints to assure the safety of other persons, other police officers, and himself.
 2. Every Member shall refrain from using unnecessary force or violence in making arrests and must not strike a prisoner or any other person except when necessary, in self defense, or to overcome actual physical resistance in making an arrest. However, he must be firm, resolute, and energetic, exercising the necessary means to perform his duty properly. When it is necessary to use force, the circumstances shall be included in the investigation report on the case.
 3. The arresting Officer is responsible for the safety and protection of the arrested person while in his custody. He shall notify the desk Officer of any injury, apparent illness or other conditions which indicates that the arrested person may need special care.

**Rules and Regulations
Borough of Fort Lee Police Department**

4. The arresting Officer is responsible for the security of the personal property in possession or under the control of the arrested person at the time of the arrest. In the case of vehicles, this responsibility transfers to the towing company when they accept custody of the vehicle.

- b. **Assisting Criminals.** Members and Employees shall not communicate any information which might assist persons guilty of criminal or quasi-criminal acts to escape arrest or punishment or which may enable them to dispose of or secrete evidence of unlawful activity or money, merchandise or other property unlawfully obtained.

- c. **Complaints by Members for Assault Against Themselves.** Members shall arrest perpetrators of assault, and criminal offenses directed against them. The perpetrators shall be charged accordingly. Whenever it is impossible to consummate the arrest at the time of the offense, the Member shall make a complete report of the incident to his shift commander with a request that he be allowed to make a complaint in the proper manner according to procedure. A warrant which may be issued as a result of filing such a complaint shall in no case be served by the aggrieved member or a relative.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 12

Detention.

- a. **Custody Of Prisoners.** Members charged with the custody of prisoners shall observe all laws and Departmental Orders regarding this activity. Prisoners shall be kept secure, treated firmly and humanely and shall not be subjected to unnecessary restraints.

- b. **Custody And Detention Of Juveniles.** The Custody and detention of juveniles shall be governed by the Code Of Juvenile Justice, N.J.S.A. 2A:4A-20 et seq. (L 1982, c. 77), and Departmental S.O.P.

RULE 13

Roll Call. Unless otherwise directed, Members shall report to daily roll call at the time and place specified, properly uniformed and equipped. They shall give careful attention to orders and instructions avoiding unnecessary talking or movement.

RULE 14

Physical Fitness For Duty. Members and Employees shall maintain good physical condition so that they can handle the strenuous physical contacts often required of a law enforcement officer. The Department reserves the right, on a random or as required basis, to appropriately test a Member's or Employee's physical fitness for duty.

RULE 15

Loitering. Members on duty or in uniform shall not enter theaters, restaurants, delicatessens, convenience stores, or other public places except to perform a police task. Loitering and unnecessary conversation in such locations are forbidden. Members and Employees, off duty and on duty and not on any official police business, shall not loiter in Police Department areas.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION IX

UNIFORMS, APPEARANCE AND IDENTIFICATION

RULE 1

Regulation Uniforms Required. All Members and uniformed Employees shall maintain uniforms prescribed in Departmental Policy and Procedure. Uniforms shall be kept neat, clean and well-pressed at all times. Non-uniformed civilian Employees shall be attired in clothing suitable for office employees in private industry and shall keep such attire neat, clean and well-pressed at all times.

RULE 2

Manner of Dress on Duty. Members and Employees shall wear the uniform or civilian clothing on duty as prescribed by Departmental Policy and Procedure for the employee's current assignment and no other non-approved apparel. Employees will wear and maintain an Employee uniform when so directed by the Chief of Police.

RULE 3

Wearing Jewelry on Duty. Members on duty shall not wear jewelry which may be grasped during a struggle, catch on machinery, or cut another person, or which can inflict injury or retard the mobility of the Officer. This provision shall not prohibit non-uniformed Officers on duty from wearing jewelry appropriate for the conditions of their current assignment in accordance with Department Policy. The wearing of ear, eye, nose, lip or other body jewelry or adornment, on duty, is prohibited.

RULE 4

Personal Appearance. Members and Employees, while on duty, shall be neat and clean on their person, with uniform or clothes clean and pressed. This provision shall not prohibit non-uniform Officers on duty from dressing appropriately for the conditions of their current assignment in accordance with Departmental Policy. The Department reserves the right to promulgate by lawful order hair and facial hair grooming standards

RULE 5

Wearing or Carrying Identification. Members and Employees shall wear or carry their Department identification at all times, provided that it is practical under the circumstances. Any Member when in uniform shall also wear the regulation badge on the outside of the outermost garment over the left breast and always in plain sight. When not in uniform or off duty, he shall

**Rules and Regulations
Borough of Fort Lee Police Department**

carry his badge in his pocket. Regulation name tags shall also be worn on the issued badge holder, under the badge.

RULE 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.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION X

EQUIPMENT, PROPERTY, FIREARMS AND USE OF FORCE

RULE 1

Equipment on Duty. Members and Employees shall carry all equipment on duty as prescribed in Departmental Policy and Procedure based on their assignment and as set forth in Appendix “A”.

RULE 2

Equipment off Duty. Members shall carry equipment off duty as prescribed in Department Policy and Procedure based on their assignment. See Appendix “B”.

RULE 3

Firearms. Department regulations concerning the care and use of firearms are designed to protect the lives of police officers and the lives and property of the public.

- a. **Handling Of Firearms.** Members shall exercise caution and the utmost care in handling firearms on and off duty.
- b. **Official Police Firearm.** The official police firearm shall be the firearm issued to each Police Officer by the department. Carrying personal firearms on duty or during emergencies is prohibited, unless otherwise dictated by the Chief Of Police.
- c. **Off-Duty Firearm.** The Chief may authorize a Member to carry an off-duty weapon other than the office police firearm, providing that the Police Officer follows the steps prescribed below:
 1. He submits a written request through channels requesting permission to carry an off-duty weapon.
 2. He submits the off-duty weapon to the Officer in charge of firearms training for inspection to determine whether it meets the same standards set for safety and serviceability that apply to the official police firearm. He must also qualify with the off-duty weapon, as required, on the firing range.

**Rules and Regulations
Borough of Fort Lee Police Department**

3. He carries the authorized off-duty weapon only after he has secured the approval of the Chief of Police and only during the time this approval remains in effect.
 4. When requested, the off-duty weapon will be submitted for test fire and inspection upon the member's appearance for scheduled in-service firearms training.
 5. The Member observes and is bound by any part of or any section of these Rules and Regulations which pertain to the official police firearm, and he understands that these same rules and regulations also apply to his use of any off-duty weapon which may be authorized by the Chief of Police.
- d. **Carrying Firearm Generally.** Members shall carry their official police firearms or authorized off-duty weapons fully loaded and in a serviceable, operating condition so that they may be prepared when called upon to carry out a police duty, service, function, or responsibility. When on duty, they shall also carry sufficient extra ammunition to fully reload their official department issued firearm. Members who may be sick, injured, or on vacation leave may, but are not required, to carry a firearm. Police officers who are suspended or whose weapons have been officially taken from them for other reasons shall not carry a firearm under any circumstances. Officers may carry an approved weapon off-duty in accordance with these regulations and department S.O.P.'s regarding firearms.
- e. **In-Service and Off-Duty Holsters.** The official police firearm or authorized off-duty firearm shall be carried in holsters which conform to acceptable specifications, as described in the firearms S.O.P.
- f. **Non-Regulation Firearm or Other Weapons Prohibited.** Members who carry and employ firearms or other weapons other than those that have been inspected and approved by the police department and with which the Member has, as required, qualified on the firing range, shall be subject to disciplinary action.
- g. **Tampering With Police Firearms.** All repairs, modifications and adjustments to the official police firearm and authorized off-duty weapon shall be made only with the prior approval of the officer in charge of firearms training. Police Officers shall not use unauthorized grips. Also, they shall not make any change in the trigger pull mechanism or effect any other

**Rules and Regulations
Borough of Fort Lee Police Department**

unauthorized alteration or addition. Special grips may be used in special cases, but only after the Police Officer first has obtained the approval of the Officer in charge of the firearms section.

- h. **Care Of Firearms Off Duty, Outside Home.** A Member when off duty and outside his home shall keep his department issued service firearm or authorized off-duty weapon holstered on his person readily available for emergency use, unless he is on sick, injured, or on vacation leave.
- i. **Care Of Firearms Off Duty, At Home.** A Police Officer shall keep his firearm in a secure place readily available in case of emergency. Officers shall insure the firearm is inaccessible to children or other unauthorized persons, through the use of trigger locks or secure key or combination locked boxes.
- j. **Loss Of the Firearm.** Loss of the official police firearm or any firearm through carelessness or neglect shall be deemed a serious violation of Departmental regulations and shall subject the member to disciplinary action.
- k. **Ammunition Issue.** The initial issue and the replacement of ammunition for the department firearms shall be made by the Department without expense to the Police Officer. The Department shall replace rounds that have been expended in the line of police duty. Only Department issued ammunition shall be used. Ammunition for off-duty weapons must be pre-authorized by the Chief of Police under the procedures set forth herein for off-duty firearms.
- l. **Discharge Of Firearm: Report.** It shall be the policy of the police department that any Member of the force who discharges any firearm or service weapon shall, by the quickest means of communication available, notify the appropriate police official, and promptly submit a written report to his Commanding Officer. Such report shall be in the form specified by the Department's SOP.

RULE 4

Use of Force, Including Deadly Force, By Law Enforcement Officers.

- a. **Introduction.**
 - 1. The primary objective of this Section is to express this Department's Policy as a guide concerning the use of force in law enforcement. In

Rules and Regulations Borough of Fort Lee Police Department

furtherance of this objective, this Section incorporates the essence of laws and basic training courses concerning the use of force by officers in the performance of their duties. Members are also bound by Department SOP's concerning use of force, as same may be amended from time-to-time. It is the responsibility of every Member to stay current and study these SOP's.

2. As defined in N.J.S.A. 2C:3-11, “deadly force” means force which the Officer uses with the purpose of causing or which the Officer knows to create a substantial risk of causing death or serious bodily harm. Purposely firing a firearm in the direction of another person or at the vehicle, building or structure in which another person is believed to be constitutes deadly force. A threat to cause death or serious bodily harm, by the production of a weapon or otherwise, so long as the purpose is limited to creating an apprehension that the officer will use deadly force if necessary, does not constitute deadly force.
 3. Non-deadly force means physical force other than deadly force.
 4. As defined in N.J.S.A. 2C: 3-11, “serious bodily harm” means bodily harm which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss of impairment of the function of any bodily member or organ or which results from aggravated sexual assault or sexual assault.
 5. As defined in N.J.S.A. 2C: 3-11, “dwelling” means any building or structure, through moveable or temporary, or a portion thereof, which is for the time being an individual’s home or place of lodging.
- b. It is the Policy of this Department that its Members employ force in the performance of their duties only to the degree and in the manner provided by law and consistent with the provisions of the New Jersey Code of Criminal Justice.
1. Warning shots by Officers performing their duties are not authorized by the Department.
 2. Comment. Officers have special legal authority to use force and deadly force in certain situations subject to limitations. Notwithstanding this authorization, they are under a duty to employ

**Rules and Regulations
Borough of Fort Lee Police Department**

extraordinary care in the handling of firearms and other deadly weapons. It is essential that each officer exercise sound judgment and act reasonably under all circumstances where any force is applied. Given the existence of the requisite conditions, an officer should resort to deadly force only when immediately necessary and only after all other alternatives have been exhausted or are believed to be ineffective in light of the prevailing circumstances.

- c. **Mechanics.** The specific rules and limitations in the use of force and the circumstances in which a police officer is justified in using force (deadly or non-deadly) are specified in the Department firearms Standard Operating Procedure, as same may be amended from time to time. The unifying principles that bind all of these rules and limitations are necessity and proportionality: A police Officer shall use force only when and to the extent necessary and he shall use only that force which is reasonable in relation to the harm he seeks to prevent.

- d. **Firearms Requalification.** Members must be legally skilled in the use and maintenance of the firearm he carries for the protection of the community and himself. To ensure that all officers are well trained and proficient in the use and maintenance of firearms, it is the policy of this Department that each officer satisfies the state firearms requalification process. An Officer must successfully requalify with both his duty and off-duty weapon and the records of the scores of all members of this department shall be systematically maintained. Those officers who do not successfully requalify shall not be permitted to carry a firearm and may be considered unqualified for continued employment.

RULE 5

Department Property and Equipment. Members and Employees are responsible for the proper care of Department property and equipment assigned to them which must be kept clean, in good working order, and conform to department specifications.

RULE 6

Use of Department Property and Equipment. Members and Employees shall not use any Department property or equipment for personal business or pleasure.

RULE 7

**Rules and Regulations
Borough of Fort Lee Police Department**

Damaged, Unduly Worn or Inoperative Property or Equipment. Members and Employees shall immediately report to their Supervisors or Commanding officer any unduly worn equipment, any loss of or damage to Department property assigned to or used by them. The Supervisor or Commanding Officer shall also be notified of any defects or hazardous conditions existing in any Department equipment or property.

RULE 8

Care of Department Buildings. Members and Employees shall not mark or deface any surface in any Department building. No material shall be affixed to any wall in Department buildings without specific authorization from the appropriate Supervisor.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 9

Notices. Members and Employees shall not mark, alter or deface any posted notice of the Department. Notices or announcements shall not be posted on bulletin boards without permission of the appropriate Supervisor, except in those areas designated for use by the collective bargaining units.

RULE 10

Use of Department Vehicles. Members and Employees shall not use any Department vehicle without the permission of a Supervisor. Department vehicles shall not be used for personal business or pleasure, except as may be otherwise authorized by the Department.

RULE 11

Operation of Department Vehicles. When operating Department vehicles, Members and Employees shall keep the car under control and shall not violate traffic laws except in cases of emergency and then only in conformity with state law and Departmental Policy and Procedure regarding same.

RULE 12

Transporting Citizens. Citizens will be transported in Department vehicles only when necessary to accomplish a police purpose or as otherwise authorized by the Department. Such transportation will be done in conformance with Department Policy or at the direction of a Commanding Officer or immediate Supervisor.

RULE 13

Reporting Accidents. Accidents involving Department personnel, property, equipment and vehicles must be reported in accordance with Department procedures.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 14

Inspection. Departmental property and equipment is and remains the property of the Department and is subject to entry and inspection without notice. Department property includes, but not limited to, lockers and desks.

RULE 15

Liability. If Department property or Borough property or civilian property in the Member's or Employee's custody or control is damaged or lost as a result of misuse or negligence by a Member or Employee, that Member or Employee will be held liable to reimburse the Department, Borough or civilian for the damage or loss and that Member or Employee is also subject to Disciplinary Action. **In the event that municipal property is found bearing evidence of damage or loss which has not been reported, it shall be evidence that the last person using the property or vehicle was responsible for said damage or loss.**

RULE 16

Surrender of Department Property.

- a. **Upon Separation From the Department.**
Members and Employees are required to surrender all Department property in their possession upon separation from the service. For failure to return a non-expendable item, the Member or Employee will be required to reimburse the Department for the fair market value of the article.
- b. **Under Suspension.**
Any Member or Employee under suspension shall immediately surrender their identification, firearm (if applicable), and all other Department property to the appropriate Supervisor pending disposition of the case.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XI

COMMUNICATIONS AND CORRESPONDENCE

RULE 1

Restrictions. Members and Employees shall:

- a. Not use Department letterheads for private correspondence.
- b. Only send Correspondence Documents and other Departmental information out of the Department under the direction of the appropriate Supervisor.

RULE 2

Forwarding Communications. Any Member or Employee who receives a communication for transmission to another Member or Employee shall forward same without delay.

RULE 3

Use of Department Equipment and Address. Members and Employees shall not use the Department or its computers and electronic equipment as a personal mailing address or for private purposes. The Department address shall not be used for any private vehicle registration or driver license.

RULE 4

Telephones. Department telephone equipment may not be used for personal use involving toll charges without the express approval of a Supervisor.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 5

Radio And Other Electronic Equipment Discipline. Members and Employees operating the police radios, computers and other electronic equipment shall strictly observe the Procedures and restrictions for such operations as set forth in Departmental Policy and the procedures set forth by other Government Agencies having jurisdiction.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XII

CONDUCT TOWARD PUBLIC

RULE 1

Courtesy. Members and Employees shall be courteous and orderly in their dealings with the public. They shall perform their duties politely, avoiding profane or provoking language and shall always remain calm regardless of provocation.

RULE 2

Request for Identification. Upon request of any person, Members and Employees are required to supply their name and badge number in a courteous manner, except on undercover assignments when to do so would interfere with the performance of their duty.

RULE 3

Impartiality. Members and Employees shall not exhibit bias or favoritism toward any person because of race, sex, sexual orientation, creed, color, national origin, ancestry, marital status, blood trait, age, handicap, religion, governmental affiliation, or influence.

RULE 4

Use of Derogatory Terms. Employees shall not use language that is derogatory or humiliating, demeaning or insulting to a person because of race, gender, sexual orientation, creed, color, national origin, ancestry, marital status, blood trait, age, handicap, religion, governmental affiliation, or influence.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 5

Affiliation with Certain Organizations Prohibited. No Member or Employee shall knowingly become a member or affiliate of any subversive organization which advocates the violation of law, or which professes hatred, prejudice, or oppression against any racial or religious or other group or classification protected by the New Jersey Law Against Discrimination or political entity, except when necessary in the performance of duty and at the direction of the Chief of Police.

RULE 6

Representing the Police Department. Members and Employees shall not give public speeches or demonstrations on behalf of the Department, nor shall they endorse any product or service in or out of uniform, as a Member or representative of the Department, without prior approval from the Chief of Police.

RULE 7

Public Statements. Members and Employees shall not make public statements concerning the work, plans, policies or affairs of the Department, which may impair or disrupt the operation of the Department or which are unlawful or defamatory.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XIII

POLITICAL ACTIVITIES

RULE 1

Partisan Political Activities Permitted. Members and Employees may campaign or otherwise actively engage in partisan political campaigns and activities; however, no activities shall be conducted during any tour of duty or in uniform (or any recognizable part thereof) or as a representative of the Department.

RULE 2

Non-Partisan Political Activities Permitted. Members and Employees may campaign or otherwise actively engage in non-partisan political campaigns and other community activities: However, no activities shall be conducted during any tour of duty or in uniform (or any recognizable part thereof) or as a representative of the Department.

RULE 3

Participation in Public Affairs. Members and Employees may participate fully in public affairs to the extent that such endeavors do not impair the neutral and efficient performance of official duties, or create real or apparent conflicts of interest.

RULE 4

Contribution of Funds. Members and Employees may contribute funds or any other thing of value to candidates for public office subject to the provision of law governing such contributions.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 5

Use of Official Position. Members and Employees shall not directly or indirectly use or attempt to use their official position to improperly influence the political activity of another person.

RULE 6

Polling Activities. Members and Employees shall not engage in any polling duties with the Borough of Fort Lee except in the performance of their official duties.

RULE 7

Political Material. Members and Employees shall not display any political material on their person while on duty or in their uniform or on any government property except for PBA Official Business on the designated PBA Bulletin Board.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XIV

JUDICIAL APPEARANCE AND TESTIMONY

RULE 1

Duty of Employee to Appear and Testify. Members and Employees shall appear and testify on matters directly related to the conduct of their office, position or employment before any court, grand jury, Governmental Agency or the State Commission of Investigation. Any Member or Employee failing or refusing to do so shall be subject to removal from his office, position or employment. Members and Employees shall immediately inform their supervisors or Commanding Officer of any planned or required appearance or Testimony before any court, grand jury, governmental agency or the State Commission of Investigation. Members and Employees shall also remain current on Department SOP's concerning official testimony.

RULE 2

Subpoena. Members and Employees shall not volunteer to testify in civil cases involving their official duties.

RULE 3

Official Appearance. When appearing in court, Grand Jury or on official business or on Department business, Members and Employees shall, except as may otherwise be provided in a Department SOP, wear either the Department uniform or appropriate business attire. (A shirt, tie, dress slacks and dress jacket for men and a suit, dress or dress blouse and skirt for women. Footwear shall also be business appropriate.) On duty grooming standards apply to all official appearances.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 4

Testifying for the Defendant. Any Member or Employee subpoenaed to testify for the defense of a person charged with a crime or against the municipality or Department in any hearing or trial shall notify the appropriate Supervisor immediately upon receipt of the subpoena, whereupon the Supervisor shall immediately notify the applicable prosecutor and the municipal attorney.

RULE 5

Truthfulness. Members and Employees are required to be truthful at all times in all matters concerning or affecting the Department or their employment, whether under oath or not.

RULE 6

Civil Depositions and Affidavits. Members and Employees shall confer with the appropriate Supervisor before giving a deposition or affidavit on a civil matter relating to Department or Official Duties.

RULE 7

Civil Action, Expert Witness. Members and Employees shall not volunteer or agree to testify as expert witnesses in any court or before any governmental body without the prior written approval of the County Prosecutor and Chief of Police.

RULE 8

Civil Process. Members and Employees shall not serve civil process or assist in civil cases unless such service is approved by the appropriate Supervisor.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XV

PERSONNEL REGULATIONS

RULE 1

Hours and Leave.

1. Hours of Duty. Members and Employees shall have hours of work assigned to them for active duty, and when not so employed, they shall be considered off duty. Members and Employees are subject to be recalled to duty as needed.
2. Scheduled Days Off. Members and Employees are entitled to days off pursuant to appropriate collective bargaining agreements and days off are to be taken according to a schedule arranged by the appropriate Supervisor. Members and Employees are subject to recall as needed.
3. Vacation Leave. Members and Employees are entitled to vacation days off pursuant to appropriate collective bargaining agreements, Departmental Policy and Procedure, and approval of the vacation schedule by the appropriate Supervisor. Members and Employees are subject to recall as needed.
4. Other Leaves. Members and Employees are entitled to other leave as provided for in collective bargaining agreements, by law and by Department Policy and Procedure, subject to recall and approval of the schedule by the appropriate Supervisor.

**Rules and Regulations
Borough of Fort Lee Police Department**

5. Sick Leave. Members and Employees are entitled to sick days off pursuant to appropriate collective bargaining agreements and Department policy and procedures.
6. Abuse of Sick Leave. Members and Employees who take sick leave in violation of Department 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 Departmental authority and which unavoidably requires utilization of additional Employees who are not scheduled to work.

RULE 2

Secondary Employment.

1. **Secondary Employment.** Members and Employees may not engage in secondary employment without the prior consent of the Chief of Police or his designee(s). Members and Employees are also required to report to the Chief or his designee(s) any appearance of or actual conflict of interest which may occur between their employment with the Borough of Fort Lee and their secondary employment. Secondary employment is also governed by Department SOP's as same may be amended from time-to-time. Members and Employees are required to read and comply with these SOP's.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 3

Resignation/Retirement.

1. **Resignations and Retirements to be in Writing.** All resignations and retirements of Members and Employees must be in writing and bear the signature of the person resigning. Members and Employees shall provide the Chief of Police with no less than 30 days written notice of their planned resignation date, unless emergent circumstances prevent full notice.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XVI

PUBLIC ACTIVITIES AND PUBLIC CONTACT

RULE 1

Identification.

- a. Except where impractical or where the identity is obvious, Officers shall identify themselves by displaying their official badge or identification card before taking police action.
- b. Officers shall carry their badge and identification cards on their persons at all times except when impractical or dangerous to their safety or to an ongoing investigation. They shall furnish their name and badge number to any person requesting that information when they are on duty or holding themselves out as having an official capacity, except when the withholding of such information is necessary for the performance of police duties, or is authorized by proper authority.

RULE 2

Citizen Complaints. Officers shall courteously and promptly record, in writing, any complaint made by a citizen against any Officer of the Department. Officers may attempt to resolve the complaints, but shall never attempt to dissuade any citizen from lodging a complaint against any Officer of the Department. Officers shall follow established Departmental Procedures for processing complaints.

RULE 3

Courtesy. Officers and Employees shall be courteous to the public. Officers shall be tactful in the performance of their duties, shall control their tempers and exercise the utmost patience and discretion and shall not engage in argumentative discussions, even in the face of extreme provocation. In the performance of their duties, Officers shall not use coarse, violent, profane or insolent language or gestures and shall not express any bias or prejudice concerning any person or any category of protected persons as set forth in the New Jersey Law Against Discrimination. They shall attend to requests from the public quickly and accurately, avoiding unnecessary referral to other parts of the Department.

RULE 4

**Rules and Regulations
Borough of Fort Lee Police Department**

Requests for Assistance. When a person requests assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly recorded and judiciously acted upon consistent with established Departmental procedures.

RULE 5

Impartial Attitude. All Members, even though charged with vigorous and unrelenting enforcement of the law, must remain completely impartial toward all persons coming to the attention of the Department. Violations of the law are against the people of the State and not against the individual Officer. All citizens are guaranteed equal protection under law. Members shall not exhibit partiality concerning a person, or engage in unwarranted interference in the private business of others when not in furtherance of their Official Duties.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XVII

OATH OF OFFICE

RULE 1

All new police Officers and civilian Employees, before their assignment to duty and prior to their promotion to higher ranks, shall be required to take an oath of office as follows:

“I [name of police Officer or employee], do solemnly swear [or affirm] I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will faithfully discharge the duties of [state rank or position] of the Borough of Fort Lee according to the best of my ability. [Optional: “So help me God.”]

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XVIII

PROBATIONARY PERIOD

RULE 1

Appointment of a patrolman to the Police Department is for a probationary period of one (1) year, or as extended by the Department, to comply with the mandatory training required under N.J.S.A. 52:17B-69. Continuation in the service is dependent upon the conduct of the appointee and his fitness to perform his duties. At the termination of the probationary period, if the conduct or capacity of the probationer has not been satisfactory, he shall be notified, in writing, that he will not receive absolute appointment and his services shall be terminated by the Chief of Police without a hearing. The probationary period may be extended at the recommendation of the Chief of Police and the approval of the Appropriate Authority.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XIX

DISCIPLINE

RULE 1

Disciplinary Action.

1. **Disciplinary Action.** Employees, regardless of rank, shall be subject to disciplinary action and discharge, according to the nature of the offense, for:
 - a. Committing an offense punishable under the laws or statutes 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 Lawful Order, Rule, Policy, Procedure, or Directive of the Department; or
 - d. Failure to obey any Lawful Order, instruction, or command of a Supervisor.
2. **Repeated Minor Violations.** Repeated minor violations of the rules of conduct shall be indicative of Employees' disregard for their duty and may be cause for dismissal. This shall apply regardless of the type or severity of the offenses.
3. **Other Violations.** Disciplinary action in all cases will be decided on the merits of each case. Nothing in these regulations prohibits disciplining or charging Officers or Employees because the alleged act or omission does not appear herein.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 2

Suspension and Removal of Officers and Employees. All disciplinary action shall be accomplished in accordance with applicable law.

RULE 3

Authority to Discipline.

- a. All disciplinary action against a Member or Employee shall be taken in accordance with the ordinances of the Borough of Fort Lee, the Rules and Regulations contained herein, and applicable statutes and regulations.
- b. Individual supervisory personnel may take the following disciplinary measures, subject to the subsequent approval of the Chief of Police:
 1. Oral reprimand.
 2. Written reprimand.
 3. Emergency suspension.
 4. Written recommendations for other disciplinary action.

RULE 4

Appropriate Authority.

- a. Pursuant to the terms of N.J.S.A. 40A:14-118, Borough Ordinance designates the “Appropriate Authority” for hearing and determining all disciplinary matters which have been instituted pursuant to N.J.S.A. 40A:14-147 and pursuant to these Rules and Regulations, which may result in a suspension, suspension from outside jobs, fine, demotion, reduction in rank, and/or a monetary penalty in lieu of suspension.
- b. The Appropriate Authority may, in its discretion, appoint a “Hearing Officer” to preside over all disciplinary actions instituted pursuant to Section A. herein.
- c. In those instances where the Appropriate Authority has appointed a Hearing Officer pursuant to these Rules and Regulations, the Hearing Officer shall preside over all hearings in accordance with the procedures set forth in these Rules and Regulations.

**Rules and Regulations
Borough of Fort Lee Police Department**

The Appropriate Authority shall exercise its discretion and shall determine to proceed in one of the two following fashions:

1. The Hearing Officer shall preside over the hearing and rule on all evidentiary and procedural matters. However, the Hearing Officer shall not make any findings or recommendations and the Appropriate Authority shall be solely responsible for determining guilt or innocence and the determination as to penalty, if any.
 2. At the discretion of the Appropriate Authority, the Hearing Officer shall make findings of fact and recommend said findings to the Appropriate Authority. Said recommendations shall include a recommendation as to a finding of guilt or innocence in whole or in part. In those instances where a finding of guilt is recommended, the Hearing Officer shall also make a recommendation to the Appropriate Authority as to the penalty to be imposed.
- d. In the event the Appropriate Authority determines to proceed under Section C.2., herein, copies of the Hearing Officer's recommendations shall, simultaneously with transmittal to the Appropriate Authority, be served by the Hearing Officer on the Member or Employee or his representative and on the appropriate authority and prosecutor.

Rules and Regulations
Borough of Fort Lee Police Department

- e. In all proceedings conducted under Section C.2., all parties shall have fifteen (15) days from the date of the Hearing Officer's recommendations to the Appropriate Authority to file exceptions from the Hearing Officer's recommendations with the Appropriate Authority.
- f. In all such instances where a Hearing Officer has been appointed and subsequently made recommendations pursuant to Section C.2., the Appropriate Authority shall consider, but shall not be bound by, the recommendations of the Hearing Officer and shall further consider the exceptions to said recommendations by the Member or Employee involved or his representative and by the Chief of Police or the Prosecutor.
- g. In all proceedings conducted pursuant to Section C.2., the Appropriate Authority shall consider the recommendations of the Hearing Officer and the exceptions filed by the parties, and based upon a review of same and the record in each case, he shall have the authority to accept, modify or reject the Hearing Officer's recommendations and to make a finding with regard to guilt or innocence and to impose penalties on the employee.
- h. In those cases where a Hearing Officer is not appointed, or where the Appropriate Authority decides to proceed under Section C.1., herein, any hearing required by these Rules and Regulations shall be conducted by the Appropriate Authority who shall conduct a hearing in accordance with the terms of these Rules and Regulations and determine guilt or innocence. If a finding of guilt is made, then the Appropriate Authority shall impose a penalty in accordance with the terms of these Rules and Regulations.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XX

**INITIATION OF DISCIPLINARY ACTION
AND DISCIPLINARY ACTION**

RULE 1

Initiation and Procedure for Oral Reprimand. Oral reprimands may be given by a Supervisor or Superior Officer to any of his subordinates.

- a. When an oral reprimand is given, the Member or Employee shall be advised that the Superior Officer or Supervisor is giving an oral reprimand and that an "Incident Report" will be made and forwarded to the Division Commander.
- b. The Superior Officer or Supervisor giving the reprimand shall complete an "Incident Report", in triplicate, retaining one copy and forwarding the original copy to the Division Commander. The third copy shall be given to the Member or Employee being disciplined.
- c. The Division Commander shall review the report and, in writing, either approve or disapprove the report, and if disapproved, direct what action, if any, should be taken with a copy to the Member or Employee being reprimanded.

RULE 2

Initiation and Procedure for Written Reprimand. A written reprimand may be given by a Superior Officer or Supervisor to any of his subordinates.

- a. When a written reprimand is given, the Superior Officer or Supervisor giving such reprimand shall complete a "Written Reprimand Report" in triplicate. He is to retain one copy and forward the original copy, together with any supporting documentation, to the Chief. The third copy shall be given to the Member or Employee being disciplined.
- b. The Chief shall review the Report and, in writing, either approve or disapprove the Report; and if disapproved, make recommendations as to what action, if any, be taken. If the report is approved by the Chief of Police, the report shall be placed in the Member's or Employee's personnel file.

RULE 3

**Rules and Regulations
Borough of Fort Lee Police Department**

Initiation Procedure in Other Cases. In those cases where disciplinary action could result in any penalty other than oral or written reprimand, the Superior Officer or Supervisor initiating such action shall complete a “Recommendation for Disciplinary Action Report” and forward it, together with any supporting documentation, through the Chain of Command to the Chief of Police.

- a. Each level in the Chain of Command shall review the Report and any supporting documentation, and, in writing, either approve, disapprove, or modify the recommendation.
- b. The Division Commander, Deputy Chief or the Chief of Police may direct such further investigation as is deemed appropriate.
- c. The Chief of Police, upon completion of his review of the Report, supporting documentation, and any supplemental investigations, shall direct whatever action he deems appropriate. If he determines that formal charges should be preferred, he shall prepare, sign, and serve charges upon the accused Member or Employee.
- d. The Chief of Police, or Superior Officer acting in that capacity, shall prepare a “Preliminary Notice of Disciplinary Action” on the prescribed form. Such Notice shall be prepared, served and acted upon the Member, in accordance with applicable laws.
- e. If the Member or Employee charged enters a plea of guilty, the Chief of Police shall permit the Member or Employee to present matters in mitigation prior to assessing a penalty.

RULE 4

Initiation of Charges. In those cases where disciplinary action is recommended by the preferring of charges, the Chief of Police or his designee, or superior officer acting that capacity, shall prepare and serve a Preliminary Notice of Disciplinary Action. Such Notice shall be prepared and served in accordance with Title IIA and N.J.S.A. 40A:14-147, et seq.

RULE 5

Forum Of Hearing.

Charges shall be heard by the Appropriate Authority. The conduct of the hearing shall be as follows:

**Rules and Regulations
Borough of Fort Lee Police Department**

- a. The accused shall be given a copy of the charges and specifications and other relevant documents. No other discovery shall be given without a timely request to and the prior consent of the Appropriate Authority or Hearing Officer.
- b. If the accused officer so requests, he may be represented by an authorized union representative of the Fort Lee borough Policeman's Benevolent Association or an attorney or other representative of his own choosing, at his own expense.
- c. The accused and the charging officer or respective representatives shall have the right to present evidence and argument to call witnesses, and to cross-examine witnesses. However, subpoenas are not available without the prior consent of the Appropriate Authority or Hearing Officer. Each party shall bear their own costs for witness compensation. Requests for subpoenas must detail the need for compulsion and be made in adequate time to allow the consideration of the request and serve the subpoena.
- d. The burden shall be upon the Department to prove the violation by a preponderance of the evidence.
- e. The accused must enter a written plea of guilty or not guilty on or before the hearing date set forth in the Preliminary Notice of Disciplinary Action.
- f. If the accused pleads guilty or is found guilty, the Appropriate Authority may consider the prior record of the officer before assessing a penalty.

RULE 6

Adjournments. Reasonable requests for adjournment for good cause shall be made in writing to the Appropriate Authority or Hearing Officer. Such request shall state the reason for the requested adjournment, and shall also include the accused officer's voluntary waiver of his rights to a timely hearing, as provided in Title 11A and N.J.S.A. 40A:14-147, et seq. The Appropriate Authority or Hearing Officer shall consider such request and may grant or deny an adjournment for good cause.

RULE 7

Conduct of the Hearing.

- a. The hearing may be opened or closed at the direction of the Appropriate Authority or Hearing Officer. A sound recording shall be made of the hearing or a transcript shall be prepared by a certified shorthand reporter. The accused Officer shall be allowed to have a court stenographer present at his own expense and/or have his own sound recording made of the hearing. The Appropriate Authority or Hearing Officer shall

Rules and Regulations
Borough of Fort Lee Police Department

control the manner, method and presentation of the Hearing and make (recommended if by Hearing Officer) rulings on objections, relevance, mutuality, witnesses, etc.

**Rules and Regulations
Borough of Fort Lee Police Department**

- b. Absent direction to the Appropriate Authority or hearing Officer, the hearing shall be conducted in the following sequence:
1. The accused Officer may present any procedural arguments or objections to the appropriate authority. The Appropriate Authority may consider such arguments and rule immediately or reserve such ruling.
 2. Opening statements shall be presented, with the Department proceeding first.
 3. The Department shall present its evidence and witnesses. The accused Officer or representative shall have the right to cross-examine witnesses for the prosecution.
 4. The accused Officer or representative shall present his case, and the prosecuting Officer or attorney shall have the right to cross-examine witnesses for the defense. The Chief of Police or representative shall have the right to ask appropriate questions after cross-examination.
 5. Closing arguments shall be presented with the accused Officer proceeding first.
 6. Briefs after closings may be submitted only if the Appropriate Authority or Hearing Officer regards same as useful and necessary.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 8

Action by the Appropriate Authority After Hearing.

- a. The Appropriate Authority or Hearing Officer shall have twenty (20) calendar days from the close of the hearing to make a decision on the charges and furnish the employee, either by personal service or certified mail, with a Final Notice of Disciplinary Action; and
- b. Notify the Officer, in writing, of his action, and advise the Officer of their right to appeal, pursuant to New Jersey State Law.
- c. The Appropriate Authority, may for reasons and a time stated in writing to the parties, extend the time for decision on the charges.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XXI

DISCIPLINARY ACTION INVOLVING SENIOR OFFICERS

RULE 1

Disciplinary Action Involving Captains, Inspectors, Deputy Chiefs and the Chief of Police. Disciplinary action involving Captains, Inspectors or Deputy Chiefs shall be initiated solely by the Chief of Police. Disciplinary action involving the Chief of Police shall be the sole responsibility of the Appropriate Authority.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XXII

PENALTIES

RULE 1

Assessment of Penalties. The following penalties may be assessed against any Member or Employee of the Department in a disciplinary matter:

1. Oral reprimand.
2. Written reprimand.
3. Suspension from outside jobs.
4. Monetary fine in lieu of suspension in accordance with N.J.S.A. 11A:2-20.
5. Suspension from duty.
6. Demotion.
7. Dismissal from service.

[Disciplinary penalties need not, in all cases, be progressive in nature.]

RULE 2

Court And Other Required Appearances During Suspensions. When an Member or Employee is scheduled for court and other required appearances during the time he is on suspension, he shall be responsible for court attendance, unless relieved of such responsibility by the Deputy Chief or Chief of Police.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 3

Restrictions During Suspensions. During a period of suspension, a Member or Employee shall not wear any identifiable part of the official uniform. Upon being relieved of duty, he will immediately surrender his badge, identification card, Department weapon, and all other Department property as requested. He shall not act in the capacity of, nor represent himself as a Police Officer or police Departmental employee in any manner, nor perform any type of police work, nor carry a firearm.

RULE 4

Employment During Suspension. If a Member is scheduled for outside police work during his period of suspension, then he shall be responsible for notifying the Chief of Police that he will not be able to appear for this assignment. Such notification shall be made as soon as possible.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XXIII

EMERGENCY SUSPENSION

RULE 1

Emergency Suspension. Should an Employee or Member be accused or charged with a violation of Department written rules, regulations, procedures, directives or orders, or a more serious offense or infraction, the Employee's or Member's Supervisor or Commanding Officer may temporarily relieve him from duty pending disposition by the Chief of Police. If an emergency suspension is given, the Supervisor or Commanding Officer must notify the Division Commander immediately. The Division Commander shall notify the Deputy Chief and the Chief of Police.

RULE 2

Follow-up on Emergency Suspensions. When an immediate suspension of duty has been directed by a Supervisor, the Supervisor and the accused will report to the office of the Division Commander, otherwise the Supervisor shall present the accusation and any documentation to the Division Commander. Other than normal duty hours where a immediate relief of duty has been directed, the following steps shall be followed:

- a. The Supervisor shall direct the Member or Employee to report to the office of the appropriate Division Commander, or the Superior Officer acting in that capacity, the next day (Saturdays and Sundays included) at 9:00 a.m. The Supervisor shall also advise the accused that he will not be permitted to work any intervening assigned shift or side job between the time of the emergency suspension and the meeting with the Division Commander. The Supervisor shall inform the suspended Officer of the limitations of his police powers and shall relieve the accused of his badge, weapon, and Department identification. Further, he shall advise the Division Commander of what has transpired before going off duty. In the event that a Division Commander, or a Superior Officer acting in that capacity, cannot be contacted, he shall contact the Chief of Police. The Chief of Police will conduct the hearing the following day.
- b. The Supervisor shall completely document all pertinent facts concerning the infraction, the action taken, and his recommendations, complete with justification for further action.
- c. The Supervisor shall be responsible for ensuring that this documentation moves forward through the Chain of Command and delivered to the Division Commander's office, without unreasonable delay. The Division Commander shall notify the Deputy Chief and Chief of Police upon receipt of this documentation set forth in Section (6).

Rules and Regulations
Borough of Fort Lee Police Department

- d. In the event the Division Commander, Deputy Chief or the Chief of Police does not concur with the action taken, he may:
 - 1. Ask for additional clarification from those Superior Officers or other persons who have direct personal knowledge of, or are involved in the action;
 - 2. Call for a further investigation to be conducted. When and if this action is taken, the Chief of Police may suspend further action pending the completion of the investigation; and
 - 3. Direct same course of action other than suspension from duty.

- e. In the event the Chief of Police concurs with the temporary relief of duty, then he shall inform the Member or Employee of the duration/length and conditions of the suspension. He shall then complete the proper personnel paperwork, sign it, and have the suspended Employee sign it, to acknowledge receipt.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XXIV

CIVILIAN COMPLAINTS AGAINST DEPARTMENT PERSONNEL

RULE 1

Receipt of Complaint. All civilian complaints alleging misconduct by Department personnel, whether received in writing, in person, or by telephone, shall be administered in accordance with Department SOP.

**Rules and Regulations
Borough of Fort Lee Police Department**

REGULATION XXV

INTERNAL AFFAIRS INVESTIGATION

In appropriate cases, as provided for herein, the Chief of Police, Deputy Chief or a Division Commander may direct the investigation of a matter. Internal Affairs reports and investigations are also governed by Department SOP's. Members and Employees are required to read and abide by these SOP's as they may be amended from time-to-time.

RULE 1

Investigation of Alleged Misconduct. The Officer assigned to the investigation of an alleged act of misconduct or omission on the part of another Member or Employee of the Department shall conduct a complete and accurate investigation. Such investigation shall include signed statements from all parties concerned, where necessary and pertinent; the gathering and preservation of any physical evidence pertaining to the case; and any other information relating to the matter.

- a. Such investigations are highly confidential and shall not be discussed or disseminated to unauthorized persons or entities.

RULE 2

Reports of Investigation of Alleged Acts of Misconduct. The results of the investigation must be submitted in a written report entitled, "Report of Investigation and Findings". The investigating Officer shall summarize the pertinent facts, including, but not limited to:

- a. A summary of the complaint or alleged act of misconduct.
- b. Pertinent portions of the statements of all parties to the incident.
- c. A description of the incident, physical evidence, and other evidence relevant to the case.
- d. The observations and conclusions of the investigating Officer.

RULE 3

Findings. One of the findings listed below will be included in the "Report of Investigation and Findings" of an alleged act of misconduct.

- a. Unfounded. When the investigator, after carefully reviewing all the facts, determines that all pertinent information firmly supports the conclusion that the allegation is

**Rules and Regulations
Borough of Fort Lee Police Department**

untrue, his final determination shall be that this complaint is unfounded. In such instances, the member(s) involved will be considered totally exonerated of any misconduct.

- b. Exonerated. When the investigator, after carefully reviewing all the facts, determines that all pertinent information firmly supports the conclusion that the acts did occur but were justified, lawful and proper, his final determination shall be that the member is exonerated.
- c. Substantiated. When the investigator, after carefully reviewing all the facts, determines that the complaint has been supported by the evidence, his final determination shall be that the complaint has been substantiated.
- d. Not Substantiated. When the investigator, after carefully reviewing all the facts, determines that, because of a lack of witnesses or other objective and persuasive evidence, that the complaint cannot be substantiated, then his final determination shall be that the complaint is inconclusive. Although this determination does not necessarily indicate that the allegation was untrue, the member(s) involved will be considered exonerated until such time that evidence to the contrary is produced.

**Rules and Regulations
Borough of Fort Lee Police Department**

RULE 4

Action On The Report. The investigator's "Report of Investigation and Findings" shall be promptly delivered to the designated Superior Officer in charge of Internal Affairs, who shall in turn, recommend disposition on the Report to the Chief of Police. In the event that the IA Officer is the accused, the investigator shall deliver his report directly to the Chief of Police.

- a. The Chief of Police shall recommend whether or not to pursue the Report further, by disciplinary action or reference to the County Prosecutor.
- b. The "Appropriate Authority" may amend the action to be taken on the Report and Recommendation in the event the Appropriate Authority does not take positive action to amend the Report and Recommendation. The Chief's decision in this regard shall be final.

**Rules and Regulations
Borough of Fort Lee Police Department**

LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all persons to liberty, equality and justice.

I WILL maintain courageous calm in the face of danger, scorn, or ridicule; develop self-control; 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 law of the land 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 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.

Dated

**Rules and Regulations
Borough of Fort Lee Police Department**

**Fort Lee Borough
POLICE DEPARTMENT**

**1327 - 16th Street
Fort Lee, New Jersey**

**ACKNOWLEDGMENT OF RECEIPT
CONFIDENTIALITY AGREEMENT**

This manual is the property of the Police Department of the Borough of Fort Lee. It is a confidential document and it may not be released to any non-Police Department personnel without authorization by the Borough. It is assigned by serial number, and upon separation from police service, you are bound to return it. You are responsible for its security. Loss of this manual may constitute neglect of duty and may result in disciplinary action.

Name of Police Officer or Civilian Employee

Date:

Manual Number:

Academy

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Atlantic County Police Training Center Anthony Canale Training Center 5033 English Creek Ave. Egg Harbor Twp, NJ 08234-5743	Atlantic	Raymond Bolis Director	(609) 407-6715	(609) 407-6717
Bergen County Law & Public Safety Institute 281 Campgaw Rd. Mahwah, NJ 07430-2509	Bergen	Brian Higgins Lieutenant	(201) 785-6000	(201) 785-6036
Burlington County Police Academy Burlington County College County Route 530 Pemberton, NJ 08068-1599	Burlington	Leon Brodowski Detective Sergeant	(609) 726-7270	(609) 726-7272
Camden County Police Academy Camden County College Crim. Justice Complex, Box 200 Blackwood, NJ 08012	Camden	Joseph J. Kaiser Director	(856) 374-4950	(856) 374-4889
Cape May County Police Academy 4 Moore Road DN 909 Cape May Court House, NJ 08210	Cape May	Gary G. Schaffer Director	(609) 465-1134	(609) 463-0749
Division of Criminal Justice Academy P.O. Box 283 Sea Girt, NJ 08750	Monmouth	Dion Feltri Director	(732) 282-6060	(732) 974-7551
Essex County College Police Academy 250 Grove Avenue Cedar Grove, NJ 07009-1436	Essex	Rocco L. Miscia Jr. Director	(973) 857-1339	(973) 877-4350
Gloucester County Police Academy Gloucester County College 1400 Tanyard Rd. Sewell, NJ 08080	Gloucester	Lloyd F. Dumont Director	(856) 415-2266	(856) 468-7307
Jersey City Police Academy U.S.A.R.C. - Caven Point Chapel Ave. & Caven Point Road Jersey City, NJ 07305-4042	Hudson	Robert A. Oras Director	(201) 547-6535	(201) 547-5643
John H. Stamler Police Academy 1776 Raritan Road Scotch Plains, NJ 07076-2997	Union	Anthony J. Parenti Director	(908) 889-6146	(908) 889-6359
Juvenile Justice Commission Training Academy P.O. Box 381 Sea Girt, NJ 08750	Monmouth	Michael D. Cleary Director	(732) 974-4341	(732) 282-6083

Academy

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Monmouth County Police Academy 2000 Kozloski Rd. Freehold, NJ 07728	Monmouth	John G. McCormack Director	(732) 577-8710	(732) 577-8722
Morris County Fire Fighters & Police Training Sc P.O. Box 900 Morristown, NJ 07963	Morris	Daniel Colucci Director	(973) 285-2979	(973) 285-2971
N. J. Department of Corrections Training Acade P.O. Box 438 Sea Girt, NJ 08750-0438	Monmouth	Craig L. Conway Director	(732) 282-6020	(732) 282-6045
New Jersey State Police Training Center Administration Operations Office Sea Girt, NJ 08750	Monmouth	Thomas Flarity Captain	(732) 449-5200	(732) 449-8763
Newark Police Academy 1 Lincoln Ave. Newark, NJ 07104-3097	Essex	Joseph Totelo Deputy Chief	(973) 733-6030	(973) 733-4869
Ocean County Police Academy 659 Ocean Ave. Lakewood, NJ 08701-3699	Ocean	Joseph Perna Director	(732) 363-8715	(732) 905-8345
Old Bridge Township Police Academy One Old Bridge Plaza Old Bridge, NJ 08857	Middlesex	Robert Bonfante Captain	(732) 607-4805	(732) 607-7937
Passaic County Police Academy 214 Oldham Road Wayne, NJ 07470-2205	Passaic	Robert Lyons Director	(973) 628-7686	(973) 595-6896
Paterson Police Academy 111 Broadway Paterson, NJ 07505-1182	Passaic	Michael Campanello Sergeant	(973) 321-1142	(973) 321-1144
Somerset County Police Academy Raritan Valley Community College P.O. Box 3300 Somerville, NJ 08876	Somerset	Richard Celeste Director	(908) 526-1200	(908) 429-4274
Trenton Police Academy 225 N. Clinton Ave. Trenton, NJ 08609-1091	Mercer	Joseph Juniak Captain	(609) 989-3919	(609) 989-4277
Vineland Police Academy 111 North 6th Street Vineland, NJ 08360-3712	Cumberland	Timothy Codispoti Captain	(856) 293-1114	(856) 293-1222

Board of Education

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Bridgeton Board of Education 41 Bank Street Bridgeton, NJ 08302	Cumberland		(856) 455-8030	(856) 451-0815

College

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Brookdale Community College 765 Newman Springs Rd. Lincroft, NJ 07738-1597	Monmouth	William Sandford Chief	(732) 842-1950	(732) 219-0871
Burlington County College Security & Safety Pemberton-Browns Mills Rd. Pemberton, NJ 08068	Burlington	Hector M. Gonzalez Director	(609) 894-9311	(609) 894-4876
College of New Jersey Police P.O. Box 7718 Ewing, NJ 08628-0718	Mercer	Kathryn Leverton Director	(609) 771-2167	(609) 637-5195
Essex County College 303 University Ave. Newark, NJ 07102-1798	Essex	Anthony Croomartie Chief	(973) 877-3312	(973) 877-4421
Kean University Dept. of Public Safety & Police 1000 Morris Avenue Union, NJ 07083	Union	David W. Parks Chief	(908) 737-4800	(908) 737-4848
Middlesex County College Woodbridge Ave. & Mill Rd. Edison, NJ 08817	Middlesex	Robert Smilek Acting Chief	(732) 906-2500	(732) 321-0240
Monmouth University Police Dept. Cedar & Norwood Aves. West Long Branch, NJ 07764	Monmouth	William P. McElrath Chief	(732) 571-3472	(732) 263-5300
Montclair State University Police 1 Normal Avenue Upper Montclair, NJ 07043	Essex	Paul M. Cell Chief	(973) 655-5122	(973) 744-6247
New Jersey Institute of Technology University Heights Public Safety Department Newark, NJ 07102-1982	Essex	Michael Kirk Chief	(973) 596-3120	(973) 642-4588
Princeton University Dept. of Public Safety Stanhope Hall Princeton, NJ 08544	Mercer	Steven J. Healy Director	(609) 258-5772	(609) 258-1958
Richard Stockton College of New Jersey P.O. Box 195 Pomona, NJ 08240-0195	Atlantic	Glen Miller Chief	(609) 652-4398	(609) 652-4454
Rowan College 201 Mullica Hill Road Bole Annex Glassboro, NJ 08028-1701	Gloucester	Timothy D. Michener Director	(856) 256-4922	(856) 256-4925

College

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Rutgers University Police - Camden 409 North 4th Street Camden, NJ 08102	Camden	Guy Still Chief	(856) 225-6009	(856) 225-6728
Rutgers University Police - New Brunswick 5 Huntington Street New Brunswick, NJ 08901	Middlesex	Laura Kull Acting Chief	(732) 932-8407	(732) 932-8622
Rutgers University Police - Newark 249 University Avenue Newark, NJ 07102-1808	Essex	Martin J. Roddini Director	(973) 353-5478	(973) 353-1571
Stevens Institute of Technology Castle Point on the Hudson Hoboken, NJ 07030	Hudson	Michael LaMarre Director	(201) 121-6325	(201) 216-8945
University of Medicine & Dentistry of NJ 335 George Street New Brunswick, NJ 08903	Middlesex	John Bailey Chief	(732) 235-9365	(732) 235-9366
William Paterson University 300 Pompton Rd. Wayne, NJ 07470-2153	Passaic	Michael Horvath Chief	(973) 720-2200	(973) 720-3650

Corrections

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Atlantic Co. Dept. of Public Safety 5060 Atlantic Avenue Mays Landing, NJ 08330	Atlantic	Rick Mulvihill Director	(609) 645-5855	(609) 645-5877
Bergen County Jail 160 River Street Hackensack, NJ 07601	Bergen	Willis Morton Warden	(201) 527-3042	(201) 527-3035
Burlington Co. Dept. of Corrections 54 Grant Street Mt. Holly, NJ 08060	Burlington	Juel Cole Warden	(609) 265-5979	(609) 265-5805
Camden Co. Dept. of Corrections 330 Federal Street Camden, NJ 08103	Camden	Eric Taylor Warden	(856) 225-7621	(856) 365-2026
Cape May County Correction Center 54 Moore Rd Cape May Court House, NJ 08210	Cape May	Jeffrey Pierson Undersheriff	(609) 465-1232	(609) 465-1049
Cumberland County Jail 54 West Broad Street Bridgeton, NJ 08302	Cumberland	Glenn Saunders Warden	(856) 453-4832	(856) 453-9501
Essex County Department of Public Safety 354 Doremus Ave. Newark, NJ 07105	Essex	Scott Faunce Director	(973) 274-7500	(973) 621-6486
Gloucester County Jail P.O. Box 376 Woodbury, NJ 08096	Gloucester	Stanley Nunn Director	(856) 384-4650	
Hudson County Department of Corrections 595 County Avenue Meadowview Campus Secaucus, NJ 07094	Hudson	Oscar Aviles Director	(201) 558-7080	(201) 558-7071
Hunterdon County Corrections 71 Park Avenue Flemington, NJ 08822	Hunterdon	George F. Wagner Warden	(908) 806-4004	() - 908
Mercer County Correction Center P.O. Box 8068 Trenton, NJ 08650	Mercer	Shirley Tyler Warden	(609) 989-6908	(609) 583-3560
Middlesex County Adult Correction P.O. Box 266 New Brunswick, NJ 08903	Middlesex	Edmond Cicchi Warden	(732) 951-3320	(732) 951-3322

Corrections

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Monmouth Co. Dept. of Corrections P.O. Box 5007 Freehold, NJ 07728	Monmouth	Clifford J. Daniels Undersheriff	(732) 431-7863	(732) 294-5985
Morris County Jail 43 John Street Morris Township, NJ 07960	Morris	Frank Corrente Warden	(973) 631-5403	(973) 829-8245
Ocean Co. Dept. of Corrections 120 Hooper Ave. Toms River, NJ 08753	Ocean	Theodore J. Hutler Jr. Warden	(732) 929-2137	(732) 506-5027
Passaic County Jail 11 Sheriff's Plaza Paterson, NJ 07501	Passaic	Charles Meyers Warden	(973) 881- 459	(973) 881-4514
Salem County Correctional Facility 125 Cemetery Road Woodstown, NJ 08098	Salem	James L. Hefner Undersheriff	(856) 769-8105	(856) 769-9318
Somerset County Jail 40 Grove Street Somerville, NJ 08876	Somerset	Charles O'Neil Warden	(908) 231-7148	(908) 231-0156
Sussex County Sheriff's Dept. Jail 41 High Street Newton, NJ 07860	Sussex	David DiMarco Undersheriff	(973) 579-0880	(973) 579-0893
Union Co. Division of Corrections 15 Elizabethtown Plaza Elizabeth, NJ 07207	Union	Frank Crose Director	() 558-2613	() 527-4275
Warren County Jail 175 County Rd #519 South Belvidere, NJ 07823	Warren	Byron Foster Warden	(908) 475-7902	(908) 475-7915

County

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Bergen County Police 66 Zabriskie Street Hackensack, NJ 07601-4994	Bergen	John Schmidig Chief	(201) 646-2700	(201) 646-3344
Burlington County Bridge Comm. Police P.O. Box 6 Palmyra, NJ 08065	Burlington	Gary Daniels Director	(856) 829-3002	(856) 786-2103
Camden County Park Police 2311 Egg Harbor Road Lindenwold, NJ 08021	Camden	James F. D'Angelo Chief	(856) 309-0006	(856) 783-0978
Essex County Police 50 W. Market St. Newark, NJ 07102	Essex	John Dough Chief	(973) 268-4200	(973) 268-4234
Hunterdon County Park Rangers P.O. Box 2900 Flemington, NJ 08822-2900	Hunterdon	John Trontis Director	(908) 782-1158	(908) 806-4057
Morris County Park Police 300 Mendham Road Morristown, NJ 07960-4806	Morris	William F. Huyler Chief	(973) 326-7632	(973) 267-5031
Union County Police 300 North Avenue, East Westfield, NJ 07090-1442	Union	Daniel Vaniska Chief	(908) 654-9800	(908) 654-9872

Juvenile

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Atlantic Youth Center Harborfields 800 Buffalo Avenue Egg Harbor City, NJ 08215	Atlantic	Kimery Lewis Superintendent	(609) 965-3583	(609) 965-7962
Bergen County Juvenile Detention Center 296 East Ridgewood Avenue Paramus, NJ 07652	Bergen	Bob Day Director	(201) 599-6185	(201) 599-6266
Burlington County Juvenile Detention Center P.O. Box 6000 Mt. Holly, NJ 08060	Burlington	Frederick S. Green Superintendent	(609) 726-7150	(609) 726-7213
Camden County Youth Center Lakeland Campus Blackwood, NJ 08012	Camden	Robbie Reid Administrator	(856) 374-6100	(856) 232-6465
Cumberland County Juvenile Detention Center 135 Sunny Slope Drive Bridgeton, NJ 08302	Cumberland	Tammie Pierce Superintendent	(856) 455-0717	(856) 455-4927
Essex County Juvenile Detention Center 80 Duryea Street Newark, NJ 07103	Essex	Ronald Salahaddin Director	(973) 497-4720	(973) 497-4748
George W. Herlich Juvenile Quarters Union Co. Courthouse Garage, 7th Floor Elizabethtown Plaza Elizabeth, NJ 07207	Union	Greg Lyons Superintendent	(908) 527-4922	(908) 558-0528
Gloucester County Juvenile Detention Center RR 2 Box 212 County House Road Clarksboro, NJ 08020	Gloucester	Ted Perian Superintendent	(856) 423-3025	(856) 423-2867
Hudson County Juvenile Detention Center 635 County Avenue Secaucus, NJ 07094	Hudson	Robert F. Murray Director	(201) 319-5920	(201) 319-5955
Mercer County Juvenile Detention Center 1440 Parkside Avenue Trenton, NJ 08638	Mercer	Lionell Henderson Superintendent	(609) 434-4125	(609) 434-4139
Middlesex County Juvenile Detention Center US Hwy 130 Box 7164 N. Brunswick, NJ 08902	Middlesex	James White Superintendent	(732) 297-8991	(732) 297-5700
Monmouth County Youth Detention 119 Dutch Lane Road Freehold, NJ 07728	Monmouth	Gary Linington Superintendent	(732) 431-7280	(732) 294-5932

Juvenile

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Morris County Juvenile Detention Center P.O. Box 900 Morristown, NJ 07963-0900	Morris	Ed Facas Director	(973) 285-2965	(973) 829-8559
Ocean County Juvenile Detention Center 165 Sunset Avenue P.O. Box 2191 Toms River, NJ 08755	Ocean	Robert Coughlin Administrator	(732) 341-1365	(732) 349-8563
Passaic County Juvenile Detention Center 40 Valleyview Road Haledon, NJ 07508	Passaic	John Givens Director	(973) 904-6273	(973) 904-6194
Somerset Co. Juvenile Institutional Services P.O. Box 3000 Somerville, NJ 08876-1262	Somerset	Perry Tchorini Administrator	(908) 704-6326	(908) 704-1629
Sussex County Juvenile Detention 135 Morris Tpk. Newton, NJ 07860	Sussex	Joseph Stapleton Director	(973) 948-6000	(973) 948-6664
Warren Acres Juvenile Detention Center 660 Oxford Road Oxford, NJ 07863	Warren	Robert D. Castner Director	(908) 475-7775	(908) 453-2487

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Aberdeen Township Police 1 Aberdeen Square Aberdeen, NJ 07747-2396	Monmouth	Joseph Kelly Acting Chief	(732) 566-2054	(732) 583-7058
Absecon City Police 500 Mill Road Absecon, NJ 08201-1940	Atlantic	Charles J. Smith Sr. Chief	(609) 641-0667	(609) 484-7467
Allendale Borough Police 290 Franklin Turnpike Allendale, NJ 07401-2093	Bergen	Robert Herndon Chief	(201) 825-1900	(201) 825-3555
Allenhurst Borough Police 125 Corlies Avenue Allenhurst, NJ 07711-1049	Monmouth	Robert C. Richter Chief	(732) 531-2255	(732) 531-2258
Allentown Borough Police 8 North Main Street P.O. Box 487 Allentown, NJ 08501-9414	Monmouth	Harvey Morrell Director	(609) 259-3491	(609) 259-1293
Alpine Borough Police Box 1112 100 Church Street Alpine, NJ 07620-1112	Bergen	Thomas G. Blake Chief	(201) 768-0881	(201) 784-2909
Andover Township Police 134 Newton Sparta Road Newton, NJ 07860-2746	Sussex	Phillip A. Coleman Chief	(973) 383-5544	(973) 383-6124
Asbury Park Police 1 Municipal Plaza Asbury Park, NJ 07712-6906	Monmouth	L. Louis Jordan Director	(732) 502-5789	(732) 775-3627
Atlantic City Police 2711 Atlantic Avenue Atlantic City, NJ 08401	Atlantic	Arthur C. Snellbaker Sr. Chief	(609) 347-6970	(609) 347-3667
Atlantic Highlands Police 100 First Avenue Atlantic Highlands, NJ 07716-1203	Monmouth	Jerry Vasto Chief	(732) 291-1212	(732) 291-2996
Audubon Borough Police 606 W. Nicholson Road Audubon, NJ 08106-1957	Camden	Thomas J. Tassi Chief	(856) 547-1171	(856) 547-6853
Avalon Police 3088 Dune Drive Avalon, NJ 08202-1704	Cape May	Stephen Sykes Chief	(609) 967-3411	(609) 368-0114

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Avon-By-the-Sea Police 301 Main Street Avon-By-the-Sea, NJ 07717-1013	Monmouth	Terrence Mahon Chief	(732) 502-4500	(732) 775-8618
Barneget Township Police 900 West Bay Avenue Barneget, NJ 08005-2113	Ocean	Joseph Manger Chief	(609) 698-5000	(609) 698-0271
Barrington Police 227 Trenton Avenue Barrington, NJ 08007-1193	Camden	George J. Preen Chief	(856) 547-3350	(856) 547-8061
Bay Head Police 81 Bridge Ave. P.O. Box 248 Bay Head, NJ 08742-0248	Ocean	Charles B. Grace Jr. Chief	(732) 892-0632	(732) 892-0872
Bayonne Police 630 Avenue C Bayonne, NJ 07002-3898	Hudson	Robert Kubert Chief	(201) 858-6900	(201) 858-8460
Beach Haven Police 300 Engleside Avenue Beach Haven, NJ 08008	Ocean	Stanley J. Markoski Jr. Chief	(609) 492-0505	(609) 492-2147
Beachwood Police 1600 Pinewald Road Beachwood, NJ 08722-2801	Ocean	John A. Wagner Chief	(732) 341-1249	(732) 341-1244
Bedminster Police 55 Miller Lane Bedminster, NJ 07921	Somerset	William R. Stephens Chief	(908) 234-0585	(908) 234-2415
Belleville Police 152 Washington Avenue Belleville, NJ 07109-2541	Essex	Joseph P. Rotonda Chief	(973) 450-3186	(973) 450-1021
Bellmawr Police 21 E. Browning Road Bellmawr, NJ 08031-2327	Camden	William Walsh Chief	(856) 931-2121	(856) 931-0614
Belmar Police 601 Main Street P.O. Box A Belmar, NJ 07719-0070	Monmouth	Jack W. Hill Chief	(732) 681-1700	(732) 681-7470
Belvidere Police 691 Water Street Belvidere, NJ 07823-1321	Warren	Kent Sweigert Chief	(908) 475-2393	(908) 475-1847

Municipal

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Bergenfield Police 198 N. Washington Avenue Bergenfield, NJ 07621-1395	Bergen	Thomas A. Lucas Chief	(201) 387-4000	(201) 387-0141
Berkeley Heights Police 29 Park Avenue Berkeley Heights, NJ 07922-1492	Union	David L. Zager Chief	(908) 464-1111	(908) 464-7076
Berkeley Township Police 631 Pinewald-Keswick Road P.O. Box B Bayville, NJ 08721-0287	Ocean	John Weinlein Chief	(732) 341-6600	(732) 341-1303
Berlin Borough Police 59 S. White Horse Pike Berlin, NJ 08009-2301	Camden	Lawrence A. Winters Chief	(856) 767-4700	(856) 768-3442
Berlin Township Police 170 Bate Avenue West Berlin, NJ 08091	Camden	Michael Hayden Chief	(856) 767-5878	(856) 767-6657
Bernards Township Police 1 Collyer Lane Basking Ridge, NJ 07920-0437	Somerset	Robert Kumpf Chief	(908) 766-1122	(908) 766-0575
Bernardsville Police P.O. Box 158 166 Minebrook Road Bernardsville, NJ 07924-2432	Somerset	Kevin Valentine Chief	(908) 766-0037	(908) 766-0917
Beverly City Police City Hall 446 Broad Street Beverly, NJ 08010	Burlington	Michael D. Morton Sr. Director	(609) 387-0205	(609) 387-5550
Blairstown Township Police P.O. Box 333 Blairstown, NJ 07825-0333	Warren	David Ganong Director	(908) 362-8266	(908) 362-6767
Bloomfield Police Municipal Plaza Bloomfield, NJ 07003	Essex	Michael Sisco Chief	(973) 680-4141	(973) 680-4102
Bloomingtondale Police 101 Hamburg Turnpike Bloomingtondale, NJ 07403-1236	Passaic	William T. Alexander Chief	(973) 838-0158	(973) 838-5762
Bogota Borough Police 375 Larch Avenue Bogota, NJ 07603-1056	Bergen	Frank Gurnari Chief	(201) 487-2400	(201) 487-3426

Municipal

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Boonton Town Police 100 Washington Street Boonton, NJ 07005-2197	Morris	Michael W. Beltran Chief	(973) 402-9371	(973) 299-6970
Boonton Township Police 155 Powerville Road Boonton Township, NJ 07005-9801	Morris	John Speirs Chief	(973) 402-4000	(973) 402-4025
Bordentown City Police 324 Farnsworth Avenue Bordentown, NJ 08505-1709	Burlington	Matthew Simmons III Chief	(609) 298-0103	(609) 298-6976
Bordentown Township Police 1 Municipal Drive Bordentown, NJ 08505-2109	Burlington	Frank Nucera Chief	(609) 298-4300	(609) 298-1061
Bound Brook Police 226 Hamilton Street Bound Brook, NJ 08805-2017	Somerset	Thomas White Chief	(732) 356-0800	(732) 563-0320
Bradley Beach Police 701 Main Street Bradley Beach, NJ 07720-1012	Monmouth	Robert DeNardo Chief	(732) 775-6900	(732) 774-3108
Branchburg Township Police 590 Old York Road Branchburg, NJ 08876-3736	Somerset	Brian Fitzgerald Chief	(908) 526-3830	(908) 526-8399
Brick Township Police 401 Chambers Bridge Road Bricktown, NJ 08723-2807	Ocean	Ronald J. Dougard Chief	(732) 262-1100	(732) 920-3586
Bridgeton Police 168 East Commerce Street Bridgeton, NJ 08302-2665	Cumberland	Jeffrey C. Wentz Chief	(856) 451-0033	(856) 459-9036
Bridgewater Township Police P.O. Box 6639 Bridgewater, NJ 08807	Somerset	Stephen W. Obal Chief	(908) 722-4111	(908) 722-8246
Brielle Police 601 Union Lane Brielle, NJ 08730-1448	Monmouth	Michael W. Palmer Chief	(732) 528-5050	(732) 528-5057
Brigantine Police 1417 W. Brigantine Avenue Brigantine, NJ 08203-2147	Atlantic	Arthur L. Gordy Jr. Chief	(609) 266-7414	(609) 266-1066

Municipal

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Brooklawn Borough Police Brooklawn Borough Hall Brooklawn, NJ 08030	Camden	Francis McKinney Chief	(856) 456-0433	(856) 456-4661
Buena Borough Police 616 Central Avenue Minotola, NJ 08341	Atlantic	Douglas E.. Adams Chief	(856) 697-2810	(856) 697-3147
Burlington City Police 435 Veterans Drive Burlington, NJ 08016	Burlington	John Lazzarotti Chief	(609) 386-3300	(609) 387-4253
Burlington Township Police 851 Old York Road Burlington, NJ 08016	Burlington	Walt Corter Director	(609) 386-2019	(609) 386-8290
Butler Police 10 High Street Butler, NJ 07405-1379	Morris	Dennis Passenti Chief	(973) 838-4100	(973) 838-3454
Byram Township Police 10 Mansfield Drive Stanhope, NJ 07874	Sussex	Raymond Raftery Acting Chief	(973) 347-4008	(973) 347-9089
Caldwell Borough Police 1 Provost Square Caldwell, NJ 07006	Essex	John Tofanelli Chief	(973) 226-2600	(973) 226-0026
Califon Police P.O. Box 368 Main St. Califon, NJ 07830	Hunterdon	Jeff A. Ollerenshaw Chief	(908) 832-7400	(908) 832-6282
Camden City Police 800 Federal Street Camden, NJ 08103	Camden	Edwin Figueroa Chief	(856) 757-7474	(856) 757-0145
Cape May City Police 643 Washington Street Cape May, NJ 08204-2324	Cape May	Diane M. Sorantino Chief	(609) 884-9500	(609) 884-2977
Carlstadt Police 500 Madison St. P.O. Box 271 Carlstadt, NJ 07072-0466	Bergen	Thomas M. Nielsen Chief	(201) 438-4300	(201) 939-4522
Carneys Point Police 303 Harding Highway Carney's Point, NJ 08069-2248	Salem	Cosmo Mangiocco Chief	(856) 299-1212	(856) 299-5960

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Carteret Police 230 Roosevelt Ave. Carteret, NJ 07008-3598	Middlesex	John P. Pieczynski Chief	(732) 541-4181	(732) 541-3867
Cedar Grove Township Police 525 Pompton Avenue Cedar Grove, NJ 07009-1724	Essex	Jeffrey A. Rowe Chief	(973) 239-4100	(973) 239-7541
Chatham Borough Police 54 Fairmount Avenue Chatham, NJ 07928-2368	Morris	John W. Drake III Chief	(973) 635-8000	(973) 635-0397
Chatham Township Police 401 Southern Blvd. Chatham, NJ 07928-1494	Morris	Elizabeth M. Goeckel Chief	(973) 377-0100	(973) 377-6093
Cherry Hill Police P.O. Box 5002 Cherry Hill, NJ 08034-0358	Camden	Charlie Jones Chief	(856) 488-7818	(856) 488-7810
Chesilhurst Borough Police 201 Grant Avenue Chesilhurst, NJ 08089	Camden	Sheldon Fortune Chief	(856) 767-2768	(856) 767-8212
Chester Borough Police 300 Main Street Chester, NJ 07930	Morris	Neil Logan Chief	(908) 879-5626	(908) 879-5862
Chester Township Police 1 Parker Road Chester, NJ 07930	Morris	Adam J. Schuler Chief	(908) 879-5514	(908) 879-8083
Chesterfield Township Police 300 Bordentown-Chesterfield Rd. Trenton, NJ 08620-9801	Burlington	Kyle Wilson Chief	(609) 291-0912	(609) 298-8825
Cinnaminson Township Police 900 Manor Road Cinnaminson, NJ 08077-2336	Burlington	Michael Wallace Chief	(856) 829-6666	(856) 829-2507
Clark Police 315 Westfield Avenue Clark, NJ 07066-1704	Union	Anton Danco Chief	(732) 388-3434	(732) 388-5376
Clayton Police 125 N. Delsea Drive Clayton, NJ 08312-1650	Gloucester	Frank Winters Chief	(856) 881-2300	(856) 881-5859

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Clementon Police 101 Gibbsboro Road Clementon, NJ 08021	Camden	William Malseed Chief	(856) 783-2271	(856) 784-3825
Cliffside Park Police 525 Palisade Avenue Cliffside Park, NJ 07010-2998	Bergen	Donald V. Keane Chief	(201) 945-3600	(201) 941-0257
Clifton Police 900 Clifton Avenue Clifton, NJ 07013-2796	Passaic	Robert Ferreri Chief	(973) 470-5911	(973) 470-8922
Clinton Police P.O. Box 5194 Clinton, NJ 08809-1398	Hunterdon	Richard B. Matheis Chief	(908) 735-2665	(908) 735-6104
Clinton Township Police 1370 Route 31 North Annandale, NJ 08801-0098	Hunterdon	Stephen E. Clancy Chief	(908) 735-6000	(908) 735-9928
Closter Police 295 Closter Dock Road Closter, NJ 07624-2696	Bergen	David Berrian Chief	(201) 768-5000	(201) 768-7413
Collingswood Police 735 N. Atlantic Avenue Collingswood, NJ 08108-3790	Camden	Thomas J. Garrity Jr. Chief	(856) 854-1900	(856) 854-9356
Colts Neck Township Police 124 Cedar Drive Colts Neck, NJ 07722-0249	Monmouth	Kevin Sauter Chief	(732) 780-7323	(732) 780-0226
Cranbury Township Police P.O. Box 352 Cranbury, NJ 08512-0352	Middlesex	John V. Hansen Chief	(609) 395-0031	(609) 395-9216
Cranford Police 8 Springfield Avenue Cranford, NJ 07016-2199	Union	Eric G. Mason Chief	(908) 272-2222	(908) 709-7342
Cresskill Police 67 Union Avenue Cresskill, NJ 07626-2192	Bergen	Frank V. Tino Jr. Chief	(201) 568-1400	(201) 568-4862
Deal Police Durant Square Deal, NJ 07723	Monmouth	Michael J. Sylvester Chief	(732) 531-1113	(732) 531-3231

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Delanco Township Police 515 Burlington Avenue Delanco, NJ 08075	Burlington	Edmund T. Parsons Chief	(856) 461-1515	(856) 461-0348
Delaware Township Police P.O. Box 101 Sergeantsville, NJ 08557-0101	Hunterdon	Bruce W. Mast Chief	(609) 397-8189	(609) 397-8699
Delran Township Police 900 Chester Avenue Delran, NJ 08075	Burlington	Alfonso Parente Chief	(856) 461-4498	(856) 764-1349
Demarest Police 118 Serpentine Road Demarest, NJ 07627-2128	Bergen	James Powerly III Chief	(201) 768-1540	(201) 768-8755
Denville Police 1 St. Mary's Place Denville, NJ 07834-2122	Morris	Anthony Strungis Chief	(973) 627-4900	(973) 627-1192
Deptford Police 1011 Cooper Street Deptford, NJ 08096-3090	Gloucester	John J. Marolt Chief	(856) 845-6300	(856) 845-4147
Dover Police P.O. Box 798 Dover, NJ 07802-3940	Morris	Harold P. Valentine Chief	(973) 366-0302	(973) 366-1813
Dover Township Police P.O. Box 876 Toms River, NJ 08753-3383	Ocean	Michael G. Mastronardy Chief	(732) 349-0150	(732) 349-0009
Dumont Police 50 Washington Avenue Dumont, NJ 07628-3694	Bergen	Brian Venezia Chief	(201) 387-5000	(201) 387-5009
Dunellen Police 355 North Avenue Dunellen, NJ 08812-1249	Middlesex	Robert W. Moore Chief	(732) 968-3000	(732) 968-8078
East Brunswick Township Police 1 Jean Walling Civic Center East Brunswick, NJ 08816-3548	Middlesex	Barry W. Roberson Director	(732) 390-6917	(732) 390-6991
East Greenwich Police 159 Democrat Road Mickleton, NJ 08056	Gloucester	William E. Giordano Chief	(856) 423-4322	(856) 423-5875

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
East Hanover Township Police 2 DeForest Ave East Hanover, NJ 07936-3600	Morris	Stanley J. Hansen Chief	(973) 887-0432	(973) 887-7096
East Newark Police 34 Sherman Avenue East Newark, NJ 07029-2718	Hudson	Kenneth M. Sheehan Chief	(973) 481-2900	(973) 481-0627
East Orange Police 61 North Munn Avenue East Orange, NJ 07017-4157	Essex	Michael Cleary Chief	(973) 266-5000	(973) 675-7311
East Rutherford Police 312 Grove Street East Rutherford, NJ 07073-1711	Bergen	John R. La Greca Chief	(201) 438-0165	(201) 438-1821
East Windsor Township Police 80 One Mile Road East Windsor, NJ 08520	Mercer	William W. Spain Chief	(609) 448-5678	(609) 448-4758
Eastampton Township Police 725 Smithville Road Eastampton, NJ 08060	Burlington	Gerald Mingin Chief	(609) 261-1717	(609) 265-1743
Eatontown Police 47 Broad St. Eatontown, NJ 07724-1529	Monmouth	George S. Jackson Chief	(732) 542-0100	(732) 389-7632
Edgewater Park Township Police 400 Delanco Road Edgewater Park, NJ 08010	Burlington	Robert Brian Director	(609) 877-4404	(609) 877-6396
Edgewater Police 916 River Road Edgewater, NJ 07020-1222	Bergen	Donald A. Martin Chief	(201) 943-2200	(201) 943-8257
Edison Police 100 Municipal Blvd. Edison, NJ 08817-3353	Middlesex	Edward Costello Jr. Chief	(732) 248-7400	(732) 287-5719
Egg Harbor City Police 500 London Avenue Egg Harbor, NJ 08215-1599	Atlantic	Mark G. Emmer Director	(609) 965-2901	(609) 965-2484
Egg Harbor Township Police 3515 Bargaintown Road Egg Harbor Township, NJ 08234-8321	Atlantic	John J. Coyle Chief	(609) 926-4036	(609) 926-4004

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Elizabeth Police One Police Plaza Elizabeth, NJ 07201-2307	Union	Ronald P. Simon Chief	(908) 558-2111	(908) 558-2097
Elk Township Police 667 Whig Lane Monroeville, NJ 08343	Gloucester	Stephen B. Brogan Chief	(856) 881-6688	(856) 881-5594
Elmer Borough Police P.O. Box 882 Elmer, NJ 08318-0832	Salem	Patrick Byrom Acting Chief	(856) 358-3355	(856) 358-8432
Elmwood Park Borough Police 182 Market Street Elmwood Park, NJ 07407	Bergen	Don Ingrasselino Chief	(201) 796-0764	(201) 796-2022
Emerson Borough Police 1 Municipal Place Emerson, NJ 07630	Bergen	Michael Saudino Chief	(201) 262-2800	(201) 262-2886
Englewood City Police 75 South Van Brunt Street Englewood, NJ 07631-3485	Bergen	John Banta Acting Chief	(201) 871-6400	(201) 567-3504
Englewood Cliffs Police 10 Kahn Terrace Englewood Cliffs, NJ 07632-2984	Bergen	Lawrence R. Whiting Chief	(201) 569-8300	(201) 569-8309
Englishtown Borough Police 15 Main Street Englishtown, NJ 07726	Monmouth	John Niziolek Chief	(732) 446-7000	(732) 786-0212
Essex Fells Police 255 Roseland Avenue Essex Fells, NJ 07021-1398	Essex	Kelly J. Reily Chief	(973) 226-3000	(973) 228-6296
Evesham Township Police 984 Tuckerton Road Marlton, NJ 08053	Burlington	Joseph Cornely Chief	(856) 985-4341	(856) 985-4340
Ewing Township Police 2 Jake Garzio Drive Ewing, NJ 08628-1544	Mercer	Robert A. Coulton Chief	(609) 882-1313	(609) 882-7488
Fair Haven Police 35 Fisk Street Fair Haven, NJ 07704-3324	Monmouth	Paul McCue Acting Chief	(732) 747-0991	(732) 747-7431

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Fair Lawn Police 8-01 Fair Lawn Avenue Fair Lawn, NJ 07410-1800	Bergen	Erik Rose Chief	(201) 794-5405	(201) 703-4267
Fairfield Township Police 230 Fairfield Road Fairfield, NJ 07004-2460	Essex	C. Lynn Centonze Chief	(973) 227-1400	(973) 882-9521
Fairview Police 59 Anderson Avenue Fairview, NJ 07022-2097	Bergen	John Pinzone Chief	(201) 943-2100	(201) 943-4411
Fanwood Police 75 N. Martine Avenue Fanwood, NJ 07023	Union	Donald F. Domanoski Chief	(908) 322-5000	(908) 322-2200
Far Hills Police Box 722 6 Prospect Street Far Hills, NJ 07931	Somerset	Kenneth S. Hartman Chief	(908) 234-1192	(908) 234-9682
Fieldsboro Police 18 Washington Street Fieldsboro, NJ 08505	Burlington	John G. McElwee Lieutenant	(609) 298-9054	(609) 298-0816
Flemington Borough Police 100 Main Street Flemington, NJ 08822-1413	Hunterdon	George Becker Chief	(908) 782-3434	(908) 782-6462
Florence Township Police 711 Broad Street Florence, NJ 08518	Burlington	Gordon R. Dawson Chief	(609) 499-3131	(609) 499-8181
Florham Park Police 111 Ridgedale Avenue Florham Park, NJ 07932-1707	Morris	Raymond Smith Chief	(973) 377-2200	(973) 377-9118
Fort Lee Police 1327 16th Street Fort Lee, NJ 07024	Bergen	Thomas O. Ripoli Chief	(201) 592-3700	(201) 585-1036
Franklin Borough Police 15 Corkhill Road Franklin, NJ 07416	Sussex	Joseph A. Kistle Chief	(973) 827-7700	(973) 827-1486
Franklin Lakes Police 490 Dekorte Drive Franklin Lakes, NJ 07417-1999	Bergen	Irving A. Conklin Jr. Chief	(201) 891-3131	(201) 891-0967

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Franklin Township Police 1571 South Delsea Drive Franklinville, NJ 08322-0300	Gloucester	Michael Digiorgio Chief	(856) 694-1414	(856) 307-7147
Franklin Township Police 202 Sidney Road Pittstown, NJ 08867	Hunterdon	Ken Mandoli Director	(908) 782-9594	(908) 735-2990
Franklin Township Police 495 Demott Lane Somerset, NJ 08873-2796	Somerset	Craig R. Novick Chief	(732) 873-5533	(732) 873-8489
Freehold Borough Police 36 Jackson Street Freehold, NJ 07728	Monmouth	Michael F. Beierschmitt Chief	(732) 462-1234	(732) 577-8308
Freehold Township Police 1 Municipal Plaza Freehold, NJ 07728	Monmouth	Ernest H. Schriefer Chief	(732) 462-7500	(732) 308-9115
Frenchtown Borough Police Second Street P.O. Box 68 Frenchtown, NJ 08825	Hunterdon	Allen W. Kurylka Chief	(908) 996-4820	(908) 996-7134
Galloway Township Police 300 East Jim Leeds Road Galloway, NJ 08205	Atlantic	Keith M. Spencer Chief	(609) 652-3705	(609) 652-0667
Garfield City Police 411 Midland Avenue Garfield, NJ 07026-1683	Bergen	Thomas La Mantia Chief	(973) 478-8500	(973) 478-2863
Garwood Police 403 South Avenue Garwood, NJ 07027	Union	Dennis K. Lesak Chief	(908) 789-1666	(908) 789-2804
Gibbsboro Borough Police 5 Foster Avenue Gibbsboro, NJ 08026-1499	Camden	Joseph Mingori Chief	(856) 783-0151	(856) 627-3901
Glassboro Police 1 S. Main Street Glassboro, NJ 08028	Gloucester	Alex J. Fanfarillo Acting Chief	(856) 881-1501	(856) 881-6872
Glen Ridge Police 3 Herman Street Glen Ridge, NJ 07028-1415	Essex	John R. Magnier Chief	(973) 748-5400	(973) 748-8477

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Glen Rock Police 1 Harding Plaza Glen Rock, NJ 07452	Bergen	Steven D. Cherry Chief	(201) 652-3800	(201) 251-3887
Gloucester City Police 313 Monmouth Street Gloucester City, NJ 08030-1721	Camden	William G. Crothers . Chief	(856) 456-0408	(856) 456-3762
Gloucester Township Police P.O. Box 8 Blackwood, NJ 08012-0008	Camden	John Stollsteimer Chief	(856) 374-3539	(856) 374-3509
Green Brook Police 109 Green Brook Road Green Brook, NJ 08812-2598	Somerset	Martin A. Rasmussen Jr. Chief	(732) 968-1188	(732) 968-9144
Greenwich Township Police 421 West Broad Street Gibbstown, NJ 08027	Gloucester	Carmel M. Morina Chief	(856) 423-1900	(856) 423-5322
Greenwich Township Police 321 Greenwich Street Stewartsville, NJ 08886	Warren	Richard Guzzo Chief	(908) 859-1440	(908) 454-7390
Guttenberg Police 6808 Park Avenue Guttenberg, NJ 07093-4498	Hudson	Joseph Grzybowski Lieutenant	(201) 868-3300	(201) 868-0591
Hackensack Police 225 State Street Hackensack, NJ 07601-5583	Bergen	Charles Zisa Chief	(201) 646-7777	(201) 646-7590
Hackettstown Police 215 Stiger Street Hackettstown, NJ 07840-1298	Warren	Leonard Kunz Chief	(908) 852-3302	(908) 852-8357
Haddon Heights Police 625 Station Avenue Haddon Heights, NJ 08035-1906	Camden	Ronald S. Shute Chief	(856) 547-0614	(856) 547-4362
Haddon Township Police 135 Haddon Avenue Westmont, NJ 08108	Camden	Joseph Gallagher Jr. Chief	(856) 854-1176	(856) 854-4532
Haddonfield Police 242 Kings Highway East Haddonfield, NJ 08033-1980	Camden	Richard Tsonis Chief	(856) 429-4700	(856) 427-0920

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Haledon Borough Police 413 Belmont Avenue Haledon, NJ 07508-1393	Passaic	Louis Mercuro . Chief	(973) 790-4444	(973) 790-0966
Hamburg Borough Police 9 Orchard Street Hamburg, NJ 07419	Sussex	E. Gregory Kresge Chief	(973) 827-6211	(973) 827-0436
Hamilton Police 1270 Whitejorse-Mercerville Road Hamilton, NJ 08619	Mercer	James W. Collins Chief	(609) 581-4000	(609) 581-4096
Hamilton Township Police 6101 Thirteenth Street Room 220 Mays Landing, NJ 08330	Atlantic	Jay F. McKeen Chief	(609) 625-2211	(609) 625-5903
Hammonton Police 100 Central Ave. Hammonton, NJ 08037	Atlantic	Frank R. Ingemi Chief	(609) 561-4000	(609) 567-2454
Hanover Township Police 1000 Route 10 P.O. Box 250 Whippany, NJ 07981	Morris	Stephen Gallagher Chief	(973) 428-2511	(973) 428-1543
Harding Township Police Blue Mill Rd. P.O. Box 246 New Vernon, NJ 07976-0246	Morris	Kevin Gaffney Chief	(973) 455-0500	(973) 455-1135
Hardyston Township Police P.O. Box 715 Stockholm, NJ 07460	Sussex	Keith A. Armstrong Chief	(973) 697-4751	(973) 697-7825
Harrington Park Police 49 Laroche Avenue Harrington Park, NJ 07640	Bergen	David J. Moppert Chief	(201) 768-2100	(201) 768-8042
Harrison Police 318 Harrison Avenue Harrison, NJ 07029-1796	Hudson	Derek Kearns Chief	(973) 483-4100	(973) 483-3272
Harrison Township Police 137 North Main Street Mullica Hill, NJ 08062	Gloucester	Frank T. Rodgers Chief	(856) 478-6839	(856) 478-6268
Harvey Cedars Police 7606 Long Beach Blvd. Harvey Cedars, NJ 08008	Ocean	Gerry Falkowski Chief	(609) 494-3036	(609) 494-6153

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Hasbrouck Heights Police 248 Hamilton Avenue Hasbrouck Heights, NJ 07604-1811	Bergen	Michael J. Colaneri Chief	(201) 288-1000	(201) 288-1691
Haworth Police 300 Haworth Avenue Haworth, NJ 07641-1297	Bergen	Patrick J. O'Dea Chief	(201) 384-1900	(201) 384-7124
Hawthorne Police 445 Lafayette Avenue Hawthorne, NJ 07506-2551	Passaic	Martin Boyd Chief	(973) 427-1800	(973) 427-2276
Hazlet Police 255 Middle Road Hazlet, NJ 07730-1941	Monmouth	James A. Broderick Chief	(732) 264-6565	(732) 739-0977
Helmetta Police P.O. Box 378 Helmetta, NJ 08828	Middlesex	Cully Lewis Chief	(732) 521-1805	(732) 521-5503
High Bridge Police 99 West Main Street High Bridge, NJ 08829-1902	Hunterdon	Edward K. Spinks Chief	(908) 638-6500	(908) 638-4315
Highland Park Police 222 South 5th Avenue Highland Park, NJ 08904-2638	Middlesex	Francis K. Kinney Chief	(732) 572-3800	(732) 572-0258
Highlands Police 171 Bay Avenue Highlands, NJ 07732-1623	Monmouth	Joseph Blewett Chief	(732) 872-1158	(732) 872-9240
Hightstown Police 148 North Main Street Hightstown, NJ 08520-3291	Mercer	James M. Eufemia Chief	(609) 448-1234	(609) 443-0310
Hillsborough Township Police 379 South Branch Road Hillsborough, NJ 08844	Somerset	Robert K. Gazaway Chief	(908) 369-4323	(908) 369-7334
Hillsdale Borough Police 380 Hillsdale Avenue Hillsdale, NJ 07642-2119	Bergen	Frank A. Mikulski Chief	(201) 664-4200	(201) 666-4503
Hillside Police 1409 Liberty Avenue. Hillside, NJ 07205	Union	Robert Quinlan Chief	(973) 926-5800	(973) 926-0677

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Hi-Nella Borough Police 100 Wykagel Road Hi-Nella, NJ 08083-2899	Camden	Dominic J. Palese Chief	(856) 784-6238	(856) 784-4963
Hoboken Police 1 Police Plaza Hoboken, NJ 07030-4510	Hudson	Carmen V. LaBruno Chief	(201) 420-2100	(201) 659-7524
HoHoKus Police 55 Sycamore Avenue Hohokus, NJ 07423-1571	Bergen	Gregory Kallenberg Chief	(201) 652-1700	(201) 612-7117
Holland Township Police 61 Church Road Milford, NJ 08848-1849	Hunterdon	Stephen J. Verish Jr. Chief	(908) 995-4670	(908) 995-4612
Holmdel Police P.O. Box 410 4 Crawford Corners Road Holmdel, NJ 07733-0410	Monmouth	Raymond Wilson Chief	(732) 946-4400	(732) 946-3778
Hopatcong Borough Police 111 River Styx Road Hopatcong, NJ 07843	Sussex	Chief	(973) 398-5000	(973) 398-4048
Hopewell Township Police 201 Washington Crossing-Pennington Rd Titusville, NJ 08560	Mercer	Michael A. Chipowsky Chief	(609) 737-3100	(609) 737-1775
Howell Township Police P.O. Box 580 Howell, NJ 07731-0580	Monmouth	Ronald T. Carter Chief	(732) 938-4111	(732) 919-5596
Independence Township Police 289 Rt. 46 Great Meadows, NJ 07838	Warren	Robert R. Petersen Chief	(908) 852-4440	(908) 637-4097
Interlaken Borough Police 100 Grassmere Avenue Interlaken, NJ 07712-4421	Monmouth	Robert T. Todd Chief	(732) 531-3689	(732) 531-0150
Irvington Police 1 Civic Square Irvington, NJ 07111	Essex	Michael Chase Chief	(973) 399-6600	(973) 399-5616
Island Heights Police P.O. Box 177 Island Heights, NJ 08732-0797	Ocean	Kevin C. Arnold Acting Chief	(732) 270-3006	(732) 270-4146

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Jackson Township Police 102 Jackson Drive Jackson, NJ 08527-9416	Ocean	Christopher Dunton Director	(732) 928-1111	(732) 928-8874
Jamesburg Police 131 Perrineville Road Jamesburg, NJ 08831	Middlesex	David L. Lester Chief	(732) 521-0011	(732) 521-1927
Jefferson Township Police 1033 Weldon Road Lake Hopatcong, NJ 07849	Morris	John V. Palko Jr. Chief	(973) 697-1300	(973) 697-7230
Jersey City Police 8 Erie Street Jersey City, NJ 07302-2810	Hudson	Robert Troy Chief	(201) 547-5301	(201) 547-4913
Keansburg Police 179 Carr Avenue Keansburg, NJ 07734-1337	Monmouth	Raymond O'Hare Chief	(732) 787-0600	(732) 787-8101
Kearny Police 237 Laurel Avenue Kearny, NJ 07032-3696	Hudson	John P. Dowie Chief	(201) 998-1313	(201) 998-1410
Kenilworth Borough Police 567 Boulevard Kenilworth, NJ 07033-1656	Union	William Dowd Chief	(908) 276-1700	(908) 276-1822
Keyport Police 70 W. Front Street Keyport, NJ 07735	Monmouth	Theodore J. Gajewski Chief	(732) 264-0706	(732) 739-0610
Kinnelon Police 130 Kinnelon Road Kinnelon, NJ 07405-2336	Morris	John G. Finkle Chief	(973) 838-5400	(973) 838-5944
Lacey Township Police 808 West Lacey Rd. Box 184 Forked River, NJ 08731-1302	Ocean	William Nally Chief	(609) 693-6636	(609) 693-3894
Lake Como Police 17th & Redmond Avenue Lake Como, NJ 07719-0597	Monmouth	Rosman H. Cash Chief	(732) 681-3081	(732) 681-4920
Lakehurst Police 5 Union Avenue Lakehurst, NJ 08733-3097	Ocean	Eric S. Higgins Chief	(732) 657-7811	(732) 657-0367

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Lakewood Police 231 Third Street Box 540 Lakewood, NJ 08701-3220	Ocean	Mark Dorsey Director	(732) 363-0200	(732) 905-5990
Lambertville Police 349 North Main Street Lambertville, NJ 08530	Hunterdon	Bruce Cocuzza Director	(609) 397-3132	(609) 397-9305
Laurel Springs Police 723 W. Atlantic Avenue Laurel Springs, NJ 08021-3145	Camden	Michael Wolcott Jr. Chief	(856) 783-2887	(856) 783-0439
Lavallette Police 1300 Grand Central Avenue Lavallette, NJ 08735-2336	Ocean	Colin Graham Chief	(732) 793-4800	(732) 793-2055
Lawnside Police 4 Douglas Avenue Lawnside, NJ 08045-1598	Camden	George D. Pugh II Director	(856) 573-6205	(856) 546-4785
Lawrence Township Police 2211 Lawrenceville Road Lawrenceville, NJ 08648-3198	Mercer	Daniel A. Posluszny Chief	(609) 896-1111	(609) 896-8095
Lebanon Township Police 530 West Hill Road Glen Gardner, NJ 08826	Hunterdon	Pamela J. Schell Chief	(908) 638-8515	(908) 638-5499
Leonia Police Public Safety Complex 1 Wood Park Leonia, NJ 07605	Bergen	Jay Ziegler Chief	(201) 944-0800	(201) 363-0251
Lincoln Park Borough Police 34 Chapel Hill Road Lincoln Park, NJ 07035-1998	Morris	Sean P. Canning Chief	(973) 694-5533	(973) 694-8948
Linden Police 301 N. Wood Ave. Linden, NJ 07036-4297	Union	John Miliano Chief	(908) 474-8500	(908) 474-8554
Lindenwold Police 2001 Egg Harbor Road Lindenwold, NJ 08021-1494	Camden	Frank McHenry Chief	(856) 784-4800	(856) 784-8469
Linwood City Police 400 Poplar Avenue Linwood, NJ 08221-1853	Atlantic	Charles J. Desch Acting Chief	(609) 927-5252	(609) 926-8216

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Little Egg Harbor Township Police 665 Radio Road Little Egg Harbor, NJ 08087-9626	Ocean	Mark P. Siino Chief	(609) 296-3666	(609) 812-1758
Little Falls Police 35 Stevens Avenue Little Falls, NJ 07424-2248	Passaic	Gerald Hunter Acting Chief	(973) 256-0200	(973) 256-2542
Little Ferry Borough Police 215-217 Liberty Street Little Ferry, NJ 07643	Bergen	Ralph C. Verdi Chief	(201) 641-2770	(201) 641-4828
Little Silver Police 480 Prospect Avenue Little Silver, NJ 07739-1430	Monmouth	Steven Greenwood Acting Chief	(732) 747-5900	(732) 741-5218
Livingston Police 333 So. Livingston Avenue Livingston, NJ 07039-3927	Essex	Michael Erb Chief	(973) 992-3000	(973) 535-7914
Lodi Police 1 Memorial Drive Lodi, NJ 07644-1693	Bergen	Vincent J. Caruso Chief	(973) 473-7600	(973) 473-7124
Logan Township Police 125 Main Street Bridgeport, NJ 08014	Gloucester	Michael Smith Chief	(856) 467-0061	(856) 467-2614
Long Beach Township Police 6805 Long Beach Boulevard Brant Beach, NJ 08008-3698	Ocean	Michael Bradley Chief	(609) 494-3322	(609) 494-6504
Long Branch City Police 344 Broadway Long Branch, NJ 07740-6938	Monmouth	William A. Richards Director	(732) 222-1000	(732) 728-0738
Long Hill Police 264 Mercer Street Stirling, NJ 07980-1483	Morris	Michael Peoples Chief	(908) 647-1800	(908) 647-0355
Longport Police 2305 Atlantic Avenue Longport, NJ 08403-1196	Atlantic	Alan S. Porter Chief	(609) 822-2141	(609) 822-0682
Lopatcong Township Police 232 South Third Street Phillipsburg, NJ 08865-1898	Warren	Scott T. Marinelli Chief	(908) 859-2301	(908) 859-0693

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Lower Alloways Creek Police P.O. Box 142 Hancocks Bridge, NJ 08038	Salem	Lee A. Peterson Chief	(856) 935-7300	(856) 935-8127
Lower Township Police 405 Breakwater Road Erma, NJ 08204	Cape May	Edward Donohue Chief	(609) 886-1619	(609) 886-4924
Lumberton Township Police P.O. Box 68 Lumberton, NJ 08048	Burlington	Lawrence C. Thomas Chief	(609) 267-1111	(609) 267-8284
Lyndhurst Police 367 Valley Brook Avenue Lyndhurst, NJ 07071	Bergen	James B. O'Connor Chief	(201) 939-4509	(201) 438-0819
Madison Borough Police 50 Kings Road Madison, NJ 07940	Morris	Vincent Chirico Chief	(973) 593-3015	(973) 593-2248
Magnolia Police 438 West Evesham Avenue Magnolia, NJ 08049-1725	Camden	Robert J. Doyle Chief	(856) 784-1884	(856) 627-7294
Mahwah Township Police 221 Franklin Turnpike Mahwah, NJ 07430-1898	Bergen	James Batelli Chief	(201) 529-1000	(201) 529-0240
Manalapan Township Police 120 Route 522 Manalapan, NJ 07726-8005	Monmouth	Stuart C. Brown Chief	(732) 446-4300	(732) 446-2876
Manasquan Police 201 E. Main Street Manasquan, NJ 08736	Monmouth	Daniel Scimeca Chief	(732) 223-1000	(732) 223-0587
Manchester Township Police 1 Colonial Drive Manchester, NJ 08759	Ocean	William C. Brase Chief	(732) 657-6111	(732) 657-2764
Mansfield Township Police P.O. Box 177 Columbus, NJ 08022-0177	Burlington	James Humble Chief	(609) 298-4411	(609) 298-6625
Mansfield Township Police 100 Port Murray Road Port Murray, NJ 07865	Warren	John D. Ort Chief	(908) 689-6222	(908) 689-8514

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Mantoloking Police 200 Downer Avenue Mantoloking, NJ 08738	Ocean	Richard C. Ortley Chief	(732) 892-0865	(732) 295-4148
Mantua Township Police 405 Main Street Mantua, NJ 08051-1096	Gloucester	Graham B. Land Chief	(856) 468-1920	(856) 464-0237
Manville Police 2 North Main Street Manville, NJ 08835-1359	Somerset	Mark Peltack Chief	(908) 725-1900	(908) 725-1685
Maple Shade Township Police 200 Stiles Avenue Maple Shade, NJ 08052	Burlington	Edmund C. Vernier Chief	(856) 779-7111	(856) 482-5866
Maplewood Police 125 Dunnell Road Maplewood, NJ 07040-2690	Essex	Robert J. Cimino Chief	(973) 762-3400	(973) 762-5940
Margate City Police 111 N. Decatur Avenue Margate City, NJ 08402-1109	Atlantic	David Wolfson Chief	(609) 823-0055	(609) 823-8602
Marlboro Township Police 1979 Township Drive Marlboro, NJ 07746-2299	Monmouth	Robert C. Holmes Sr. Chief	(732) 536-0100	(732) 972-7522
Matawan Borough Police 150 Main Street Matawan, NJ 07747-3191	Monmouth	William W. Toomer Chief	(732) 566-1010	(732) 566-4038
Maywood Police 15 Park Avenue Maywood, NJ 07607-2015	Bergen	David Pegg Chief	(201) 845-8800	(201) 845-0304
Medford Lakes Borough Police 1 Cabin Circle Medford Lakes, NJ 08055	Burlington	Francis J. Martine Chief	(609) 654-2156	(609) 953-8811
Medford Township Police 91 Union Street Medford, NJ 08055-2432	Burlington	James F. Kehoe Chief	(609) 654-7805	(609) 654-5996
Mendham Borough Police 3 Cold Hill Road South Mendham, NJ 07945	Morris	Patricia A. Cameron Chief	(973) 543-2527	(973) 543-9774

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Mendham Township Police P.O. Box 236 Brookside, NJ 07926-9999	Morris	Thomas J. Costanza Chief	(973) 543-2581	(973) 543-2603
Merchantville Borough Police 1 West Maple Avenue Merchantville, NJ 08109-0593	Camden	Wayne K. Bauer Chief	(856) 662-0507	(856) 662-0896
Metuchen Police 500 Main Street Metuchen, NJ 08840	Middlesex	James T. Keane Chief	(732) 632-8500	(732) 632-8573
Middle Township Police 31 W. Mechanic Street Cape May Court House, NJ 08210	Cape May	Joseph M. Evangelista Chief	(609) 465-8700	(609) 465-6748
Middlesex Borough Police 1200 Mountain Avenue Middlesex, NJ 08846-2700	Middlesex	James L. Benson Chief	(732) 356-1900	(732) 356-7218
Middletown Township Police 1 Kings Highway Middletown, NJ 07748	Monmouth	Robert Oches Chief	(732) 615-2100	(732) 671-5696
Midland Park Police 280 Godwin Ave. Midland Park, NJ 07432-1836	Bergen	Robert D. Klingen Chief	(201) 251-6691	(201) 445-0897
Millburn Police 435 Essex Street Millburn, NJ 07041-1316	Essex	Paul Boegershausen Chief	(973) 564-7001	(973) 379-1366
Milltown Police 39 Washington Avenue Milltown, NJ 08850-1219	Middlesex	Raymond E. Geipel Chief	(732) 828-1100	(732) 249-5695
Millville Police 18 S. High St. P.O. Box 609 Millville, NJ 08332-0609	Cumberland	Ronald J. Harvey Chief	(856) 825-3111	(856) 825-2899
Monmouth Beach Police 14 Willow Avenue Monmouth Beach, NJ 07750	Monmouth	Richard A. White Chief	(732) 229-1313	(732) 229-7450
Monroe Township Police 125 Virginia Avenue Williamstown, NJ 08094-1797	Gloucester	Domenic Christopher Chief	(856) 728-0800	(856) 728-4420

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Monroe Township Police 3 Municipal Plaza Monroe Township, NJ 08831	Middlesex	John Kraivec Chief	(732) 521-0222	(732) 521-2980
Montclair Police 647 Bloomfield Avenue Montclair, NJ 07042-2208	Essex	David Sabagh Chief	(973) 509-4718	(973) 509-7534
Montgomery Township Police 2261 Rt. 206 Belle Mead, NJ 08502-4012	Somerset	Michael A. Beltranena Jr. Director	(908) 359-3222	(908) 874-8252
Montvale Police 12 Mercedes Drive Montvale, NJ 07645	Bergen	Joseph Marigliani Chief	(201) 391-4600	(201) 391-6379
Montville Township Police 360 Route 202 Suite 1 Montville, NJ 07045-9421	Morris	Richard Cook Chief	(973) 335-9393	(973) 335-0594
Moonachie Police 70 Moonachie Road Moonachie, NJ 07074-1199	Bergen	Michael J. McGahn Chief	(201) 641-9100	(201) 641-9157
Moorestown Township Police 111 West Second Street Moorestown, NJ 08057-2482	Burlington	Harry Johnson Director	(856) 235-0130	(856) 235-9178
Morris Plains Borough Police P.O. Box 383 531 Speedwell Avenue Morris Plains, NJ 07950	Morris	Douglas P. Scherzer Chief	(973) 538-2284	(973) 538-3382
Morris Township Police 49 Woodland Ave. P.O. Box 7603 Convent Station, NJ 07961-7603	Morris	Michael Loughman Chief	(973) 539-0777	(973) 539-2985
Morristown Police 200 South Street CN 914 Morristown, NJ 07960	Morris	Pete Demnitz Chief	(973) 538-2200	(973) 267-7647
Mount Arlington Police 520 Altenbrand Ave. Mount Arlington, NJ 07856-1179	Morris	Richard Peterson Chief	(973) 398-2100	(973) 398-6816

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Mount Ephraim Police 121 South Black Horse Pike Mount Ephraim, NJ 08059-1721	Camden	Edward C. Dobleman Chief	(856) 931-2225	(856) 931-2042
Mount Holly Township Police 23 Washington Street Mount Holly, NJ 08060-1734	Burlington	Steven Martin Lt.	(609) 267-0170	(609) 267-6627
Mount Laurel Township Police 100 Mount Laurel Road Mount Laurel, NJ 08054-9540	Burlington	Dennis Moffett Chief	(856) 608-9082	(856) 996-0135
Mount Olive Township Police 204 Flanders Drakestown Road Budd Lake, NJ 07828	Morris	Edward W. Katona Jr. Chief	(973) 691-0850	(973) 691-8312
Mountain Lakes Police 400 Boulevard Mountain Lakes, NJ 07046-1520	Morris	Robert D. Tovo Chief	(973) 334-1413	(973) 334-4123
Mountainside Police 1385 Route 22 Mountainside, NJ 07092-2699	Union	James J. Debbie Jr. Chief	(908) 232-8100	(908) 232-2234
Mullica Township Police 4528 White Horse Pike Box 317 Elwood, NJ 08217-0317	Atlantic	James A. Davis Acting Chief	(609) 561-7600	(609) 561-4854
National Park Borough Police 7 South Grove Avenue National Park, NJ 08063	Gloucester	Lin T. Couch Sr. Chief	(856) 845-1187	(856) 845-6637
Neptune City Police 106 W. sylvania Avenue Neptune City, NJ 07754-2098	Monmouth	William A. Geschke Chief	(732) 775-1615	(732) 776-5162
Neptune Township Police 25 Neptune Blvd. Neptune, NJ 07753-4898	Monmouth	Howard O'Neil Chief	(732) 988-8000	(732) 988-7724
Netcong Borough Police 19 Maple Avenue Netcong, NJ 07857	Morris	Robert J. Weisert Director	(973) 347-7700	(973) 347-5661
New Brunswick City Police 25 Kirkpatric Avenue New Brunswick, NJ 08901	Middlesex	Joseph J. Catanese Director	(732) 745-5200	(732) 565-7544

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
New Hanover Township Police P.O. Box 159 Cookstown, NJ 08511-0159	Burlington	Gary E. Timmons Chief	(609) 758-7149	(609) 758-1822
New Milford Police 930 River Road New Milford, NJ 07646-3099	Bergen	Frank Papapietro Chief	(201) 261-1400	(201) 967-7460
New Providence Police 360 Elkwood Avenue New Providence, NJ 07974-1838	Union	Douglas R. Marvin Chief	(908) 665-1111	(908) 665-9873
Newark Police 31 Green Street Newark, NJ 07102	Essex	Irving Bradley Jr. Chief	(973) 733-7930	(973) 733-3981
Newfield Borough Police 18 Catawba Avenue Newfield, NJ 08344	Gloucester	Vincent Parisi Chief	(856) 697-0577	(856) 697-2645
Newton Police 39 Trinity Street Newton, NJ 07860-1823	Sussex	John D. Tomasula Chief	(973) 383-2525	(973) 383-0090
North Arlington Police 214 Ridge Road North Arlington, NJ 07031-6096	Bergen	Louis M. Ghione Chief	(201) 991-4400	(201) 991-4068
North Bergen Police 4233 Kennedy Boulevard North Bergen, NJ 07047-2736	Hudson	William F. Galvin Chief	(201) 392-2100	(201) 864-0370
North Brunswick Police 710 Hermann Road North Brunswick, NJ 08902-2859	Middlesex	Kenneth McCormick Director	(732) 247-0922	(732) 249-2892
North Caldwell Police 136 Gould Avenue North Caldwell, NJ 07006	Essex	Joseph F. Clark Jr. Chief	(973) 226-0800	(973) 228-6427
North Haledon Police 103 Overlook Avenue North Haledon, NJ 07508-2533	Passaic	Robert Bracco Chief	(973) 423-1111	(973) 304-0978
North Hanover Township Police 41 Schoolhouse Road Wrightstown, NJ 08562-9736	Burlington	Mark Keubler Chief	(609) 758-3351	(609) 758-1907

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
North Plainfield Police 263 Somerset Street North Plainfield, NJ 07060-4846	Somerset	William Parenti Chief	(908) 769-2937	(908) 769-0731
North Wildwood Police 305 E. 10th Avenue North Wildwood, NJ 08260	Cape May	Robert F. Matteucci Chief	(609) 522-2411	(609) 522-2531
Northfield City Police 1600 Shore Road Northfield, NJ 08225-2201	Atlantic	Robert Carty Chief	(609) 641-3122	(609) 646-9539
Northvale Police 116 Paris Avenue Northvale, NJ 07647-1594	Bergen	Bruce Tietien Chief	(201) 768-5900	(201) 767-9636
Norwood Police 453 Broadway Norwood, NJ 07648-1392	Bergen	Jeffrey Krapels Chief	(201) 768-0850	(201) 784-8663
Nutley Police 228 Chestnut Street Nutley, NJ 07110-2397	Essex	John Holland Chief	(973) 284-4940	(973) 284-4913
Oakland Borough Police 295 Ramapo Valley Road Oakland, NJ 07436-1897	Bergen	James O'Connor Chief	(201) 337-6171	(201) 337-5802
Oaklyn Police 500 White Horse Pike Oaklyn, NJ 08107-1730	Camden	Jon D. Shelly Acting Chief	(856) 854-0049	(856) 854-2758
Ocean City Police 835 Central Avenue Ocean City, NJ 08226-3613	Cape May	Robert E. Blevin Chief	(609) 399-9111	(609) 399-1910
Ocean Gate Borough Police 801 Ocean Gate Avenue Ocean Gate, NJ 08740	Ocean	Daryl Maffia Chief	(732) 269-2468	(732) 269-2472
Ocean Township Police 399 Monmouth Roads Oakhurst, NJ 07755-1589	Monmouth	Antonio Amodio Chief	(732) 531-1800	(732) 517-0385
Ocean Township Police 50 Railroad Avenue Waretown, NJ 08758	Ocean	Kenneth B. Flatt Chief	(609) 693-4007	(609) 693-8392

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Oceanport Police P.O. Box 370 Oceanport, NJ 07757-1499	Monmouth	Harold W. Sutton Chief	(732) 222-6300	(732) 222-0945
Ogdensburg Police P.O. Box 45 Ogdensburg, NJ 07439	Sussex	George Lott Chief	(973) 827-3160	(973) 827-0271
Old Bridge Township Police One Old Bridge Plaza Old Bridge, NJ 08857-2474	Middlesex	Thomas H. Collow Chief	(732) 721-5600	(732) 607-7937
Old Tappan Police 247 Old Tappan Road Old Tappan, NJ 07675-7001	Bergen	Joseph R. Fasulo Chief	(201) 664-1221	(201) 664-1333
Oradell Police 355 Kinderkamack Road Oradell, NJ 07649-2182	Bergen	Rhynie Emanuel Chief	(201) 261-0200	(201) 261-0278
Orange Police 29 Park Street Orange, NJ 07050	Essex	Edward Lucas Director	(973) 266-4111	(973) 266-4398
Oxford Township Police 11 Green Street P.O. Box 620 Oxford, NJ 07863	Warren	Charles P. Lilly Lieutenant	(908) 689-1122	(908) 453-3379
Palisades Park Police 275 Broad Avenue Palisades Park, NJ 07650-1579	Bergen	Michael P. Vietri Chief	(201) 944-0900	(201) 944-0766
Palmyra Borough Police 20 West Broad Street Palmyra, NJ 08065-1633	Burlington	Richard K. Dreby Chief	(856) 829-0198	(856) 829-3770
Paramus Police Carlough Drive Paramus, NJ 07652	Bergen	Frederick J. Corrubia Chief	(201) 262-3400	(201) 587-0187
Park Ridge Police 55 Park Avenue Park Ridge, NJ 07656-1287	Bergen	Richard E. Oppenheimer Chief	(201) 391-5400	(201) 391-8023
Parsippany-Troy Hills Police 3339 Route 46 Parsippany, NJ 07054-1226	Morris	Michael Filippello Chief	(973) 263-4300	(973) 334-4379

Municipal

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Passaic Police 330 Passaic Street Passaic, NJ 07055-5815	Passaic	Stanley A. Jarensky Chief	(973) 365-3958	(973) 365-5593
Paterson Police 111 Broadway Paterson, NJ 07505-1182	Passaic	Lawrence Spagnola Chief	(973) 321-1111	(973) 278-1780
Paulsboro Police 1211 North Delaware Street Paulsboro, NJ 08066-1293	Gloucester	Kenneth L. Ridinger Chief	(856) 423-1101	(856) 423-3319
Peapack & Gladstone Police P.O. Box 218 1 School Street Peapack, NJ 07977-0218	Somerset	Gregory J. Skinner Chief	(908) 234-0626	(908) 234-9683
Pemberton Borough Police 50 Egbert Street Pemberton, NJ 08068	Burlington	Joseph M. Conlin Chief	(609) 894-2632	(609) 894-9682
Pemberton Township Police 500 Pemberton-Browns Mills Road Pemberton, NJ 08068	Burlington	Stephen A. Emery Chief	(609) 894-3308	(609) 894-0302
Pennington Police 30 North Main Street Pennington, NJ 08534-0095	Mercer	William B. Meytrott Director	(609) 737-1679	(609) 730-9324
Penns Grove Police Box 527 1 State Street Penns Grove, NJ 08069-0527	Salem	Gary Doubledee Chief	(856) 299-0055	(856) 299-5611
Pennsauken Police 2400 Bethel Avenue Pennsauken, NJ 08109-2792	Camden	John J. Coffey Chief	(856) 488-0080	(856) 665-0187
Pennsville Police 90 North Broadway Pennsville, NJ 08070-1750	Salem	Patrick McCaffery Sr. Chief	(856) 678-3089	(856) 678-8961
Pequannock Township Police 530 Newark Pompton Tpk. Pompton Plains, NJ 07444-1798	Morris	Brian Spring Chief	(973) 835-1700	(973) 835-2472
Perth Amboy Police 351 Rector Street Perth Amboy, NJ 08861-4248	Middlesex	Michael Kohut Director	(732) 324-3801	(732) 442-7537

Municipal

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Phillipsburg Police 675 Corliss Avenue Phillipsburg, NJ 08865-1698	Warren	Robert Mirabelli Chief	(908) 454-1121	(908) 454-0243
Pine Beach Police 599 Pennsylvania Avenue Pine Beach, NJ 08741-1627	Ocean	Glenn Jones Chief	(732) 341-2616	(732) 240-5827
Pine Hill Borough Police 48 West 6th Avenue Pine Hill, NJ 08021-6399	Camden	Kenneth J. Cheeseman Chief	(856) 783-1549	(856) 784-4209
Pine Valley Police 1 Club Road Pine Valley, NJ 08021-6629	Camden	Timothy Kemble Captain	(856) 783-4900	(856) 783-0694
Piscataway Township Police 555 Sidney Road Piscataway, NJ 08854-4180	Middlesex	Kevin Harris Director	(732) 562-2318	(732) 743-2520
Pitman Police 110 S. Broadway Pitman, NJ 08071-2296	Gloucester	Scott E. Campbell Chief	(856) 589-3501	(856) 589-5050
Plainfield Police 200 E. Fourth Street Plainfield, NJ 07060-1899	Union	Edward Santiago Chief	(908) 753-3037	(908) 753-3476
Plainsboro Police 641 Plainsboro Road Plainsboro, NJ 08536-2095	Middlesex	Clifford Maurer Director	(609) 799-2333	(609) 275-5987
Pleasantville Police 17 North First Street Pleasantville, NJ 08232-2644	Atlantic	Duane N. Comeaux Chief	(609) 641-6100	(609) 646-1595
Plumsted Township Police 2 Cedar Street P.O. Box 398 New Egypt, NJ 08533-0398	Ocean	Michael Lynch Director	(609) 758-3738	(609) 758-0344
Pohatcong Township Police 50 Municipal Drive Phillipsburg, NJ 08865	Warren	Paul J. Hager Chief	(908) 454-9836	(908) 454-3234
Point Pleasant Beach Police 416 New Jersey Avenue Pt. Pleasant Beach, NJ 08742-3398	Ocean	Daniel J. DePolo Chief	(732) 892-0500	(732) 892-0088

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Point Pleasant Borough Police 2233 Bridge Avenue Point Pleasant, NJ 08742-4919	Ocean	Raymond J. Hilling Chief	(732) 892-0060	(732) 892-0310
Pompton Lakes Police 25 Lenox Avenue Pompton Lakes, NJ 07442-1729	Passaic	Albert Ekkers Chief	(973) 835-0400	(973) 831-1712
Princeton Borough Police P.O. Box 390 Princeton, NJ 08542	Mercer	Anthony V. Federico Chief	(609) 924-4141	(609) 924-0267
Princeton Township Police 1 Valley Road Princeton, NJ 08540-3480	Mercer	Anthony Gaylord Chief	(609) 921-2100	(609) 924-8197
Prospect Park Police 106 Brown Avenue Prospect Park, NJ 07508-2041	Passaic	Frank Franco Captain	(973) 790-7900	(973) 904-1441
Rahway Police One City Hall Plaza Rahway, NJ 07065	Union	Edward M. Hudak Chief	(732) 827-2200	(732) 382-6113
Ramsey Police 25 North Central Avenue Ramsey, NJ 07446-1888	Bergen	Bryan Gurney Chief	(201) 327-2400	(201) 327-6217
Randolph Township Police 502 Millbrook Avenue Randolph, NJ 07869-3713	Morris	Dean A. Kazaba Chief	(973) 989-7014	(973) 659-9939
Raritan Borough Police 20 First Street Raritan, NJ 08869-1809	Somerset	Michael Sniscak Chief	(908) 725-6700	(908) 707-1027
Raritan Township Police 2 Municipal Drive Flemington, NJ 08822	Hunterdon	Frederick W. Brown Chief	(908) 782-8889	(908) 782-1060
Readington Township Police 507 Route 523 Whitehouse Station, NJ 08889-9495	Hunterdon	James S. Paganessi Chief	(908) 534-4031	(908) 534-1266
Red Bank Police 90 Monmouth Street Red Bank, NJ 07701-1695	Monmouth	Mark F. Fitzgerald Chief	(732) 530-2700	(732) 741-9107

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Ridgefield Park Village Police 234 Main Street Ridgefield Park, NJ 07660-2515	Bergen	Dieter Ahrlich Chief	(201) 641-6400	(201) 641-6612
Ridgefield Police 604 Broad Avenue Ridgefield, NJ 07657-1694	Bergen	John P. Bogovich Chief	(201) 943-5210	(201) 941-6207
Ridgewood Police 30 Garber Sqaure Ridgewood, NJ 07450	Bergen	William M. Corcoran Chief	(201) 670-5518	(201) 943-5730
Ringwood Borough Police 60 Margaret King Avenue Ringwood, NJ 07456-1796	Passaic	Bernard F. Lombardo Chief	(973) 962-7017	(973) 962-7335
River Edge Police 705 Kinderkamack Road River Edge, NJ 07661-2499	Bergen	Ronald S. Starace Chief	(201) 262-1233	(201) 599-2720
River Vale Police 334 River Vale Road River Vale, NJ 07675-5722	Bergen	Aaron Back Chief	(201) 664-1111	(201) 358-7750
Riverdale Police P.O. Box 6 Riverdale, NJ 07457-1426	Morris	Thomas J. Soules Chief	(973) 835-0034	(973) 835-4751
Riverside Township Police 1 Scott Street Riverside, NJ 08075	Burlington	Paul Tursi Chief	(856) 461-3434	(856) 461-6253
Riverton Borough Police 501 5th Street Riverton, NJ 08077-1328	Burlington	Robert G. Norcross Chief	(856) 829-1212	(856) 829-1412
Rochelle Park Police 151 W. Passaic Street Rochelle Park, NJ 07662	Bergen	Richard Zavinsky Chief	(201) 843-1515	(201) 843-5422
Rockaway Borough Police 33 Maple Avenue Rockaway, NJ 07866-3000	Morris	Gary C. Farina Chief	(973) 627-1314	(973) 627-5036
Rockaway Township Police 65 Mount Hope Road Rockaway, NJ 07866-1699	Morris	Walter A. Kimble Chief	(973) 625-4000	(973) 586-0047

Municipal

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Roseland Borough Police 15 Harrison Avenue Roseland, NJ 07068-1307	Essex	Richard J. McDonough Chief	(973) 226-8700	(973) 403-1711
Roselle Borough Police 210 Chestnut Street Roselle, NJ 07203-1218	Union	Peter R. DeRose Chief	(908) 245-2000	(908) 241-9543
Roselle Park Borough Police 110 East Westfield Ave. Roselle Park, NJ 07204	Union	Warren P. Wielgus Chief	(908) 245-2300	(908) 298-1111
Roxbury Township Police 1715 State Highway 46 Ledgewood, NJ 07852-9726	Morris	Mark J. Noll Chief	(973) 448-2100	(973) 448-2081
Rumson Borough Police 51 Center Street Rumson, NJ 07760-1795	Monmouth	Edward A. Rumolo Chief	(732) 842-0500	(732) 842-1715
Runnemede Police 24 North Black Horse Pike P.O. Box 143 Runnemede, NJ 08078-0143	Camden	Mark Diano Chief	(856) 939-0330	(856) 939-6778
Rutherford Police 184 Park Avenue Rutherford, NJ 07070-2311	Bergen	Steven J. Nienstedt Chief	(201) 939-6000	(201) 460-3055
Saddle Brook Police 73 Market Street Saddle Brook, NJ 07663-4837	Bergen	Robert J. Kugler Chief	(201) 843-7000	(201) 587-0519
Saddle River Police 83 East Allendale Road Saddle River, NJ 07458-2627	Bergen	Timothy J. McWilliams Chief	(201) 327-5300	(201) 818-1746
Salem Police 129 West Broadway Salem, NJ 08079-1349	Salem	Ronald Sorrell Chief	(856) 935-0057	(856) 935-1439
Sayreville Police 1000 Main Street Sayreville, NJ 08872-1438	Middlesex	John Garbowski Chief	(732) 727-4444	(732) 727-5189
Scotch Plains Police 430 Park Avenue Scotch Plains, NJ 07076-1798	Union	Brian Mahoney Acting Chief	(908) 322-7100	(908) 322-2762

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Sea Bright Police 1099 E. Ocean Avenue Sea Bright, NJ 07760-2186	Monmouth	William S. Moore Chief	(732) 842-0010	(732) 842-8351
Sea Girt Police P.O. Box 22 319 Baltimore Blvd. Sea Girt, NJ 08750-0022	Monmouth	Edward Spidley Chief	(732) 449-7300	(732) 974-8684
Sea Isle City Police 233 John F. Kennedy Blvd. Sea Isle, NJ 08243-1931	Cape May	William Kennedy Chief	(609) 263-4311	(609) 263-8507
Seaside Heights Police 116 Sherman Avenue Seaside Heights, NJ 08751-2020	Ocean	Thomas Boyd Chief	(732) 793-1800	(732) 830-8496
Seaside Park Police P.O. Box 56 6th & Central Aves. Seaside Park, NJ 08752-0056	Ocean	William A. Beining III Chief	(732) 793-8000	(732) 793-4276
Secaucus Police 1203 Paterson Plank Road Secaucus, NJ 07094-3287	Hudson	Dennis Corcoran Chief	(201) 867-8000	(201) 330-2064
Ship Bottom Borough Police 1621 Long Beach Blvd. Ship Bottom, NJ 08008	Ocean	Paul Sharkey Chief	(609) 494-1518	(609) 494-3736
Shrewsbury Police 419 Sycamore Ave. P.O. Box 221 Shrewsbury, NJ 07702-4204	Monmouth	John D. Wilson III Chief	(732) 741-2500	(732) 741-0978
Somerdale Borough Police 105 Kennedy Blvd. Somedale, NJ 08083	Camden	Anthony Campbell Chief	(856) 428-6324	(856) 783-6863
Somers Point City Police 1 West New Jersey Avenue Somers Point, NJ 08244	Atlantic	Orville Mathis Chief	(609) 927-6161	(609) 927-0264
Somerville Police 24 South Bridge Street Somerville, NJ 08876-2983	Somerset	Dennis Manning Chief	(908) 725-0331	(908) 707-1036
South Amboy Police 140 N. Broadway S. Amboy, NJ 08879-1647	Middlesex	James V. Wallis Chief	(732) 721-0111	(732) 721-1504

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
South Bound Brook Borough Police 12 Main Street South Bound Brook, NJ 088801470	Somerset	Robert A. Verry Chief	(732) 356-0286	(732) 356-0865
South Brunswick Police 1 Police Plaza Monmouth Junction, NJ 08852	Middlesex	Raymond Hayducka Chief	(732) 329-4646	(732) 329-4604
South Hackensack Police 227 Phillips Avenue South Hackensack, NJ 07606-1600	Bergen	Michael Frew Chief	(201) 440-0042	(201) 440-0797
South Harrison Township Police 664 Harrisonville Road P.O. Box 180 Harrisonville, NJ 08039	Gloucester	Warren K. Mabey Chief	(856) 769-2879	(856) 769-4060
South Orange Police 201 South Orange Avenue South Orange, NJ 07079-2202	Essex	James M. Chelel Chief	(973) 763-3000	(973) 763-3256
South Plainfield Police 2480 Plainfield Avenue South Plainfield, NJ 07080-3598	Middlesex	John Ferraro Chief	(908) 755-0700	(908) 561-7290
South River Police 61 Main Street South River, NJ 08882	Middlesex	Wesley J. Bomba Chief	(732) 238-1000	(732) 613-6103
South Toms River Police 144 Mill Street South Toms River, NJ 08757-5105	Ocean	Andrew Izatt Chief	(732) 349-0313	(732) 349-6864
Sparta Township Police 65 Main Street Sparta, NJ 07871-1903	Sussex	Ernest Reigstad Chief	(973) 729-6121	(973) 729-5073
Spotswood Police 77 Summerhill Road Spotswood, NJ 08884	Middlesex	Karl G. Martin Chief	(732) 251-2121	(732) 251-5910
Spring Lake Heights Police 555 Brighton Avenue Spring Lake Heights, NJ 07762-2099	Monmouth	Mark A. Steets Chief	(732) 449-6161	(732) 449-3047
Spring Lake Police 311 Washington Avenue Spring Lake, NJ 07762-1431	Monmouth	Robert J. Dawson Jr. Chief	(732) 449-1234	(732) 449-8696

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Springfield Township Police 2159 Jacksonville-Jobstown Road P.O. Box 119 Jobstown, NJ 08041	Burlington	Kenneth C. Gerber Chief	(609) 723-5100	(609) 723-1080
Springfield Township Police 100 Mountain Ave. Springfield, NJ 07081-1785	Union	William E. Chisholm Chief	(973) 376-0400	(973) 912-0538
Stafford Township Police 260 East Bay Ave. Manahawkin, NJ 08050-3329	Ocean	Larry D. Parker Chief	(609) 597-8581	(609) 597-7029
Stanhope Police 77 Main Street Stanhope, NJ 07874	Sussex	Steven J. Pittigher Chief	(973) 347-4533	(973) 691-4952
Stillwater Township Police 964 Stillwater Rd. Newton, NJ 07860	Sussex	John Schetting Sergeant	(973) 383-3773	(973) 383-1564
Stone Harbor Borough Police 9508 2nd Avenue Stone Harbor, NJ 08247	Cape May	Lawrence T. Wilson Chief	(609) 368-2111	(609) 368-4162
Stratford Borough Police 315 Union Avenue Stratford, NJ 08084	Camden	Ronald M. Morello Chief	(856) 783-4900	(856) 784-8419
Summit Police 512 Springfield Avenue Summit, NJ 07901-2607	Union	Robert Lucid Chief	(908) 273-0051	(908) 273-8002
Surf City Police 813 Long Beach Blvd. Surf City, NJ 08008	Ocean	William Collins Lieutenant	(609) 494-8121	(609) 494-0285
Swedesboro Borough Police 1500 Kings Highway Swedesboro, NJ 08085-0056	Gloucester	William E. Dupper Chief	(856) 589-0911	(856) 467-0560
Teaneck Police 900 Teaneck Road Teaneck, NJ 07666-4400	Bergen	Paul Tiernan Chief	(201) 837-2600	(201) 837-1880
Tenafly Police 100 Riveredge Road Tenafly, NJ 07670-2085	Bergen	Michae P. Bruno Chief	(201) 568-5100	(201) 568-5851

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Tewksbury Township Police 167 Old Turnpike Road Califon, NJ 07830	Hunterdon	Russel J. O'Dell Chief	(908) 439-2503	(908) 439-0036
Tinton Falls Police 556 Tinton Avenue Tinton Falls, NJ 07724-3297	Monmouth	Gerald Turning Chief	(732) 542-4422	(732) 542-8858
Totowa Police 537 Totowa Road Totowa, NJ 07512-1696	Passaic	Robert W. Coyle Chief	(973) 790-3700	(973) 595-8781
Trenton Police 225 North Clinton Ave. Trenton, NJ 08609-1091	Mercer	Joseph Santiago Director	(609) 989-4055	(609) 989-4270
Tuckerton Borough Police 445 S. Green Street Tuckerton, NJ 08087	Ocean	Charles W. Robinson Chief	(609) 296-9417	(609) 296-6270
Union Beach Police 650 Poole Avenue Union Beach, NJ 07735	Monmouth	Michael P. Kelly Chief	(732) 264-0313	(732) 264-0452
Union City Police 3715 Palisade Avenue Union City, NJ 07087-4826	Hudson	Charles Everett Chief	(201) 348-5790	(201) 348-5793
Union Police 981 Caldwell Avenue Union, NJ 07083-6756	Union	Thomas Kraemer Chief	(908) 851-5028	(908) 851-5442
Upper Saddle River Police 368 W. Saddle River Rd. Upper Saddle River, NJ 07458-1621	Bergen	Theodore F. Preusch Chief	(201) 327-2700	(201) 934-3992
Ventnor City Police 6201 Atlantic Avenue Ventnor, NJ 08406-2734	Atlantic	Stanley J. Wodazak Chief	(609) 822-2101	(609) 487-8682
Vernon Township Police 21 Church Street Vernon, NJ 07462	Sussex	Roy C. Wherry Chief	(973) 764-6155	(973) 764-2518
Verona Police 600 Bloomfield Avenue Verona, NJ 07044-1897	Essex	Douglas J. Huber Chief	(973) 239-5000	(973) 239-6785

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Vineland Police 111 North 6th Street Vineland, NJ 08360-3712	Cumberland	Mario R. Brunetta Jr. Chief	(856) 691-4111	(856) 794-1047
Voorhees Township Police 1180 White Horse Road Voorhees, NJ 08043	Camden	Keith F. Hummel Chief	(856) 428-5400	(856) 882-1118
Waldwick Police 15 East Prospect Street Waldwick, NJ 07463-2090	Bergen	Mark F. Messner Chief	(201) 652-5700	(201) 652-7638
Wall Township Police P.O. Box 1168 Wall Township, NJ 07719-1168	Monmouth	Roy Hall Chief	(732) 449-4500	(732) 449-1273
Wallington Police 56 Union Blvd. Wallington, NJ 07057-1232	Bergen	Anthony Benevento Director	(973) 473-1715	(973) 473-0790
Wanaque Police 579 Ringwood Ave. Wanaque, NJ 07465-2099	Passaic	John W. Reno Chief	(973) 835-5600	(973) 835-6737
Warren Police 46 Mountain Blvd. Warren, NJ 07059-5694	Somerset	William J. Stahl Chief	(908) 753-1000	(908) 757-7915
Washington Borough Police 100 Belvidere Avenue Washington, NJ 07882	Warren	George Cortellesi Chief	(908) 689-4646	(908) 689-8463
Washington Township Police 350 Hudson Avenue Washington, NJ 07676-4716	Bergen	William Cicchetti Chief	(201) 664-1140	(201) 664-2959
Washington Township Police Police Administration Building 1 McClure Drive Sewell, NJ 08080	Gloucester	Charles Billingham Chief	(856) 589-6650	(856) 256-8806
Washington Township Police 1117 Route 130 Robbinsville, NJ 08691	Mercer	Martin Masseroni Chief	(609) 259-3900	(609) 259-0506
Washington Township Police 1 East Springtown Road Long Valley, NJ 07853-3342	Morris	Ted M. Ehrenburg Chief	(908) 876-3232	(908) 876-5655

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Washington Township Police 33 Little Philadelphia Rd. Washington, NJ 07882	Warren	James J. McDonald Sr. Chief	(908) 689-1630	(908) 689-8512
Watchung Police 840 Somerset Street Watchung, NJ 07069	Somerset	John L. Frosoni Chief	(908) 756-3663	(908) 756-3784
Waterford Township Police 2131 Auburn Avenue Atco, NJ 08004-1995	Camden	John Bekisz Chief	(856) 767-2134	(856) 767-9407
Wayne Township Police 475 Valley Road Wayne, NJ 07470-3584	Passaic	Donald Stouthamer Chief	(973) 694-0600	(973) 694-1402
Weehawken Police 400 Park Avenue Weehawken, NJ 07087-6799	Hudson	Jeffrey Welz Director	(201) 863-7800	(201) 319-6041
Wenonah Police 1 South West Avenue Wenonah, NJ 08090-1899	Gloucester	Glenn S. Scheetz Chief	(856) 468-6263	(856) 468-3747
West Amwell Township Police 24 Mount Airy Village Road Lambertville, NJ 08530	Hunterdon	Stephen J. Bartzak Sr. Acting Chief	(609) 397-1100	(609) 397-8801
West Caldwell Police 21 Clinton Road West Caldwell, NJ 07006-6703	Essex	Charles B. Tubbs Chief	(973) 226-4114	(973) 403-0836
West Deptford Police 400 Crown Point Road P.O. Box 89 Thorofare, NJ 08086-0089	Gloucester	James P. Mehaffey Chief	(856) 853-4599	(856) 853-2940
West Long Branch Police 95 Poplar Avenue West Long Branch, NJ 07748	Monmouth	John H. Demaree Chief	(732) 229-5000	(732) 229-6727
West Milford Township Police 1480 Union Valley Road West Milford, NJ 07480-1398	Passaic	Paul R. Costello Chief	(973) 728-2800	(973) 728-2875
West New York Police 428-60th Street West New York, NJ 07093	Hudson	Timothy Griffin Director	(201) 295-5000	(201) 854-1601

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
West Orange Police 66 Main Street West Orange, NJ 07052	Essex	James P. Abbott Chief	(973) 325-4000	(973) 731-0004
West Paterson Borough 5 Brophy Lane West Paterson, NJ 07424	Passaic	Robert Reda Chief	(973) 345-8111	(973) 345-0103
West Wildwood City Police 701 W. Glenwood Avenue P.O. Box 644 West Wildwood, NJ 08260	Cape May	Alan P. Fox Chief	(609) 522-4060	(609) 522-7350
West Windsor Township Police 20 Municipal Drive P.O. Box 38 Princeton Junction, NJ 08550	Mercer	Joseph M. Pica Jr. Chief	(609) 799-1222	(609) 897-9010
Westampton Township Police 710 Rancocas Road Westampton, NJ 08060	Burlington	Steven Van Sciver Chief	(609) 267-3000	(609) 261-7551
Westfield Police 425 East Broad St. Westfield, NJ 07090-2123	Union	John Parizeau Acting Chief	(908) 232-1000	(908) 389-1262
Westville Police 114 Crown Point Road Westville, NJ 08093-1130	Gloucester	Fred Lederer Chief	(856) 456-9444	(856) 456-5258
Westwood Police 101 Washington Avenue Westwood, NJ 07675-2288	Bergen	Frank D. Regino Chief	(201) 664-7000	(201) 664-7009
Wharton Police 10 Roberts Street Wharton, NJ 07885-1997	Morris	Anthony Fernandez Chief	(973) 366-0557	(973) 366-8961
Wildwood Crest Police 6101 Pacific Avenue Wildwood Crest, NJ 08260-0529	Cape May	Thomas M. DePaul Chief	(609) 522-2456	(609) 523-8243
Wildwood Police 4400 New Jersey Avenue Wildwood, NJ 08260-2942	Cape May	Joseph A. Fisher Chief	(609) 522-0222	(609) 522-3691
Willingboro Township Police 1 Salem Road Willingboro, NJ 08046	Burlington	Benjamin Braxton Director	(609) 877-2200	(609) 835-0938

Municipal

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Winfield Police 12 Gulfstream Ave. Winfield, NJ 07036-6608	Union	Walter L. Berg Chief	(908) 925-3852	(908) 925-4526
Winslow Township Police 125 South Route 73 Braddock, NJ 08037	Camden	Anthony Bello Chief	(609) 561-3300	(609) 561-8097
Wood Ridge Police 85 Humboldt Street Wood-Ridge, NJ 07075-2396	Bergen	Joseph T. Rutigliano Chief	(201) 939-0476	(201) 939-2031
Woodbridge Police 1 Main Street Woodbridge, NJ 07095	Middlesex	William G. Trener Chief	(732) 634-7700	(732) 602-7366
Woodbury Heights Borough Police P.O. Box 44 Woodbury Heights, NJ 08097-0044	Gloucester	Leo F. Selb Jr. Chief	(856) 848-6707	(856) 853-2995
Woodbury Police 200 N. Broad Street Woodbury, NJ 08096-1760	Gloucester	Reed A. Merinuk Chief	(856) 845-0065	(856) 845-6258
Woodcliff Lake Police 184 Pascack Road Woodcliff Lake, NJ 07677	Bergen	Anthony Jannicelli Chief	(201) 391-8222	(201) 307-3482
Woodlynne Borough Police 200 Cooper Avenue Woodlynne, NJ 08107-2199	Camden	Kevin Catell Acting Chief	(856) 962-8760	(856) 962-6983
Woodstown Police Borough Hall Box 286 Woodstown, NJ 08098	Salem	George E. Lacy Chief	(856) 769-1330	(856) 769-1271
Woolwich Township Police 120 Woodstown Road Swedesboro, NJ 08085	Gloucester	Russell H. Marino Chief	(856) 467-1667	(856) 467-5188
Wyckoff Township Police Scott Plaza 340 Franklin Avenue Wyckoff, NJ 07481	Bergen	John Ydo Chief	(201) 891-2121	(201) 891-2850

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Amtrak Police 30th Street Station 2nd Floor, North Tower Philadelphia, PA 19104	Philadelphia	Thomas J. Durkin Inspector	(215) 349-1965	(215) 349-4020
Delaware River & Bay Authority Police P.O. Box 71 New Castle, DE 19720	Salem	John R. McCarnan Colonel	(302) 571-6319	(302) 571-6347
Delaware River Port Authority Ben Franklin Bridge Administration Building P.O. Box 1949 Camden, NJ 08101-1949	Camden	Vincent J. Borrelli Director	(856) 968-3384	(856) 968-3379
Department of Defense Police Building 6049 8th Street Fort Dix, NJ 08640	Burlington	Stephen G. Melly Chief	(609) 562-2858	(609) 562-5532
Dept of Defense Police - Lakehurst NAES-Building 8 Lakehurst, NJ 08733	Ocean	Weslie Fitzgerald Chief	(732) 323-7806	(732) 323-4011
Dept. of Veterans Affairs Police 385 Tremont Avenue East Orange, NJ 07018-1095	Essex	William M. Mischak Chief	(973) 395-7164	(973) 395-7166
Directorate for Public Safety - Fort Monmouth 977 Murphy Drive Fort Monmouth, NJ 07703	Monmouth	John Hazel Director	(732) 532-1112	(732) 532-5684
DRPA - Port Authority Transit Police 2 Riverside Dr. P.O. Box 1949 Camden, NJ 08101-1849	Camden	Vincent J. Borrelli Public Safety Director	(856) 963-7995	(856) 968-3379
FBI Newark Office Gateway 11 Centre Place Newark, NJ 07102	Essex	Leslie Wiser Jr. SAIC	(973) 792-3000	(973) 792-3035
Hoboken Fire Department 201 Jefferson Street Hoboken, NJ 07030	Hudson		(201) 420-2269	(201) 420-2227
National Park Service Police Sandy Hook P.O. Box 530 Fort Hancock, NJ 07732	Monmouth	Tadhg McNamee Chief	(732) 872-5918	(732) 872-5915

Other

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
National Park Service Police Morristown Nat'l Historic Park 30 Washington Place Morristown, NJ 07960	Morris	Gregory Smith Chief Ranger	(973) 539-2016	(973) 766-5635
New Jersey Transit Police One Penn Plaza East 7th Floor Newark, NJ 07105	Essex	Joseph C. Bober Chief	(973) 491-8555	(973) 491-4098
Newark Arson Squad 1010 18th Avenue Newark, NJ 07106	Essex		(973) 733-7510	(973) 733-7469
NY State Office of the Inspector General 61 Broadway 12th Floor New York, NY 10006			(212) 635-3171	(212) 809-6287
Picatinny Arsenal Police Department 173 Buffington Road Picatinny Arsenal, NJ 07806-5000	Morris	Bruce H. Gough Chief	(973) 724-4161	(973) 724-8630
Port Authority of N.Y. & N.J. 241 Erie Street Room 302 Jersey City, NJ 07310	Hudson	Samual Plumeri Superintendent	(201) 239-3575	(201) 239-3884
USAF Security Police 1738 East Arnold Avenue McGuire AFB, NJ 08641	Burlington	Mark Davis Sr. Master Sgt.	(609) 754-2471	(609) 754-8768
USN Security Department Naval Weapons Station Earle 201 Hwy. 34 South, Bldg. C-34 Colts Neck, NJ 07722	Monmouth	Gary Cadwell Chief	(732) 866-2000	(732) 866-1138
Waterfront Commission of New York Harbor 4th Floor 39 Broadway New York, NY 10006	New York	Brian Smith Chief	(212) 742-9280	(212) 742-9377

Prosecutor

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Atlantic County Prosecutor's Office 4997 Unami Boulevard Mays Landing, NJ 08330	Atlantic	Jeffrey S. Blitz Prosecutor	(609) 909-7800	(609) 704-7803
Bergen County Prosecutor's Office Bergen County Justice Center 10 Main Street, Room 215 Hackensack, NJ 07601-7681	Bergen	John L. Molinelli Prosecutor	(201) 646-2300	(201) 488-0024
Burlington County Prosecutor's Office County Court Complex 49 Rancocas Rd. Mount Holly, NJ 08060	Burlington	Robert D. Bernardi Prosecutor	(609) 265-5035	(609) 265-5007
Camden County Prosecutor's Office 25 N. 5th Street 3rd Floor Camden, NJ 081021231	Camden	James P. Lynch Acting Prosecutor	(856) 225-8400	(856) 963-0080
Cape May County Prosecutor's Office 4 Moore Road Cape May Court House, NJ 08210	Cape May	Robert L. Taylor Prosecutor	(609) 465-1135	(609) 465-4434
Cumberland County Prosecutor's Office 43 Fayette Street Bridgeton, NJ 08302-2439	Cumberland	Ronald J. Casella Prosecutor	(856) 453-0486	(856) 451-1507
Essex County Prosecutor's Office Essex Co. Courts Bldg. 50 West Market Street Newark, NJ 07102	Essex	Paula T. Dow Prosecutor	(973) 621-4700	(973) 242-4901
Gloucester County Prosecutor's Office Hunter & Euclid Streets P.O. Box 623 Woodbury, NJ 08096-7623	Gloucester	Sean F. Dalton II Prosecutor	(856) 384-5500	(856) 384-8624
Hudson County Prosecutor's Office Administration Bldg. 595 Newark Avenue Jersey City, NJ 07306	Hudson	Edward J. De Fazio Jr. Prosecutor	(201) 795-6400	(201) 795-6858
Hunterdon County Prosecutor's Office 65 Park Avenue P.O. Box 756 Flemington, NJ 08822	Hunterdon	J. Patrick Barnes Prosecutor	(908) 788-1129	(908) 806-4618
Mercer County Prosecutor's Office Court House P.O. Box 8068 Trenton, NJ 08650-0068	Mercer	Joseph L. Bocchini Jr. Prosecutor	(609) 989-6309	(609) 989-0161

Prosecutor

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Middlesex County Prosecutor's Office 25 Kirkpatrick Street 3rd Floor New Brunswick, NJ 08901	Middlesex	Bruce J. Kaplan Prosecutor	(732) 745-3333	(732) 745-2791
Monmouth County Prosecutor's Office 71 Monument Park Freehold, NJ 07728-1261	Monmouth	Luis A. Valentin Prosecutor	(732) 431-7160	(732) 409-3673
Morris County Prosecutor's Office Administration & Records Building P.O. Box 900 Morristown, NJ 07963-0900	Morris	Michael M. Rubbinaccio Prosecutor	(973) 285-6200	(973) 829-8664
Ocean County Prosecutor's Office 119 Hooper Avenue P.O. Box 2191 Toms River, NJ 08754	Ocean	Thomas F. Kelaher Prosecutor	(732) 929-2027	(732) 506-5088
Passaic County Prosecutor's Office 401 Grand Street Paterson, NJ 07505	Passaic	James F. Avigliano Prosecutor	(973) 881-4800	(973) 881-2756
Salem County Prosecutor's Office 87 Market Street P.O. Box 462 Salem, NJ 08079-0462	Salem	John T. Lenahan Prosecutor	(856) 935-7510	(856) 935-8737
Somerset County Prosecutor's Office 40 N. Bridge Street P.O. Box 3000 Somerville, NJ 08876	Somerset	Wayne J. Forrest Prosecutor	(908) 231-7100	(908) 704-0056
Sussex County Prosecutor's Office 19-21 High St. Newton, NJ 07860	Sussex	David J. Weaver Prosecutor	(973) 383-1570	(973) 383-4929
Union County Prosecutor's Office 32 Rahway Ave. Elizabeth, NJ 07202-2115	Union	Theodore J. Romankow Prosecutor	(908) 527-4500	(908) 527-4625
Warren County Prosecutor's Office Court House 413 2nd Street Belvidere, NJ 07823	Warren	Thomas S. Ferguson Prosecutor	(908) 475-6287	(908) 475-6286

Sheriff

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Atlantic County Sheriff's Office 4997 Unami Blvd. Mays Landing, NJ 08330	Atlantic	James McGettigan Sheriff	(609) 641-0111	(609) 909-7299
Bergen County Sheriff's Office 10 Main Street Hackensack, NJ 07601	Bergen	Leo P. McGuire Sheriff	(201) 646-2200	(201) 752-4234
Burlington County Sheriff's Office 49 Rancocas Road P. O. Box 6000 Mount Holly, NJ 08060	Burlington	Jean Stanfield Sheriff	(609) 265-5046	(609) 265-5767
Camden County Sheriff's Office 600 Market Street P. O. Box 769 Camden, NJ 08101	Camden	Michael W. McLaughlin Sheriff	(856) 225-5475	(856) 225-5578
Cape May County Sheriff's Office 4 Moore Road Dept #301 Cape May Court House, NJ 08210	Cape May	John Callinan Sheriff	(609) 463-6430	(609) 463-6464
Cumberland County Sheriff's Office 220 N. Laurel Street P.O. Box 677 Bridgeton, NJ 08302	Cumberland	Michael F. Barruzza Sheriff	(856) 451-4449	(856) 453-1902
Essex County Sheriff's Office 50 W. Market Street Newark, NJ 07102	Essex	Armando B. Fontoura Sheriff	(973) 621-4111	(973) 621-9069
Gloucester County Sheriff's Office 70 Hunter Street P.O. Box 376 Woodbury, NJ 08096	Gloucester	Gilbert Miller III Sheriff	(856) 384-4600	(856) 384-4679
Hudson County Sheriff's Office 595 Newark Ave. Jersey City, NJ 07306	Hudson	Joseph T. Cassidy Sheriff	(201) 795-6300	(201) 979-9025
Hunterdon County Sheriff's Office P.O. Box 2900 Flemington, NJ 08822	Hunterdon	William D. Doyle Sheriff	(908) 788-1166	(908) 806-4624
Mercer County Sheriff's Office 175 So. Broad Street Trenton, NJ 08650	Mercer	Kevin Larkin Jr. Sheriff	(609) 989-6100	(609) 394-7187

Sheriff

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Middlesex County Sheriff's Office P.O. Box 1188 New Bruswick, NJ 08903	Middlesex	Joseph C. Spicuzzo Sheriff	(732) 745-3366	(732) 745-4055
Monmouth County Sheriff's Office 50 E. Main Street Freehold, NJ 07728	Monmouth	Joseph W. Oxley Sheriff	(732) 431-7138	(732) 294-5965
Morris County Sheriff's Office P.O. Box 900 Morristown, NJ 07963	Morris	Edward V. Rochford Sheriff	(973) 285-6600	(973) 605-8312
Ocean County Sheriff's Office P.O. Box 2191 Toms River, NJ 08754	Ocean	William L. Polhemus Sheriff	(732) 929-2044	(732) 349-1909
Passaic County Sheriff's Office 435 Hamburg Turnpike Wayne, NJ 07470	Passaic	Gerald Speziale Sheriff	(973) 881-4200	(973) 389-9350
Salem County Sheriff's Office 94 Market Street Salem, NJ 08079	Salem	John B. Cooksey Sheriff	(856) 935-7510	(856) 935-8880
Somerset County Sheriff's Office P.O. Box 3000 Somerville, NJ 08876	Somerset	Frank Provenzano Sr. Sheriff	(908) 231-7140	(908) 526-2558
Sussex County Sheriff's Office 39 High Street Newton, NJ 07860	Sussex	Robert E. Untig Sheriff	(973) 579-0850	(973) 579-7884
Union County Sheriff's Office 10 Elizabethtown Plaza Administration Bldg. Elizabeth, NJ 07207	Union	Ralph G. Froehlich Sheriff	(908) 527-4450	(908) 527-4456
Warren County Sheriff's Office 413 Second Street Belvidere, NJ 07823-1500	Warren	Sal Simonetti Sheriff	(908) 475-6309	(908) 475-6360

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Department of Corrections Northern State Prison 168 Frontage Rd. Newark, NJ 07114	Essex			
Department of Human Services Police P.O. Box 700 Trenton, NJ 08628-0700	Mercer	Raymond Brennan Chief	(609) 292-3366	(609) 292-1465
Dept. of Corrections, Special Investigations Unit Whittlesey Rd. P.O. Box 863 Trenton, NJ 08625	Mercer	Chuck Muller Chief Investigator	(609) 292-9362	(609) 633-2188
Division of Criminal Justice P.O. Box 085 Trenton, NJ 08625-0085	Mercer	Gregory Paw Director	(609) 984-6500	-
Division of Fish and Wildlife 1 Eldridge Rd. Robbinsville, ` 08691	Mercer	Mark Dobelbower Chief	(609) 259-2120	(609) 259-7479
Division of State Police P.O. Box 7068; River Rd. West Trenton, NJ 08628-0068	Mercer	Joseph Fuentes Superintendent	(609) 882-2000	-
Juvenile Justice Commission 101 Haddon Ave. Suite 1 Camden, NJ 08103	Camden			
Juvenile Justice Commission 1001 Spruce St. P.O. Box 107 West Trenton, NJ 08625-0107	Mercer	Howard L.. Beyer Director	(609) 292-1400	(609) 943-4611
N.J. Department of Environmental Protection 440 East State Street P.O. Box 408 Trenton, NJ 08625	Mercer	Bradley M. Campbell Commissioner	(609) 586-1691	(609) 633-7689
New Jersey State Parole Board P.O. Box 862 Trenton, NJ 08625	Mercer		(609) 984-6321	(609) 984-2188
Office of Counter-Terrorism P.O. Box 091 Trenton, NJ 08625	Mercer		(609) 341-5072	(609) 341-2960

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
Office of Government Integrity Dept. of Law & Public Safety P.O. Box 063 Trenton, NJ 08625	Mercer		(609) 530-4400	(609) 530-4471
Palisades Interstate Parkway Police P.O. Box 155 Alpine, NJ 07620-0155	Bergen	John Parr Chief	(201) 768-6001	(201) 767-6501
State Commission of Investigation P.O. Box 045 Trenton, NJ 08625-0045	Mercer	Alan A. Rockoff Executive Director	(609) 292-6767	(609) 633-7366
State Park Service 501 E. State Street P.O. Box 404 Trenton, NJ 08625	Mercer	Theresa Genardi Chief	(609) 633-7577	(609) 633-7594
State Park Service 625 Canal Road Somerset, NJ 08873	Somerset		(732) 873-3050	(732) 873-1607

State Corrections

<i>Agency/Address</i>	<i>County</i>	<i>Agency Head</i>	<i>Phone</i>	<i>Fax</i>
DOC Adult Diagnostic & Treatment Center P.O. Box 190 Avenel, NJ 07001	Middlesex	Grace Rogers Administrator	(732) 574-2250	
DOC East Jersey State Prison Lock Bag R Rahway, NJ 07065	Middlesex	Alfaro Ortiz Administrator	(732) 499-5010	
DOC Northern State Prison P.O. Box 2300 Newark, NJ 07114	Essex	Lydell Sherrer Administrator	(973) 465-0068	

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-22-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME III
VOLUME TITLE: COMMUNITY ASSISTANCE	# PAGES: 66					CHAPTER 7
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: AGENCY REFERRAL GUIDE						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
ACTING CHIEF BERNARD M. HART						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To have a guide for contacting law enforcement agencies within the State of New Jersey, which will be updated periodically from the state web site.

PROCEDURES:

Officers will use this referral guide when needed, to contact other law enforcement agencies throughout the state.

- I. Updating the guide.
 - A. Periodically the guide will be updated from the State of New Jersey web site.
 - 1. The training division will be responsible for periodically downloading the Law Enforcement Directory from the State of New Jersey web site.
 - 2. Copies will then be replaced in all binder locations in Police Headquarters.

**ADMINISTRATION
CODE OF ETHICS
VOL I, CH 25**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-01-08	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 2					CHAPTER 25
ACCREDITATION STANDARD(S): 1.1.2						
SUBJECT: CODE OF ETHICS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

I. BACKGROUND

Law enforcement officers, by nature, are held to a higher standard than the general population. With this in mind, law enforcement officer should adhere to a code of ethics that holds them to a higher standard than that of the people they serve and protect.

II. POLICY

It is the policy of this department that all sworn officers and civilian employees of the department abide by a code of ethics in both their public and private lives.

III. ACTION

Law Enforcement Code of Ethics conveys the image that all law enforcement officers should strive to achieve. The department will adopt this code as our Code of Ethics and attempt to abide by its standards. The Law Enforcement Code of Ethics is as follows:

**ADMINISTRATION
CODE OF ETHICS
VOL I, CH 25**

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all persons to liberty, equality and justice.

I WILL maintain courageous calm in the face of danger, scorn, or ridicule; develop self-control; 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 law of the land 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 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.

IV. TRAINING

All personnel will receive ethics training biennially.

**ORGANIZATION
ORGANIZATION AND STRUCTURE
VOL. II, CH. 1**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-27-05	REVISION DATE: 09-19-2007	PAGE # 1: 3	SECTION: II, A 1	APPROVED	VOLUME II
VOLUME TITLE: ORGANIZATION	# PAGES: 4					CHAPTER 5
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: ORGANIZATION AND STRUCTURE						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

To facilitate the smooth operations of the Borough of Fort Lee Police Department, continuous up-dating of the Organizational Chart and its command structure will be maintained. Clear definition of Chain of Command, Unity of Command and Span of Control will be provided.

CHAIN OF COMMAND:

The first chain of command involves that incorporated within individual divisions, bureaus, and specialist units. The commanding officer is delegated by the Chief of Police, and as commander assumes all of the duties and responsibilities to which the unit is assigned. In the absence of the unit commander, the officer of next highest rank, or of most seniority within that rank, will assume command and be responsible for unit operations.

CHIEF OF POLICE:

The Chief of Police shall be the head of the department and shall be the final department authority in all matters of policy, procedure, special orders, day-to-day operations, and discipline.

PROCEDURE:

I. ORGANIZATION

A. The department is organized into three major divisions.

1. Administration Division.

**ORGANIZATION
ORGANIZATION AND STRUCTURE
VOL. II, CH. 1**

- a. Officer in charge of this division: Administrative Division Commander.
2. Detective Division
 - a. Officer in charge of this division: Operations Commander.
3. Patrol Division
 - a. Officer in charge of this division: Operations Commander.
- B. Each division has a Commander who reports directly to the Operations Commander, who reports to the Chief of Police.
- C. The Detective Division is responsible for the follow-up of all criminal investigations, except those that are traffic related. The division is subdivided as follows:
 1. **General Investigations Bureau**, answerable to the Commander-In-Charge of the division; General Investigations Detectives and Supervisors, along with the Division Commander, will be responsible for follow-up investigations in areas of homicide, rape, assault, robbery, burglary, auto theft, arson, larceny, check fraud and other general investigations as assigned.
 - a. This Bureau is also responsible for, Warrants, Summonses, Evidence Room, Photo Equipment, Video Equipment, Fingerprinting, Confidential Investigations, Special Investigations, Intelligence, Investigative Equipment, Computer Entry for Warrants and Summonses and press releases.
 2. **Narcotics Bureau** Detectives and Supervisor, along with the Division Commander are responsible for all drug related and vice investigations.
 3. **Juvenile Bureau**, Detectives, supervisor and Division Commander are responsible for all Juvenile related investigations.
- D. The Patrol Division is responsible for the preliminary investigation of calls for Police Service, Traffic Enforcement, Accident Investigation, Field Training of Probationary Police Officers and General Community Service Requirements. The division is subdivided as follows:
 1. Traffic Bureau is a sub-division of Patrol Division.
- E. The Administrative Division Commander is responsible for the recording and coordinating of all activities under this division.
 1. Responsibilities under this division will include Communications, Buildings and Grounds, Alarms, Computer Operations entering data on Summonses and general entry as required, Property other than Evidence, Surveys, School Crossing

**ORGANIZATION
ORGANIZATION AND STRUCTURE
VOL. II, CH. 1**

Guards, News Releases, Department Records, Municipal Towing, Planning Research Grants and Accreditation.

II. COMMAND STRUCTURE

A. Line of authority within this Police Department

1. The line of authority within this Police Department shall be:

(a). Chief of Police

(b). In the absence of the Chief of Police

(1). Deputy Chief of Police

(2). Captain

(3). Lieutenant

(4). Sergeant

(5). Police Officer

2. The number of officers to hold each rank will be governed by ordinance and voted on by the Mayor and Council.

B. Supervisor & Officer Responsibilities

1. The second chain of command involves the rank structure of the department, with overall command lying with the officers of the highest rank, and by seniority within that rank.

2. In daily operations the Supervisor's of this department will normally restrict their command responsibilities to within their own assigned units. Exigent circumstances, efficiency of operations, or emergency conditions, however, may make it necessary for a superior officer to issue an order to personnel of other units.

3. All supervisors will exercise discretion and restraint in the utilization of other unit personnel, in that such use may interfere with other units' operations.

4. Supervisors will also exercise restraint in taking command at any incident, giving wide latitude to personnel who are specially trained in any expertise. A supervisor who takes command at any incident also takes over all of the responsibilities for that incident.

ORGANIZATION
ORGANIZATION AND STRUCTURE
VOL. II, CH. 1

5. To ensure that proper procedures are adhered to, and the office of the Chief of Police is kept informed about all departmental business, no personnel will circumvent the unit chain of command.
6. Within the department, officers will, when necessary to discuss a report, complaint, or oral request with a command officer in the chain of command, first receive permission to do so by his immediate supervisor, thence upward until the desired supervisor is reached. In no instance will any officer approach the Chief of Police for any reason, except:
 - a. He has received permission to do so through the chain of command;
 - b. He is a bureau commander or staff officer authorized to do so; or
 - c. He is reporting a serious violation or breach of conduct by other officers.
7. No officer of this department is to circumvent the chain of command in dealing with or approaching other Borough, County, or State agencies, including the Courts, Payroll, etc., unless routinely authorized in his daily duties to do so, or unless he receives permission to do so by the Chief of Police.
8. All communications intended for other agencies or individuals will be submitted to the Chief of Police or his designee for approval, before being sent to those intended.

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-07-2008	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 7					CHAPTER 24
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: PERSONNEL BENEFITS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

I. BACKGROUND

The Fort Lee Police Department provides employee benefits to its members. There are certain benefits that are negotiated between the Borough governing body and the respective employee collective bargaining groups, such as salary, number of vacation days, holidays and personal days, terminal leave, and certain health benefits. The Borough also provides retirement benefits, workman’s compensation, and liability protection. Employees are expected to fully avail themselves of the benefits of employment offered by the Department.

Negotiated benefits are described in the employee’s respective collective bargaining contracts, which are made available to individuals through the bargaining unit. Descriptions of other Borough benefits are available to employees, upon request, through the Fort Lee Borough Administrator’s Office.

II. POLICY

It is the policy of this Department that all permanent members familiarize themselves with the current PBA contract and other documentation regarding compensation, benefits and conditions of work.

III. ACTION

The following listed employee benefits are protected through contractual agreements between the Borough of Fort Lee and the bargaining unit of PBA Local 245.

ADMINISTRATION
PERSONNEL BENEFITS
VOL. I, CH. 24

- Salary and wage increase (employee's salary/wages are governed by existing collective bargaining agreements. The Department of Finance will advise new hires of their starting salary and steps, if applicable. Refer to salary appendix in the current PBA contract. Employees are paid every two weeks).
- Hours of work and schedule compensation days (the current work schedule for a police officer is 2080 hours per year. The Chief of Police will provide the scheduling of assignment, hours of work, and days off for all employees).
- Overtime may be taken in pay or in compensatory time per departmental guidelines (see PBA contract).
- Court time may be taken in pay or in compensatory time per departmental guidelines (see PBA contract).
- Vacations and holidays (annual leave shall be selected on a rotating seniority basis, by squad within rank for members assigned to patrol division, and by seniority within rank for all other divisions within the department. All vacation picks shall be in compliance with the PBA contract. The number of vacation days allotted to each employee is determined by the collective bargaining agreement between the Borough and the PBA (see PBA contract).
- Military leave (a member or employee, who is a member of the Organized Reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve, United States Marine Corps Reserve or other affiliated organization, shall be entitled to a leave of absence from duty, without loss of pay or time, on all days during which s/he shall be engaged in field training. Such leave of absence shall be in addition to the regular annual leave allowed such member or employee (source NJSA 38:23-1). Enlistment or Re-enlistment in National or State Military Organization: Members and employees of the Department shall not enlist, re-enlist, or accept a commission, in any federal or state military organization without having made prior notification to the Chief of Police.
- Sick leave and leave of absence for death in family
- Longevity (longevity increments are governed by existing collective bargaining agreements. This information will be provided to new hires by the Payroll office (see PBA contract).
- Personal (administrative) leave
- Special reimbursement
- Clothing, equipment and weapons
- Medical, dental, and death benefits
- Education incentive

ADMINISTRATION
PERSONNEL BENEFITS
VOL. I, CH. 24

- Terminal leave and maternity leave

IV. **Newly Hired Sworn Officers and Civilian Employees**

All newly hired sworn officers and civilian employees will be notified of employee benefits provided by the Borough of Fort Lee within the first two weeks of commencing employment.

All new hires will be provided with required Borough or State forms, in regard to benefits, by the Payroll office. Forms are to be completed fully and returned to the Payroll office without delay.

The Borough Payroll office will provide all new hires with information or informational booklets on all employee benefits provided by the Borough or State.

The Chief of Police or his designee will provide new hires with instruction on work schedules, shift rotation, days off, holidays, personal days, vacation and overtime.

A. **COMPENSATION**

The salary program for the Department is covered in the current PBA contract. The contract explains the following types of compensation:

1. Entry-level salary;
2. Salary differential within ranks;
3. Salary differential between ranks;
4. Compensatory time policy;
5. Overtime policy; and
6. Provision of salary augmentation.

These benefits are explained in the individual articles and appendices of the present PBA contract.

B. **BENEFITS**

The leave program for the Department is covered in the current PBA contract. The contract explains the following types of leave:

1. Personal (Administrative) leave;
2. Holiday leave;
3. Sick leave; and

ADMINISTRATION
PERSONNEL BENEFITS
VOL. I, CH. 24

4. Vacation (annual) leave.

These benefits are explained in the individual articles of the present PBA contract. The New Jersey Family Medical Leave Act (NJSA 34:11B1-34:11B-16) explains family medical leave benefits.

C. RETIREMENT PROGRAM

The retirement program is administered through the State of New Jersey Police and Fireman's Pension System. Sworn police officers are eligible for full retirement after 25 years of uninterrupted service (see Pension booklet). The Public Employees Retirement System covers civilian personnel. As of January 2000 members of the Policeman's and Fireman's Retirement System may retire at 20 year of service without benefits from the town.

D. HEALTH INSURANCE PLAN

1. Medical Coverage

The Borough provides medical coverage for employees during their working career and through retirement after 25 years of uninterrupted service. Medical coverage by the Borough is provided in collective bargaining agreements. Refer to the benefits booklet for a description of the health plan.

2. Dental Coverage

Dental coverage will be in accordance with existing collective bargaining agreements (see PBA contract).

E. DISABILITY AND DEATH BENEFITS

Employee disability and death benefits are as prescribed by the Police and Fireman's Retirement System. See the State of New Jersey Police and Fireman's Retirement System Member Handbook for specific details.

F. SUPPORT SERVICES/LINE-OF-DUTY DEATHS

Support services include providing information on employee benefits and help for the employee and family in cases of injury or death, with the employee benefit and assistance package offered by the Borough. In the event of a death or serious injury incurred by a member of the Department, see SOP Vol, IV. CH, 15 Notification of Next of Kin and SOP Vol, III. CH, 4, Victim/Witness Assistance.

G. LIABILITY INSURANCE

The Borough maintains a liability program to protect police department employees for acts or omissions directly related to their law enforcement function.

ADMINISTRATION
PERSONNEL BENEFITS
VOL. I, CH. 24

Liability protection is provided in a variety of ways, typically including officers' liability coverage, vehicle liability coverage and self-insurance. Since the exact components of the liability protection program are subject to periodic change through contract expiration and renegotiation, any employee desiring to know the specific components currently in effect may contact the Chief of Police through the chain of command.

The liability protection program covers all police officers, school crossing guards and full- and part-time civilian employees of the department.

Any employee who receives notice, in any form, of actual or impending legal suit or claim, shall, as rapidly as possible, explain the circumstances through the chain of command to the Chief of Police. The Chief of Police, shall, in turn, provide appropriate notification to both the Borough administrator and the Borough attorney.

No employee shall imply or accept financial liability for loss or damage on behalf of the town. Any inquiries concerning financial liability will be referred to the Borough attorney.

The Department may not cover an act or omission of duty by an officer, when that act or omission constitutes gross and willful negligence.

H. CLOTHING AND EQUIPMENT

Clothing allowance for the maintenance and replacement of uniforms and equipment is paid in accordance with existing collective bargaining agreements (see PBA contract).

I. EDUCATIONAL BENEFITS

Education incentive are paid in accordance with the collective bargaining agreement (see PBA contract).

J. EMPLOYEE ASSISTANCE PROGRAM

An employee assistance program is intended to assist employees who are suffering from persistent problems that may tend to jeopardize the employee's psychological and/or physical well being. The goal of this type of program is to help individuals who have developed problems by providing services for consultation, treatment and rehabilitation in order to prevent their condition from progressing to a degree that it will prevent the employee for functioning effectively in the workplace.

Referral and mandatory participation in any rehabilitation/treatment program would be at the discretion of the Chief of Police based on conduct that is detrimental to the department or is determined to cause the employee to be unfit for duty. The department would compensate any mandatory participation and all program particulars would be kept confidential.

Bergen County
Department of Health Services
Employee Assistance Program
201-242-1388

All supervisors should be cognizant of and identify any employee behaviors that would indicate the existence of employee concerns, problems and/or issues that could impact employee job performance. It is the supervisor's responsibility to be familiar with the services described in this SOP and determine if any of the available services are necessary in order to refer the employee in question to that service.

Another service available to employees is the Law Enforcement Intervention Hotline (1-866-COP 2COP). This is a toll-free 24-hour service that is staffed by qualified retired officers and trained counselors that provide services for active and retired officers and their families. The help and referral services are confidential and include peer counseling, assessments, and critical incident stress management. The program provides assistance for personal or job-related depression, anxiety, stress, tension, trauma or other problems.

K. PHYSICAL EXAMINATIONS

Self-initiated physical examinations are recommended for all officers on an annual basis. A physical examination is a benefit to both the employee and the agency. Should the necessity arise for requiring a physical exam for a member of the department, the department will incur any costs associated with that physical exam. The required physical exam would be conducted only to confirm the employees' continued fitness to perform the tasks of their assignments and to inform them of their general physical condition, not to identify employees with disabilities who are otherwise able to perform their assigned duties, with or without reasonable accommodation.

L. GENERAL HEALTH AND PHYSICAL FITNESS

The functions of a law enforcement agency require a level of physical fitness not demanded by many other occupations. Regulation VII, Rule #14 of the Fort Lee Police Department Rules and Regulations requires that Members and Employees shall maintain good physical condition so that they can handle the strenuous physical contacts often required of a law enforcement officer. The Department reserves the right, on a random or as required basis, to appropriately test a Member's or Employee's physical fitness for duty.

M. INFORMATION REGARDING EMPLOYEE BENEFITS

The Fort Lee Payroll office maintains informational booklets that are available to employees on a limited basis.

ADMINISTRATION
PERSONNEL BENEFITS
VOL. I, CH. 24

The collective bargaining units within the Department are responsible for the distribution of contracts to their respective members concerning negotiated benefits.

**OPERATIONS
PERSONNEL CONDUCT
VOL. IV, CH. 6**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-27-2004	REVISION DATE: 11-06-2009	PAGE #: 1	SECTION: Procedures	APPROVED	VOLUME #IV
VOLUME TITLE: OPERATIONS	# PAGES: 9					CHAPTER 6
ACCREDITATION STANDARD(S):	REFERENCE: V# VI, C# 6					
SUBJECT: PERSONNEL CONDUCT						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ Chief Thomas O. Ripoli						EVALUATION DATE:
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish acceptable standards of performance and conduct of members of the Borough of Fort Lee Police Department.

POLICY:

Police officers often exercise discretion in the daily performance of their duties. To assist in that discretion, the following procedures have been established setting a level of acceptance in performance and conduct. The standards in this policy are part of the overall Borough of Fort Lee Police Department written directives system.

PROCEDURE:

The personnel of the Borough of Fort Lee Police Department will adhere to the following areas of performance and conduct in their daily response to all police services.

During any contact with the public, officers are to maintain a presence of professionalism and are to include Courtesy, Professionalism and Respect in their dealings with the public.

I. BEGINNING AND ENDING OF SHIFTS:

- A. Every officer will begin his tour of duty at his official starting time.

**OPERATIONS
PERSONNEL CONDUCT
VOL. IV, CH. 6**

1. Tour means in briefing, in full uniform of the day as per uniform policy, properly groomed and ready to answer calls.
 2. Only a supervisor can authorize a deviation to this rule.
 - a. All officers and supervisors will use the time clock when reporting for duty and when ending tour.
 - b. The supervisor must have good cause to deviate and so indicate on his daily roster, comments can also be added to the blotter.
 - c. Every officer will end his shift no sooner than ten minutes to the official hour of completion.
- B. Every officer will remain in his assigned area unless otherwise relieved by supervisor, or dispatched to a call out of their sector.
1. Any and all reports should have been completed during the tour of duty.
 2. Any required additional time required for reports must be approved by the supervisor.
- C. **General Practices During Tour**
1. Each officer will patrol all areas of his sector during his tour of duty.
 2. Each officer will plan his tour so as to give proper and equal coverage of the area.
 - a. All officers will complete a walking assignment when possible in their sector, in one of their assigned grids for a period of 20-30 minutes. During this time they will call in 10-90's to Com-cen on areas that are in need of attention in the area, ie: street signs that need replacing, vacant houses that need to be boarded up, board of health violations, construction code violations etc.
 - b. 12 x8 tour will do business checks in-place of walking assignments.
 3. Each officer will schedule his break and half hour meal time so as not to cause more than two patrol units to be on break at any given time.
 - a. The supervisor may authorize limited discretion on occasion for more than two officers to be on break at the same time.
 4. All breaks and meals must be within Borough of Fort Lee.
 - a. Supervisors may authorize on occasion meals within one-quarter mile of the Borough of Fort Lee line on limited basis.
 - b. Any officer abusing this privilege may be restricted from doing so.

**OPERATIONS
PERSONNEL CONDUCT
VOL. IV, CH. 6**

- c. Patrol units must ask permission from a supervisor to take a meal break at the Range.
 - d. Only one officer will be permitted to take a break at the range at the same time.
 - e. Officers will ask permission to leave their sectors for meal breaks.
5. Each officer will call in the location when starting and completing details for the following:
- a. Radar speed enforcement
 - b. Special enforcement
 - c. Survey
 - d. Traffic detail
 - e. Surveillance
 - f. Special detail
6. Business Property Checks
- a. Each officer is required to make business property checks in his assigned area during 12x8 Shift .
 - b. The checks should be physical unless the officers daily activity indicates he was unable to do so.
 - c. Each officer will call into communications when he/she physically or visually checked a business.
 - (1) One time for several businesses is not acceptable.
 - (a). Same CAD entry may have multiple business names that were checked.
7. House Checks:
- a. An officer on 8x4 and 4x12 Shift will be assigned to check the vacant houses in the vacant house book.
 - b. Each officer will record all the information on the vacant house book as required.

8. Radio and Phone Contact:

**OPERATIONS
PERSONNEL CONDUCT
VOL. IV, CH. 6**

- a. Each officer while on assigned duty will at all times be in radio or phone contact with communications.
- b. At **ALL TIMES** each officer when leaving his vehicle and going to a fixed location, will call into communications giving location and reason. They will then on completion, call back in service.
- c. Each officer when answering the phone, or having direct contact with anyone, will do so in a courteous and pleasant manner.
 - (1) Make every effort to assist the person.
 - (2) Direct to proper person if required.
 - (3) If message is required, follow message procedure.

Whenever personnel receive a phone call or someone comes to headquarters to see another member of the department, the individual receiving the call will forward the call or direct the party to the proper location within headquarters.

If the person requested is not available or in, arrange for notification that the party was attempting to contact them, including call back numbers.

- d. Each officer when utilizing a department radio, will do so following proper radio procedure and in a professional manner, all three car numbers are to be used. If not in a vehicle, officers shield number should be used.
- e. All personnel during times in headquarters, will when entering the building, advise the personnel in com- center of their being in headquarters and where. Each person when leaving will also advise of their leaving and being back in service. **THIS IS A MUST.** Communications Center will record this information in the computer.
 - (1). Patrol units will ask permission from the Tour Commander to come into headquarters, whether it be for personal reasons, to complete a report or to end their tour.
- f. Whenever a person calls or directly requests to speak with the Chief of Police, the person will be referred to the Chiefs' receptionist while she is working. When the Chiefs' receptionist is not available, the officer should call the Chief and advise him of the phone call and follow the Chief's instructions (put on hold, transfer call or take message). During the hours the Chief is not in the office or off, the officer receiving a request to speak to the Chief will get the name of the person and a phone number and advise them he will contact the Chief and have him call them.

**OPERATIONS
PERSONNEL CONDUCT
VOL. IV, CH. 6**

- g. Notification to the Chief of Police in regard to emergencies. It is the responsibility and requirement that the Officer-in-Charge to contact the chief immediately in regards to the following instances:
 - (1) Fatalities
 - (2) Any unusual emergencies: flooding, heavy snowstorm, hurricane, etc.
 - (3) Suspicious Deaths
 - (4) Assaults with weapons
 - (5) Any 1st or 2nd degree crimes which have occurred
 - (6) Pursuits involving 1st or 2nd degree crimes, injuries or collisions.
 - (7) Major fires
 - (8) Any injuries to officers while on duty (not minor injuries).

- 11. Street Lights:
 - a. Each officer on 4x12 and 12x8 Shift check for street lights out in their sectors and advise the communications of same.

- 12. Gasoline From DPW Pump:
 - a. All patrol vehicles will be filled at the conclusion of each shift.
 - b. No smoking while putting gas in vehicle near pump.
 - c. Gas from any Borough of Fort Lee pump is to be used for official purposes only. Any exception must be approved by the Chief of Police.

- 13. Smoking at Headquarters:
 - a. There will be no smoking in headquarters.

- 14. Prior to beginning patrol, or as soon as possible, officers are to conduct a vehicle inspection of their patrol unit and fill out a vehicle inspection form, any items that need to be replenished should be done prior to going on patrol.
 - a. Trunks of vehicle will be checked and inventoried for proper equipment .
 - b. Supervisors are also required to inspect patrol units at the start of the tour, and make sure all equipment is in operable condition.

**OPERATIONS
PERSONNEL CONDUCT
VOL. IV, CH. 6**

II. PATROL SECTORS

Borough of Fort Lee will be divided into three sectors, North, South and Highway.

A. NORTH SECTOR:

1. Area from east to west north of Main St., including Main St.

B. SOUTH SECTOR:

1. Area from east to west south of Main St., including Main St.

C. HIGHWAY SECTOR:

1. Area covering all highways in Fort Lee that have businesses which need to be patrolled. Includes State Highways Rte 4, 1,9, State Rte.63 (Bergen Blvd.) Excludes I-95.
2. Only Highway sector unit should be assigned to patrol that sector per tour.

D. Supervisors will assign patrols to sectors.

E. Each officer assigned to a sector will patrol and handle all calls for service in that sector for the entire shift of each day. The supervisor should try to alternate the sectors every day.

F. When the officer transports any person for good cause, he will first advise communications and call in the mileage at the beginning and at the end of the transportation. Transport means taking a person in the patrol vehicle to a location.

- a. Unless a person is under arrest or there are other extenuating circumstances, no person should be transported to a location that they have not requested to go.

III. HEADQUARTERS PROCEDURES:

A. Security and Parking

1. When coming into headquarters, any officer using a security access door will ensure that the door used has properly closed after they enter the building.
2. Communications will be notified of the officers status in HQ and when back in service.
3. While in HQ all officers are to be in the uniform of the day while completing any reports.

**OPERATIONS
PERSONNEL CONDUCT
VOL. IV, CH. 6**

4. Any officer entering the cell area must be unarmed when doing so.
 - a. Weapons should be secured in the locked weapons locker at the entry area of the processing room.
5. All police vehicles are to be parked in their designated areas and backed in and locked.
6. No unauthorized persons or citizens are to be in the main headquarters area; this is, the area that is secured at all times unless escorted by a member of the department.
7. Unless they are on official business or have received special approval by an officer- in-charge, all unauthorized persons and citizens are to stay in the public area that has been provided.
8. When someone is allowed into the secured area, the person that they are seeing must escort them to and from their office.
9. No officers are to remain in Com-Cen for any reason other than to get or give information to or from dispatchers, no breaks are to be taken in Com-Cen.

B. Cleaning of Areas After Breaks:

1. The area where you take your break/breaks is to be cleaned before returning to your tour of duty or going off duty.
2. Coffee containers, soda cans and other items should be put in proper trash containers. Pizza boxes and large food containers should be put in the outside dumpster.
3. All newspaper should be placed in a neat pile.
4. Chairs must be placed back in order.
5. When using restrooms, ensure that the area is left in an acceptable manner for the next person to use it.
6. All personal items must be stored in lockers ,desks, assigned slots or vehicle.

C. Posting of material in headquarters:

1. Any postings that are not police business or PBA related are prohibited, unless they are approved by the administration.
2. Every member of this department has an obligation to remove and report any of these postings. Anyone observed posting any derogatory writings, photos, jokes, etc. will be held accountable. Supervisors in particular are expected to act as such and will be held accountable for their failure to do so.

**OPERATIONS
PERSONNEL CONDUCT
VOL. IV, CH. 6**

3. Any posted material that is approved by the administration will have the administrative officers name added to it and the date that it was approved.

D. Processing:

1. All processing of prisoners will be handled in the processing area.
2. Each officer when processing a subject will secure his weapon in the weapons locker.(locker must be locked)
 - a. Approval must be obtained from the supervisor in charge prior to any strip search.
5. When handling evidence, he will follow the department Evidence Procedure **Volume VII, Ch. 11.**
6. When transporting a prisoner, he will follow the department Prisoner Transportation Policy, **Volume VII, Ch. 9.**
7. When fingerprinting, he will follow the department Fingerprinting Policy, **Volume VII, CH 12**
8. If a prisoner is cooperative and is not being aggressive, he may be held in the processing/interview room area (minor violations). An officer will be present with the subject **AT ALL TIMES.**
9. No objects are to be left out on the desktops in holding/interview room which can be used as a weapon.
10. If a prisoner is not cooperative and he is aggressive, he will be held in processing room until the processing is completed.

An officer is to be assigned to observe the subject **AT ALL TIMES** he is in the processing room. When a subject is being held in the processing room, the officer should make every effort to complete the processing and release the subject, transfer to a cell or to the county jail.

11. All prisoners are to be entered in the cell log book if they are placed in the processing room or jail cell.

IV. AUTO ENTRY RELEASE FORM:

- A. The Auto Entry Waiver Form is to be filled out whenever a citizen requests the department to gain entry into their vehicle because it was accidentally locked and the only way to gain access for the citizen would be to have the police department unlock the vehicle by use of "lock jock", "Slim-Jim" or other entry tool.

**OPERATIONS
PERSONNEL CONDUCT
VOL. IV, CH. 6**

- B. If the person requesting this service does not sign the release form, then no attempt is to be made by the police officer to gain entry into the vehicle.
- C. The release form is to be submitted to the Tour Commander.

V. ASSIST TO DISABLED MOTORIST

- A. It is the responsibility of every patrol officer when observing a disabled motorist or responding to a call of a disabled motorist, to render proper assistance.
 - 1. If necessary, place proper warning devices and if necessary, aid in traffic direction.
 - 2. If a mechanic or towing service is needed, assist the motorist through the communications center to obtain this service by following procedures in the Towing Policy VOL V, CH 8.
- B. Under the area of disabled motorist, all other procedures in this chapter will be adhered to.
- C. If an officer is required to leave the disabled motorist, communications is to be advised and the motorist shall be advised that the officer will return after he has completed the call that he was required to leave the location.

**ADMINISTRATION
PERSONNEL RECORDS
VOL. I, CH. 11**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-17-2007	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 3					CHAPTER 11
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: PERSONNEL RECORDS						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish an organized system for the retention of personnel records.

POLICY:

It is the policy of this department to establish an organized system of personnel records to meet State, County, and local requirements. The system will also comply with file retention regulations as outlined by the Department of State, Division of Archives and Records Management.

PROCEDURE:

The Fort Lee Police Department Personnel Records System shall be maintained in three categories:

Individual Officer Employee File

Confidential Officer Employee File

Internal Affairs File

**ADMINISTRATION
PERSONNEL RECORDS
VOL. I, CH. 11**

I. INDIVIDUAL OFFICER EMPLOYEE FILE (Public Record)

- A. The file will contain the following:
1. Employee application (Basic only)
 2. Payroll and attendance records
 3. Training and special schools
 4. Assignments and promotions
 5. Awards and Commendations
 6. Disciplinary Action (Penalties only)
 - a. Only final dispositions
 - b. The final disposition form will be used

II. CONFIDENTIAL EMPLOYEE FILE

- A. The file will contain the following:
1. Psychological reports
 2. Medical questionnaires **ADA** access
 3. Medical reports **ADA** access
 4. Financial reports
 5. Original Background Investigation file
- B. Access to these reports is restricted to an **ABSOLUTE** "Need to Know" basis!
(Governing body not entitled to view)

**ADMINISTRATION
PERSONNEL RECORDS
VOL. I, CH. 11**

III. INTERNAL AFFAIRS FILE

- A. The file will contain the following:
 - 1. Citizen complaints
 - 2. Department complaints
 - 3. Supervisor reports
 - 4. Internal Affairs reports
 - 5. Statements
 - 6. Inter-Agency correspondence
 - 7. Findings and recommendations
 - 8. Final dispositions
- B. The file will be organized to reflect the following:
 - 1. Internal Affairs general folder
 - 2. Separate folders for each complaint received.
 - a. Each folder will be identified to reflect the type of complaint.
- C. This file is available strictly on a need to know basis.

IV. REVIEW OF FILES

- A. Officers may review their personnel files on request.
 - 1. IAD files may be reviewed in the presence of an assigned supervisor.

**INTERAGENCY PROCEDURE
CANINES
VOL. V, CH. 9**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-18-2001	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME V
VOLUME TITLE: AUTHORITY	# PAGES: 9					CHAPTER 9
ACCREDITATION STANDARD(S):	REFERENCE: V5C9					
SUBJECT: K-9 SERVICE UNIT						DISTRIBUTION ALL
ISSUING AUTHORITY: <hr/> CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL: K-9 Standards Rev.7/95		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

I. PURPOSE:

The purpose of this departmental directive is to establish a comprehensive policy outlining all permissible uses of police canine teams and to simultaneously define any prohibited uses and activities of such teams. With those parameters established, the guidelines contained herein, along with the applicable standards promulgated by the state and county, as well as the training and expertise of the canine unit officer, shall govern the use and deployment of canine teams in the Fort Lee Police Department.

II. STANDARDS:

The Fort Lee Police Department shall maintain the current New Jersey Attorney General's Guidelines on the training and qualification of police canine units, and the Bergen County Prosecutor's Office Directives on the use and training of police canine teams as its minimum standards of training and qualification in the deployment and maintenance of all its police canine teams.

III. PROCEDURES:

A. Deployment and Utilization (general):

All Police canines in the Fort Lee Police Department shall be trained, deployed, and used only in strict accordance with the provisions contained in this directive. Subject to the specific provisions of this directive, properly trained police canine teams may be used:

INTERAGENCY PROCEDURE

CANINES

VOL. V, CH. 9

- To conduct building and secured area searches for criminal offenders;
- To assist in the arrest or prevent the escape of criminal offenders;
- To protect police officers or citizens from the imminent risk of death or serious bodily injury;
- To track criminal suspects;
- To locate lost or missing persons;
- To search for evidence, including hidden instrumentality of crime controlled dangerous substances, accelerants, and explosive devices.

B. Prohibitions:

The use of any police canine by the Fort Lee Police Department for crowd control or civil disturbance control purposes is absolutely prohibited. If a civil disturbance develops during the course of, or as a result of, any use of a police canine, the police canine team shall be removed from the scene of the disturbance expeditiously.

Fort Lee Police canine units shall not be deployed or used in circumstances that would be reasonably likely to intimidate, coerce, or instill fear in law-abiding citizens.

The only exception to the above would be in the case of an emergent, life threatening situation where the deployment of the canine unit would be in response to the imminent threat to a police officer or citizen of death or serious bodily injury. The standard employed here would be the same as that used in the employment of deadly force. In the event that the canine is deployed for such a reason, the handler officer shall, as immediately as possible, provide a detailed report to his commanding officer and the Chief of Police explaining the circumstances of the life threatening emergency which necessitated the use of the police canine, setting forth the reasons why no other tactic or type of force would have satisfactorily prevented the imminent death or injury, and describing the use of the canine team.

Fort Lee Police Canine teams shall not be used off lead to search for missing persons.

Fort Lee Police canines shall not be used during any interrogation of a criminal suspect, at headquarters or in the field.

Fort Lee Police canine units shall not be employed in the transportation of prisoners or civilians.

Fort Lee Police canine handlers shall not become the primary investigating or reporting officers if the canine has been employed during the course of the investigation.

Canine units shall not be employed in searches for borough ordinance, petty disorderly, disorderly persons, or motor vehicle offenses. They will not be employed to search abandoned buildings solely for trespassers.

Fort Lee Police canines will not be employed in any manner not specifically authorized by this

INTERAGENCY PROCEDURE

CANINES

VOL. V, CH. 9

policy nor in any manner contrary to the training received by the animal's handler.

C. Supervisor's Responsibilities:

The Road Supervisor on Duty shall respond to all calls where the canine unit is actively involved. This includes any type of canine team activity such as tracking, drug enforcement, and any other appropriate application for which the team is qualified.

Upon arrival at the scene of any canine team job, the supervisor will consult with the requesting officer and the canine unit officer and determine the appropriate course of action. In matters on any canine unit job related to the specific expertise of the canine handler, the supervisor will defer to the expertise of the handler in those matters.

Once the canine related activity is under way, the supervisor will coordinate as usual the activities of all involved units so as to optimize the canine team's effectiveness. The supervisor shall ensure that all personnel involved heed any advice of the dog handler to this effect.

Upon Completion of the canine unit activity, the supervisor shall ensure that all appropriate measures are taken by the involved personnel and that any appropriate reports, including a canine incident/involvement report is completed.

D. Patrol Officer's /Detective's Responsibilities:

Any patrol officer's or Detective's request to initiate a canine unit job must be made through comcen or the police desk, and the officer shall also request the road supervisor or detective supervisor (as the case may be) to respond. **The officer will not make a direct unit to unit request for a canine unit.**

Upon arrival of the canine unit and the road supervisor at the scene, the officer shall confer with them and the supervisor will decide the appropriate course of action to take, deferring to the expertise of the dog handler in matters specifically relating to the use of the canine.

The officer initiating the activity that resulted in the canine unit request shall be the arresting/reporting officer in any activity that results in the canine unit effecting the apprehension of an actor. The initiating officer, with the exception of any reports specifically being the responsibility of the canine officer or the supervisor shall prepare all appropriate reports.

E. Canine Officer's Responsibilities and Procedures:

General:

Police canine handlers shall have the authority to refuse to deploy their animal if, in the judgement of the handler, the canine is not suited to individual assignment or the canine cannot be safely deployed in a controlled manner, in accordance with the law and the provisions of this directive. This is in direct recognition of the handler's particular intimate knowledge of his or her canine's capabilities and limitations. Situations such as this should be limited to:

- **The issuance of an illegal order by the supervisor to deploy the canine;**
- **The issuance of an order contrary to this procedure, the attorney general's guidelines,**

INTERAGENCY PROCEDURE

CANINES

VOL. V, CH. 9

prosecutor's directives concerning canine deployment, or any other governing document, policy or procedure;

- **Those in which articulable risks to the safety of civilians, police officers or the canine exist.**

In the event that the handler's refusal to deploy a canine is contrary to an order issued by a supervisor, the handler shall first attempt to confer with that supervisor and fully explain his refusal to deploy the canine, articulating the specific and particular reasons as to why the order cannot be carried out.

If the supervisor, after hearing the canine handler's specific and articulated reasons for not deploying the canine, still refuses to rescind the order, the highest ranking officer available shall be consulted. This officer shall also recognize and defer to the expertise of the handler in making any decision on whether the order should be carried out. If, after all possible alternatives to the disobedience of an order are exhausted, and the canine handler has no reasonable alternative, he or she may disobey the order. In all such cases, the handler shall, as immediately as possible, prepare a report to the Chief of Police and his/her commanding officer specifically explaining the reasons why the order was defied.

In all situations as described above, the supervisor shall also submit a report to the Chief of Police explaining his actions and specifically outlining the reasons why the order was not rescinded after considering the canine officer's reasons for not deploying the animal.

In all cases, the Chief of Police shall be the final authority in determining whether the disobedience of the issued order was justified.

It is fully expected that the canine officer and the supervisor will work together to the fullest extent possible before resorting to the disobeying of any order.

All canines on patrol and canines trained to effect physical apprehensions shall be maintained by only one handler. If the canine's handler is sick or unavailable for duty, that canine shall not be used by another handler or the department for any purpose.

All Fort Lee Police canines must reside with, and be cared for, by their officer handler. The handler is responsible for his or her assigned canine while both on and off duty and at all times when the canine is in the care and custody of the officer handler.

Fort Lee Police Canines, while on duty, shall be kept on lead except when necessary to effect an apprehension of a criminal suspect, to conduct a building or secured area search, or to prevent imminent death or serious bodily injury to a police officer or citizen.

Fort Lee Police canines shall not be used to physically apprehend a suspect for non criminal offenses. Before deploying the canine, the officer handler must first have probable cause to believe that the subject has committed a crime, and the handler must reasonably believe that the use of force, in the form of the trained canine, is both necessary and justified to effect the apprehension.

After the canine has effected a physical apprehension, the animal must be recalled or commanded to disengage as soon as the suspect is either subdued or readily complies with the handler's directions.

**INTERAGENCY PROCEDURE
CANINES
VOL. V, CH. 9**

Chase Apprehensions:

Police canines trained to effect physical apprehensions may be used to apprehend escaped criminals, as well as to apprehend criminals where the officer handler has probable cause to arrest the subject and where the use of force is justified.

Off Lead Apprehensions:

The chase apprehension may be conducted with the canine off lead only under the following circumstances:

1. There are no other persons who will be endangered by the release of the canine, and;
2. An appropriate warning is given prior to release of the canine identifying the presence of the police and the canine, and which also announces to the subject that he or she is under arrest and is commanded to comply with the officer's directions lest the canine will be released, and;
3. The police officer handler will ensure that the canine has had the opportunity to see the subject intended for arrest, and;
4. The officer handler is able to maintain visual contact with the canine throughout the chase. If, during the chase, the officer handler loses visual contact with the canine, the officer will immediately recall the canine.

Trained police canine teams may also be used with the canine on lead to search for missing persons and evidence of criminal offenses, in accordance with the training qualifications of the respective team.

Building and Secured Area Searches:

Police canines trained to effect physical apprehensions may be used to search for indictable criminal suspect(s) in a building or an area that has been secured by police. In preparing for a building or secure area search, the following measures must be taken:

1. The Road Supervisor will coordinate the setting up of a perimeter of the area surrounding that to be searched, with no preliminary search undertaken, in order to preserve the scent trail for the canine. In the case of a building, a perimeter shall be established and all civilians shall be removed or kept from the area in so far as possible.
2. In the case of a building search, the owner of the structure should be contacted whenever possible to determine whether there are tenants, employees, or other persons on the premises who have not been evacuated. The layout of the premises should also be determined, to enhance the efficiency of the search, and the heating and air conditioning systems should be shut down if possible so that the canine can effectively locate the source of the subject's scent.
3. The canine team shall then commence the search by loudly announcing that there are police officers on the premise, that the subject is under arrest, and that a police canine will be released if the subject does not immediately surrender. A reasonable amount of time shall be allowed for the subject to surrender. In the case of multi story building, the canine officer shall repeat the warning at least

INTERAGENCY PROCEDURE

CANINES

VOL. V, CH. 9

once on every floor or level of the structure.

4. During the course of secured area or building searches, the canine may be deployed off lead unless there is reasonable likelihood that the canine will encounter innocent persons within the secured area or structure, and the size of the secured area permits the officer handler to keep reasonable visual contact with the canine.
5. The canine officer tracking the subject (or assisting backup officer) shall give frequent updates as to his direction, location, and status of the search. These updates will be utilized by the road supervisor to make adjustments in the location of the various personnel securing the perimeter.
6. **Upon apprehension of any suspect by the canine team, the canine is to be recalled immediately once the subject is under control. See "Follow Up and Reporting" for procedures in the event of a bite upon any suspect apprehended.**

Follow Up and Reporting:

In the event of a bite during a canine apprehension, or in case of an accidental bite, the officer handler, with proper assistance, will take the following steps:

1. **The supervisor will be summoned to the scene of the apprehension or bite;**
2. **The handler officer will thoroughly examine the injury to make a determination of its seriousness;**
3. **Proper first aid and medical treatment will be rendered to the bitten person as immediately as possible, including transportation to a medical facility for treatment;**
4. **In the event that the person bitten is a prisoner, proper security measures and/or officer accompaniment will be taken;**
5. **Any other injuries occurring to anyone as a result of the canine deployment will be tended to as immediately as possible (i.e. officer's injuries etc.);**
6. **Color photos should be taken of any bite related injuries, both before and after treatment if possible;**
7. **If the subject refuses medical treatment, written verification of this should be obtained via the EMS run sheet**
8. **The canine unit commander should be notified of the incident as soon as possible.**

Reporting:

In instances of any bite by a police canine, the dog's handler must forward a complete report of the incident to the Chief of Police as soon as possible. Information contained in said report shall include the following:

1. A complete and detailed description of all the facts and circumstances surrounding the incident;

**INTERAGENCY PROCEDURE
CANINES
VOL. V, CH. 9**

2. A thorough explanation as to why the canine was deployed;
3. Whether a warning commanding submission by the subject was given by the handler, and if not, why;
4. The exact language of the above warning, and what the subject's response was, if any;
5. Whether the canine was on or off lead when the apprehension occurred;
6. The approximate time elapsed between the warning given and the release of the canine off lead;
7. The approximate time elapsed between the release of the canine off lead and the animal's confrontation with the subject, as well as the time elapsed between the release of the canine to when the officer arrived at the place of apprehension;
8. The approximate distance of the track/chase, whether visual contact was maintained with the subject and the canine;
9. A specific description of the manner in which the canine was holding the subject, and how this related or was not related to any injuries the subject had;
10. Subject's complete pedigree;
11. Description of subject's injuries, specifically including those not related to the canine's apprehension of subject;
12. The number of photos taken of the injuries and location of the original photos;
13. Description of medical treatment rendered and by whom;
14. Names of any witnesses to refusal of medical treatment.

The department's Operations Officer shall review all canine incident reports.

A monthly report of all individual canine unit activities, including an accounting of expenses submitted for payment or reimbursement shall be submitted to the department's administration as soon as possible after the end of each month.

IV. ADMINISTRATION, TRAINING, AND QUALIFICATION:

The qualification and training standards employed by the Fort Lee Police Department in the administration of its canine patrol units shall be identical, and in full compliance with the New Jersey State Attorney General's Guidelines on K-9 Training standards and Qualification Requirements for New Jersey Law Enforcement, its addenda, revisions, and appendices, as well as the directives and updates of the Bergen County Prosecutor's Office concerning canine training and qualification standards.

INTERAGENCY PROCEDURE

CANINES

VOL. V, CH. 9

A. Eligibility Requirements:

1. Members of this department wishing to be considered for canine training and unit assignment shall have at least three years law enforcement experience with a satisfactory work, disciplinary, and medical leave records. In all cases, The Chief of Police shall have final authority in assigning personnel to the canine unit.
2. The canine unit candidate must be willing to commit to remain with the unit for a minimum of five years, or the working life of his/her canine partner.
3. The canine unit candidate must exhibit a strong desire to work with canines in a law enforcement setting and be specifically willing to take all measures necessary to maintain his/her and the canine's proficiency in their respective specialty at the highest possible level.
4. The candidate must be willing to care for and house the canine at the officer's residence, which must have a secure outdoor area or home kennel for the canine. Other members of the officer's family must also be willing to have the canine housed at their residence.
5. The candidate must be able to exhibit a degree of physical fitness commensurate with the requirements of training, caring for, and using a canine in police work.

B. Selection:

The Chief of Police or his designee, will make the selection of candidate for police canine handler.

1. In evaluating the candidate, the Chief shall review the candidate's work record, medical leave record, samples of the candidate's work product, as well as consider any awards, citations, or work related achievements of the candidate.
2. The Chief will review and consider the candidate officer's internal affairs record, noting the frequency and nature of civilian complaints against the officer. Particular attention will be paid to the interactive demeanor of the officer with the public, as well as any complaints related to the possible use of excessive force.
3. The candidate's most recent supervisor will be solicited for his/her opinion on the candidates recent work record and suitability for canine unit assignment.
4. The Chief will also consider in the selection of canine unit officers, the candidate's history of abuse or careless handling of department issued equipment.

C. Training:

New police canine handlers shall complete a certified canine training course of duration specified by the applicable training standards. Each canine team must successfully complete all course requirements prior to being deployed in the field.

D. Enforcement of Directive:

Every police canine handler acknowledge in writing that he or she has received and read a copy of

INTERAGENCY PROCEDURE

CANINES

VOL. V, CH. 9

this directive. The provisions of this directive shall be strictly enforced, and violations of the policies and procedures herein will not be tolerated.

Administration
Sick Leave and Worker's Comp. Procedures
Vol. 1, Chapter 22

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 10/27/2000	REVISION DATE: 10-24-03 01-04-10	PAGE #: 10 10	SECTION: V, F V,F,5	APPROVED	VOLUME I
VOLUME TITLE: Administration	# PAGES: 12					CHAPTER 22
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: Sick Leave and Workers Compensation Procedures						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE: PEOSHA Regulations Vol. 35, Number 9 (Injury Reporting)						

I. Purpose:

To establish and maintain uniform procedures to record, confirm, and monitor the use of sick leave and worker's compensation time by employees of this department.

II. Scope:

This General Order and its attendant procedures shall be applicable to all full time employees of the Fort Lee Police Department, both sworn and civilian.

III. Discussion:

The vital nature of all police related services and staffing requirements of daily operations necessitate that this department maintain effective methods to deal with illness or injury and to expedite the stricken employee's earliest possible return to duty. As good health is essential to the performance of all employees, it is in the department's best interest to ensure that all sick or injured employees receive prompt and adequate medical attention.

In view of the above, all on duty employee injuries, as well as any off duty illness or injury which impedes an employee's scheduled performance of duty must immediately be reported to the department. Employees on sick leave are required to comply with all follow up procedures prescribed herein as well as any additional directives given to the employee by a supervisor or authorized departmental physician. Any use of sick time, regardless of duration, is subject to verification by a department-authorized physician.

IV. Definitions:

A. Sick Leave:

Absence from duty by an employee, for reason of illness or injury, whether on the part of an employee or immediate family member, which prevents the employee from reporting for duty. Sick leave is used for illness or injury unrelated to the performance of duty.

B. Worker's Compensation Leave/Injury On Duty

Absence from duty due to a physical injury or illness which results either directly or indirectly from the performance of an employee's official duty. Worker's Compensation Leave is granted with proper medical documentation and upon completion of the applicable FLPD Worker's Compensation reporting forms. Worker's Compensation Leave may be granted retroactively between the date of injury and the date of receipt of all proper medical and Worker's Compensation documentation.

C. Sick Leave (Unable to Continue)

If, after a minimum of four hours of the employee's assigned tour of duty is completed, that employee becomes ill and is not able to complete their tour of duty and notifies the Tour Commander that he or she will be going off duty on sick leave, then that employee shall be entered in the blotter as "Sick, Unable to Continue", and shall not be assigned a sick day number or assessed a sick leave day.

If less than four hours of the employee's tour has passed, and the employee leaves duty under the above described circumstances, then the employee shall be entered in the blotter as "Sick, Unable to Continue", as described above, but also shall be assigned a sick day number and assessed one full day or their accrued sick leave.

Each individual instance of an employee leaving duty under the above described circumstances classified as "Sick, Unable to Continue", regardless of the amount of time spent on the tour, shall be considered a single occasion in counting toward a classification of "chronic sick" as described below. No exceptions to this will be made, as it is expected that an employee who leaves a tour reporting "Sick, Unable to Continue" will not return to duty until entirely fit to do so.

D. Chronic Sick:

This is a designation which may result from an employee reporting any combination of "Sick" or "Sick, Unable to Continue", without appropriate medical documentation, on seven (7) or more separate occasions within a twelve (12) period. An "occasion" is any continuous period of sick time used by an employee, regardless of length. A twelve month period begins with one "sick" or "sick, unable to continue" report within any month.

Properly documented and maintained Worker's Compensation claims are specifically excluded from aggregate accumulation in determining "chronic sick" status.

E. Authorized Departmental Physician:

Any medical provider who is authorized, contracted, and or assigned by the Borough of Fort Lee, their Worker's Compensation Insurance carrier, and/or the Fort Lee Police Department to provide medical examinations or services to the Borough of Fort Lee or the Fort Lee Police Department.

F. Light Duty:

A restricted assignment granted solely by the Chief of Police at his discretion and predicated on the availability of suitable work, which an employee may perform at a relatively reduced risk of aggravating an existing injury or illness.

V. Procedures:

A. Sick Procedure:

1. An employee, who, because of illness or other disability, is unable to report for a scheduled tour of duty, shall notify the police desk at least three hours prior to the start of an assigned tour. This notification shall take place daily for the duration of the absence. This requirement is removed when the employee is hospitalized, so long as the department has been properly notified of said hospitalization.
2. The notifying employee shall provide the desk officer with all information necessary to complete the FLPD sick slip, and the desk officer will then complete the slip by assigning a sick call number, obtained from the sick call log at the police desk, to the slip, and forwarding it to Records.
 - a. If an employee calls in sick on a contractual holiday, this is to be noted on the sick slip; the employee will then be assessed one holiday unless the sick day falls under one of the contractually stipulated exceptions to this rule.
3. The desk officer will then complete the sick entry in the sick logbook and cross the sick employee's name off of the daily roster, if his or her name appears there.
 - a. The officer receiving the sick call will immediately notify the Tour Commander or Shift Supervisor of the sick call if the personnel level for the tour in question falls below established departmental levels. The Shift Supervisor, or in his /her absence, the Tour Commander, will then take appropriate action to maintain proper manpower levels.
 - i. The on duty Tour Captain or Inspector will be kept apprised of any sick calls that are received, particularly if they necessitate the hiring of overtime personnel to maintain shift manpower.

- b. The supervisor of the tour wherein the sick call was received shall notify his relief of the sick call, and cross the employee off the duty roster, if he/she appears on it.
 - i. The Tour Commander of the tour for which the sick employee was unable to report will ensure that the employee is properly noted in the blotter as sick for that tour.

B. Sick (Unable to Continue) Procedure:

1. The employee, upon determining that he/she is unable to continue their tour of duty, will immediately report to their respective supervisor and advise him/her that they are ill and unable to continue their tour of duty.
2. After notifying their supervisor, the employee will report to the police desk and advise the desk officer of their illness. The desk officer will then:
 - a. Enter the employee in the current tour's blotter as "Sick, Unable to Continue" with the time noted,
 - b. Complete an FLPD Sick Slip, with the caption "Sick, Unable to Continue" circled, with the time of the report noted,
 - c. Enter the employee in the sick log at the police desk, noting the time the employee reported sick.
 - i. If at least four hours of the employee's tour has elapsed, the above entries will be made without assigning a sick day number on the slip and in the sick log.
 - ii. If less than four hours of the employee's assigned tour has elapsed, a sick day number shall be assigned on the sick slip and in the sick log, and a full day of the employee's sick leave shall be assessed.
 - iii. In any event, an instance of an employee reporting "Sick, Unable to Continue", regardless of how much time has elapsed in the employee's tour, shall be considered as one event in counting toward "chronic sick" status as defined earlier in this policy.

C. Worker's Compensation Sick Call Procedure:

After being injured on duty, and applying for worker's compensation using the procedure described later in this policy, employees will use the following procedure when calling in sick on Worker's Compensation:

1. Upon completion of both the employee's medical examination and all proper Worker's Compensation paperwork, the employee will notify the commanding officer of his/her division of the findings of the medical exam and of the examining physician's recommendation for how much time is needed to recuperate. Documentation verifying

this time must be provided by the employee within a reasonable period of time.

2. After conferring with their commanding officer, the police desk will be notified of the employee's Worker's Compensation time, either by the employee's commanding officer, or the employee at the commanding officer's direction. The desk officer will then:
 - a. Prepare an FLPD Sick Slip for the verified dates in question, circling the "Worker's Compensation" caption on the front. Slips denoting a large number of dates may have those dates listed on the rear of the slip, as long as this is duly noted on the front of the slip;
 - b. Make an entry in the sick log book for each individual date that the employee will be out on Worker's Compensation, but not assigning a sick day number to any of those dates;
 - c. Note the Worker's Compensation day on the next day's roster, if it is available;
 - d. Forward the slip to Records.
 - e. Any employee out on Worker's Compensation shall be entered in their assigned tour's blotter on a daily basis by the Tour Commander, for the duration of the absence. The Tour Commander can ascertain this status by referring to the posted daily roster or, alternatively, to the sick logbook.
3. Worker's Compensation time will be granted to employees who have documented physician's statements verifying the time requested. The physician must be one of the Borough of Fort Lee's approved Worker's Compensation doctors, or a doctor to whom the employee was referred by the Worker's Compensation physician.

D. Rules, Restrictions, and Verification Procedures:

The proper use of all sick, sick (unable to continue) and Worker's Compensation time are subject to verification by this department. In view of the need to monitor the use of sick, sick (unable to continue) and worker's compensation time, as well as to deter, detect, and prevent abuse of same, the following rules, restrictions, and procedures shall be adhered to at all times:

1. If the employee calls in sick or on worker's compensation from a location other than their home, the employee shall furnish the Tour Commander with the name, address, and telephone number of his/her place of confinement.
2. The use of all sick and worker's compensation time is subject to verification by a designated supervisor of this department by phone confirmation or physical visitation to the employee's stated place of confinement.
 - a. It is the responsibility of the employee to be in a position to respond to the door and/or land line telephone in his place of confinement when such verification is attempted. If the verifying supervisor receives no response, it will be presumed that the employee is not at their stated place of confinement, and the employee

may be charged as in violation of this General Order and with Absence Without Leave.

3. Employees are to remain at their place of confinement during their normal working hours while on sick, sick (unable to continue) or worker's compensation leave, whether they are sick themselves, or are out on sick leave involving illness in their families. The employee shall contact his or her commanding officer to request his or her permission to leave their place of confinement if it becomes necessary to do so. This request shall include the employee's destination and anticipated time of return.
4. Employees absent from their place of confinement without legitimate, verifiable reason during their scheduled duty hours who do not have permission from their commanding officer or authorized physician are subject to disciplinary action, up to and including discharge. "Legitimate purposes" shall include visits to physicians, treatment centers, drug stores, religious services, exercise of voting privileges, or emergencies which have been duly reported to the employee's commanding officer, or the desk officer in his absence.
5. Use of department vehicles is prohibited to employees who are on light duty, restricted duty, or who are out on sick or worker's compensation leave.
6. The Chief of Police reserves the right to reassign tours of duty for members who are out on extended sick or worker's compensation leave, or who are assigned to light or restricted duty to accommodate the scheduling needs of the department.
7. Employees who are out on sick leave for five (5) or more consecutive work days must obtain and submit a physician's written documentation of illness, on professional letterhead, signed by the diagnosing physician, and legible in content. This document shall contain the date, diagnosis, treatment, and recommendations of the attending physician. This documentation will be forwarded immediately upon the employees' receipt to his/her commanding officer.
 - a. Employees should retain a copy of any documentation submitted for their own records.
8. Employees who report Sick, or Sick, Unable to Continue during the course of their tour shall, at the order of their commanding officer or the highest ranking supervisor on duty at the time, report to an authorized departmental physician, hospital emergency room, or their personal physician to confirm their illness, if in the best interests of the employee or the department, the commanding officer or supervisor deems it necessary, at the department's sole cost and expense. The commanding officer or supervisor will document, or direct to be documented, the specific reasons for the issuance of such an order, and will follow up by documenting the results of the employee's medical evaluation.
 - a. An employee may request that the examination may be performed by the employee's personal physician, if he/she has such immediate access to that provider, except in worker's compensation cases. In those cases, the employee must see an authorized Worker's Compensation physician.

9. An employee calling in sick may visit his or her private physician, but private physicians cannot themselves authorize sick leave. This authority rests solely with the Department, which reserves the right to require the employee to speak with or report to an authorized physician and be examined at the Department's sole cost and expense.
10. An employee out on sick leave or worker's compensation shall notify their commanding officer of their anticipated return date to active duty as soon as the employee obtains this information from his/her physician, or the department's authorized physician.
11. No employee will work an off duty detail or departmental overtime while on sick leave, sick (unable to continue) leave, or worker's compensation, or during a time period while the employee is on light or restricted duty of any kind.
12. Any and all rules, regulations, restrictions, policies, and procedures contained in this document explicitly apply to sick time used by any employee who calls in sick due to illness in their family.
13. An employee who has experienced an injury while on duty, or who is currently out on sick leave, or who, for reasons of physical condition, is assigned to light duty, is prohibited from using the departmental exercise room and any equipment contained therein, until the employee submits a physician's statement, on letterhead, certifying that the employee may return to full duty, and that the injury and or medical condition that resulted in the employee's light duty assignment or time off has completely healed. The physician must also certify that the employee may participate in unlimited physical activity without danger of the injury recurring.
14. Whenever questionable circumstances are indicated regarding a sick call, the Tour Commander or Shift Supervisor will document those circumstances and forward the report to the commanding officer of the employee in question, who will determine whether an investigation is appropriate and direct that it be undertaken.
15. The Chief of Police reserves the right to order, grant, or decline light duty to an employee, and to predicate the assignment of light duty to any employee on the availability of suitable work. Furthermore, the assignment of any employee shall always be considered temporary, with the Department making no implication or statement that any such assignment is permanent or obligatory. There is no absolute responsibility on the part of the Chief of Police to assign light duty to any employee.
16. Where clearly evident, longstanding medical incapacitation exists, documented by an authorized departmental physician's report, bureau or division commanders may, at their discretion and with the Chief's approval, grant exceptions from the reporting and confinement requirements of this procedure. The Chief of Police also reserves the right to grant exceptions to the provisions contained herein when good cause for such exceptions exist.
17. The privileges granted under this procedure in paragraphs 15 and 16 above can be revoked at any time.

E. Chronic Sick Status:

Chronic Sick Status may be applied to an employee who has reported sick or sick, unable to continue, without appropriate medical documentation on a total of seven (7) or more occasions within any continuous 12 month period, or on other such evidence as the chief may deem good and sufficient cause.

Chronic Sick status specifically excludes any legitimate, documented occasions of absence due to the use of Worker's Compensation time.

When the apparently excessive and undocumented use of sick time comes to the attention of the employee's division commander, the employee's sick time usage will be reviewed and a determination will be made after any mitigating circumstances are considered as whether to apply "chronic sick" status to the employee in question. The Division Commander will then make a recommendation to the Chief of Police if it is believed that the "chronic sick" status is warranted. The Chief will then have the final say as to whether the employee will be classified as "chronic sick".

If it is determined that Chronic Sick status will be applied to the employee in question, the Division Commander will direct the following actions to be taken:

1. The employee will be formally advised in writing that he or she is facing "chronic sick" classification. The Division Commander will or his designee will personally meet with and counsel the employee regarding this pending classification, and will document this meeting in a written report to be placed in the employee's personnel file.
2. The employee who is classified as "chronic sick" will be subject to the following terms and conditions of their classification:
 - a. An employee who is designated chronic sick will be required to present a written physician's diagnosis of illness on each occasion of sickness or sickness in family leave.
 - b. The subject employee may be subject to frequent personal and/or telephone inspections by superior officers, may be subject to reassignment, and may be subject to disciplinary action if the reported illness is found to be unsubstantiated, or as otherwise set forth herein.
 - c. The subject employee may be deemed ineligible for off duty employment, overtime assignments, discretionary benefits, privileges, and special assignments both long and short term.
 - d. Sick in Family leave will be applied toward chronic sick status, except in cases where a medical provider's written documentation of illness is provided.
 - e. Each individual instance of an employee leaving duty as "Sick, Unable to continue" will count as one occasion toward classification as chronic sick, regardless of how much time has elapsed in the employee's assigned tour.

3. In order to obtain relief from chronic sick classification, an employee must apply in writing via their chain of command to the Chief of Police. The basis for such a request must be:
 - a. Six months of consecutive duty without one sick report, or
 - b. Verifiable evidence of mitigating circumstances or appropriate medical documentation on the part of the employee.
4. The Chief of Police will then review the employee's application for relief from chronic sick status.
 - a. If the application is denied, the employee's commanding officer or his designee will notify the employee in writing of the rejection of the appeal.
 - b. If the application is successful, the Chief will direct that the employee be notified in writing of the repeal of their chronic sick status, and that employee's commanding officer will direct that any current chronic sick sanctions being held against the employee be immediately removed.
 - c. The Chief of Police reserves the right to stipulate conditions on the removal of an employee from chronic sick status on appeal. Those stipulations may include, but not necessarily be limited to:
 - i. Removal may be conditional on a specified time period in which the employee does not call in sick, unless appropriate medical documentation is supplied.
 - ii. Other conditions arrived through the mutual agreement of the Chief, the employee, and the employee's commanding officer.
 - d. Failure to comply with any stipulations set forth by the Chief will result in the restoration of full Chronic Sick status, for the duration originally specified, and may result in disciplinary action up to and including discharge.
 - e. The Chief of Police also reserves the right to partially remove sanctions assessed against a chronic sick employee, without being obliged to terminate the status or remove sanctions completely.

All employees are expected to keep track of their own sick time in avoiding being classified as Chronic Sick. The department will assume no obligation to notify those employees whose usage of sick time is approaching chronic sick levels. Employees are also strongly advised to retain copies of all medical records related to their use of sick time, to produce mitigating evidence should they be facing chronic sick classification.

F. Worker's Compensation Procedures:

All Fort Lee Police Department employees who are injured while on duty, or in the performance of their official duties, must file a Worker's Compensation injury packet as soon as possible after the incident occurs, whether or not immediate medical treatment is sought.

All work related fatalities or in-patient hospitalization of three (3) or more **workers**, must be reported orally and in writing, within eight (8) hours of occurrence, to the Commissioner of Labor.

The oral report shall be made directly to the 24 hour hotline 1-800-624-1644, by the immediate supervisor.

The written report shall be completed and must be faxed to the Office of Public Employees Occupational Safety and Health at 1-609-292-3749, by the immediate supervisor.

All on duty injuries will be subject to a preliminary investigation by the injured employee's supervisor. The procedure to be followed in performing that investigation, as well as the documentation of the employee's on duty injury, is as follows:

1. Immediately upon being injured, the employee's supervisor shall be notified.
2. Appropriate medical attention will be secured immediately for the injured employee.
3. The supervisor will inspect the scene and surrounding area where the injury took place, and the injured employee will be interviewed in all cases possible in an effort to establish a cause for the events that led to the injury.
4. If the injury was caused by some obvious or visible hazard or through the failure of department equipment or the employee's equipment, the hazard or failed equipment will be photographed, as well as the entire scene of the occurrence, by the supervisor or other qualified personnel.
 - a. If the injury was caused by an actor who assaulted the victim employee, the employee's injuries must be photographed for evidence purposes in a possible future criminal proceeding.
5. **The employee will be transported to a hospital emergency room for immediate treatment.**
 - a. If the employee is **admitted** to the hospital, the employee's Division Commander will be notified **immediately**.
 - b. If the employee is treated and released, and there is no command rank officer immediately available, the notification of employee injury will be made via the report procedure outlined herein via chain of command. This includes the sending of an appropriate email message to the employee's commander.
6. As soon as possible after the injury occurs, it is of utmost importance that the reporting procedure begin so that the Worker's Compensation claims process can begin. It is

imperative to the claim that all proper Worker's Compensation paperwork be completed and submitted as promptly as possible.

The reporting procedure is as follows:

- a. A standard FLPD investigation report must be completed by the employee's supervisor;
 - i. A new case number for the injury on duty must be generated.
 - ii. The report will contain adequate detail of the incident leading up to the injury, and must include the original case number of the call or incident that the employee was injured on, if applicable.
7. The employee or supervisor will then obtain a Worker's Compensation paperwork packet, available at the police desk, and complete the following reports, in addition to the FLPD investigation report:
 - a. The supervisor shall immediately complete the Worker's Compensation "Supervisor Investigation Report".
 - b. At the earliest possible time that the employee and supervisor can confer, they will complete, working together, their respective sections of the "Confidential Report of Employee Injury".
8. The employee will then be responsible to complete, as soon as physically possible, the "Employee's Report of Injury".
9. The employee will also prepare a narrative report describing in adequate detail the cause of the injury. This narrative may be included in the investigation report's narrative section if conditions allow the employee to fully explain the circumstances of his injury at the time the investigation report is made.
10. The completed paperwork will then be placed in an envelope clearly marked "Attention: Worker's Compensation Officer" and placed in the Record Room box.
 - a. Ensure that Data Entry receives a copy of the original investigation report.

Once all of the proper paperwork has been completed, and the claim process has begun, the employee shall follow the below procedure if additional medical treatment is necessary:

1. The employee will schedule and appointment with the Borough of Fort Lee's designated Worker's Compensation provider.
 - a. Employees will not visit their personal physician on a Worker's Compensation claim; the Borough of Fort Lee and its worker's compensation carrier will not pay any medical expenses to providers other than those the employee is referred to by the carrier itself, unless special arrangements are made and prior approval obtained through the borough's Worker's Compensation official.

2. The worker's compensation medical provider will administer treatment to the employee unless he/she determines that the employee should see a specialist or determines that some other form of treatment is necessary.
 - a. If the primary provider determines that it is necessary for another doctor to treat the employee, the employee will see the doctor or specialist designated by the Worker's Compensation provider.
 - i. Employees are not authorized to seek specialist treatment while on Worker's Compensation unless referred by the Worker's Compensation provider.
3. The employee shall forward to his or her commanding officer copies of any medical documentation indicating treatment rendered, amount of anticipated time the employee will be absent from duty, and any limitations of duty, and the expected duration of those limitations.
4. Employees who are absent from duty on Worker's Compensation are subject to all the rules, regulations, and restrictions contained herein that apply to the use of the employee's sick leave.
5. Any bills received by an employee while being treated under worker's compensation will be forwarded promptly to the Worker's Compensation Liaison Officer for processing.

**OPERATIONS
SMOKING/TOBACCO USE
VOL, IV CH, 6-1**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-14-2006	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 3					CHAPTER 6-1
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: SMOKING/TOBACCO USE POLICY						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

Given the wealth of information of documented research substantiating the health problems caused by smoking, passive smoke, the use of tobacco by other means and a concern for the health and wellness of police department employees, the Chief of Police has deemed it necessary to create a no smoking/tobacco use policy.

DEFINITION:

Smoking:

The carrying or holding of a lighted cigarette, cigar, pipe or any other lighted smoking instrument, or the inhalation/exhalation of smoke from a lighted smoking instrument.

Smokeless tobacco:

There are two types of smokeless tobacco--snuff and chewing tobacco. **Snuff**, a finely ground or shredded tobacco, is packaged as dry, moist, or in sachets (tea bag-like pouches). Typically, the user places a pinch or dip between the cheek and gum. **Chewing tobacco** is available in loose leaf, plug (plug-firm and plug-moist), or twist forms, with the user putting a wad of tobacco inside the cheek. Smokeless tobacco is sometimes called "spit" or "spitting" tobacco because people spit out the tobacco juices and saliva that build up in the mouth.

OPERATIONS
SMOKING/TOBACCO USE
VOL, IV CH, 6-1

The New Jersey Smoke-Free Air Act:

The New Jersey Smoke-Free Air Act was passed overwhelmingly by the New Jersey Legislature. The Senate vote, in December 2005, was 29 to 7. The Assembly vote, in January 2006, was 64 to 12. Governor Codey signed the legislation January 15, 2006. It goes into effect 90 days later, April 15, 2006, i.e., just after midnight the night of Friday, April 14th.

The Act says, "The Legislature finds and declares that ... tobacco smoke constitutes a substantial health hazard to the nonsmoking majority ... and it is clearly in the public interest to prohibit smoking in all enclosed indoor places of public access and workplaces."

The law requires smoke free environments in essentially all indoor workplaces and places open to the public including places of business and service-related activities except for a few specifically named exceptions.

Affected sites that must be smoke free include, but are not limited to:

- offices, factories, commercial buildings and facilities, and government facilities
- restaurants, bars, clubs, theatres
- bowling alleys, sports facilities, race tracks, bingo sites
- private clubs, whether social, recreational, civic, fraternal, religious, academic, military, etc.
- shopping malls and retail stores
- all elementary and secondary schools, child care facilities, museums, places of worship
- health care facilities and offices, nursing homes, addiction treatment facilities
- hotels, public transportation vehicles and stations and platforms, parking garages
- apartment building lobbies and public areas in other private buildings.

It also prohibits smoking outdoors on the property of any public or nonpublic elementary or secondary school, in addition to indoor school facilities.

POLICY:

- I. Smoking/tobacco use in indoor work places and areas open to the public.
 - A. Employees of the Fort Lee Police department will not only refrain from smoking in all areas listed above in the New Jersey Smoke Free Air Act, they will also refrain from smoking and using smokeless tobacco in all borough owned vehicles.
 1. Non-employees/civilians are also to refrain from smoking in department vehicles.
 - B. Officers of this department are also to refrain from smoking and using smokeless tobacco when they are:
 1. On traffic posts
 2. Interacting with the public

**OPERATIONS
SMOKING/TOBACCO USE
VOL, IV CH, 6-1**

3. At the front entrance to police headquarters
4. At accident scenes, crime scenes and special events.

C. Smoking/tobacco use at police headquarters is permitted at the south entrance only.

II. Enforcement.

- A. Enforcement of the smoking/tobacco use policy will be the responsibility of supervisors for employees and non-employees.
- B. Progressive discipline will be used for any violations of this policy.

**ADMINISTRATIVE
WRITTEN DIRECTIVE SYSTEM
Vol. I, Ch. 2**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-19-2001	REVISION DATE: 9/17/07 01-23-2009	PAGE #: 10 7	SECTION: VI J 8 VLD.2-3.a	APPROVED 9/17/07 05-07-2009	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 12					CHAPTER 2
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: WRITTEN DIRECTIVE SYSTEM						DISTRIBUTION ALL
ISSUING AUTHORITY: <hr/> CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To comply with the need for agency Policies, Procedures, Rules and Regulations.

POLICY:

If police officers are to be held accountable for carrying out their assigned duties properly, they must know exactly what is expected of them. They have a right to know these expectations and command personnel have a responsibility to clearly communicate departmental standards of performance. These standards should be clearly stated as written directives.

The importance of written directives as a tool for conveying management expectations and performance standards cannot be overestimated. Directives establish a specific code of acceptable behavior as well as guide the officer in decision making by narrowing the range of acceptable discretionary action. Directives also serve as an official notice of the position of the chief on specific issues. With a properly established directive system, controversy about official department policy on critical and sensitive issues is decreased. When policies are transformed into written procedures, a foundation for standardized action is created.

The quality of written directives significantly influences the efficiency and effectiveness of police officers. When directives are issued in written form to all officers, misunderstandings and misinterpretation are minimized. So too, is misconduct.

**ADMINISTRATIVE
WRITTEN DIRECTIVE SYSTEM**

Vol. I, Ch. 2

Written directives should be viewed by police officers as the official position of management on certain issues. Written directives stand as a permanent record of agency policy and procedure. They are agency commitments to service, which assure the reliable performance of police duties.

PROCEDURE:

I. SYSTEM DESIGN

The following factors are among the basic requirements of an effective written directive system:

- A. Typically only the chief has the authority and responsibility to promulgate directives, which explain departmental goals. The chief may also issue directives intended specifically for one departmental unit or a specific group of officers.
- B. Command officers and line supervisors have the responsibility and authority to develop written directives applicable to their unit's objective with the approval of the chief.
- C. Command expectations of officer conduct must be clearly stated if personnel are to be held accountable for carrying out assigned tasks.
- D. All personnel, regardless of assignment, have the right to know exactly what is expected of them.

Written directives are usually divided into several categories by function. Some directives are informational in nature, while others are authoritative, defining "do's" and "don'ts". Basically, written directives can be discussed in terms of six commonly used categories: policy, procedures, rules, special orders, personnel orders and operations orders.

II. POLICIES

Policies summarize a department's position on the direction or limitations of agency authority in specific matters. Policies guide the organization towards achieving its goal, and reflect an overall plan for the department.

Policy is based on the views of police administrators, police ethics and experience, the desires of the community and its leaders, the results of research, and the mandate of the law. Policy informs the public, as well as the officers of any agency, about the principles to be upheld in the performance of the police function.

III. PROCEDURES

Procedures are written directives that describe expected methods of operation. While policies are a guide to thinking, procedures are guides to action.

Procedures differ from policies in that they direct attention to the performance of a specific task within the guidelines of the policies. Policies establish limits of actions, while procedure directs

**ADMINISTRATIVE
WRITTEN DIRECTIVE SYSTEM
Vol. I, Ch. 2**

responses within those limits. As such, a procedure is a method of performing an operation or a manner of proceeding on a course of action.

There are two types of procedures:

A. Standard Operation Procedures:

These are permanent procedural directives, which can be modified only by the authority of the chief executive and are in effect until so altered or suspended by another order.

B. Special Orders:

These are intended to define specific policy and direct procedures for special situations or events. These orders cover temporary situations and therefore lose their authority once the situation ceases to exist.

IV. RULES

A rule directs the specific actions of police officers. The essence of a rule is its inflexibility. Rules express policies or procedures that permit no deviations or exceptions. Violation of a rule generally results in disciplinary action.

Policies and procedures generally permit limited flexibility within boundaries established in the written directive. In this manual, policies and procedures that are inflexible rules, are not labeled as such. Instead, the choice of language used in the directives implicitly indicates the degree of flexibility, if any, that they permit.

Due to its inflexibility, a rule is only justified when there is an unchanging feature in a situation. Rules should apply equally to all personnel

Rules do not allow for individual discretion, initiative, or judgement. Therefore, when a department has too many rules, officers are prone to feel that the command personnel are either incapable of exercising discretion or hesitant to allow other personnel to exercise discretion. Officers may then feel that they are the tools of management rather than partners in a combined operation. Rules should be reviewed periodically to determine whether any modifications are needed.

SUPPLEMENTARY MATERIAL:

Instructional material and memoranda, while often extensions of standard operating procedures and rules should be kept separate from the policy, procedures, and rules manuals

ESTABLISHING DIRECTIVES:

Meaningful, effective directives are difficult to create and promulgate, particularly since periodic review of all directives is required. Application of the following factors reduces the difficulty of establishing and maintaining a written directive system. Directives must be legal. Any changes in the law should be incorporated into existing directives.

**ADMINISTRATIVE
WRITTEN DIRECTIVE SYSTEM
Vol. I, Ch. 2**

DIRECTIVES MUST BE CURRENT:

Directives should be reviewed periodically to ensure that they remain compatible with departmental goals and objectives. Such reviews reveal outdated directives, often in contradiction with new procedures, and other problems associated with specific directives. Operational personnel should assist in keeping directives current. For example, when an officer develops a new technique or procedure, he should suggest that it be considered for department-wide use.

DIRECTIVES SHOULD REFLECT OFFICER PARTICIPATION:

Often only the street officer can anticipate problems in the delivery of police services created by a directive. Participation at all organizational levels in the development of directives increases commitment and creates a more positive attitude toward the written directive system. Although there are times when unpopular positions must be taken to achieve departmental goals, officer acceptance and compliance are more likely if they have participated in formulating the goals.

Officers should work to create a participatory setting within the police department. .

A suggestion system that encourages officers to submit questions and observations concerning agency directives is an effective means of encouraging participation. Effective communication among all personnel is imperative to ensure that inquiries and suggestions are responded to promptly and appropriately.

STANDARDS AND CONTROLS:

A written directive system must be properly implemented and controlled to be effective. All personnel must recognize the directives as being authoritative instruments of departmental policy, and they must be prepared and issued in an organized fashion.

Authority to issue directives must be controlled. Only the chief executive should issue directives that affect an entire police department. Although supervisors must have a uniform means of transmitting directives to individuals in their command, unit commanders may issue only directives that affect the individual organizational entities. There must be no conflict between agency-wide directives issued by the chief and the unit directives issued by a supervisor or commander.

It is important that a system of easy classification, retention, and accessibility be established.

DISTRIBUTION OF DIRECTIVES:

Policies and Procedures;

Every officer who is affected by a directive should have immediate access to it. Copies of the directive shall be placed into manuals and properly maintained. As the directive is distributed, each subordinate indicates receipt by signing a control form. No personnel will make copies, distribute copies or release any written directive to anyone outside of the Borough of Fort Lee Police Department without written approval from the Chief of Police.

**ADMINISTRATIVE
WRITTEN DIRECTIVE SYSTEM**

Vol. I, Ch. 2

TRAINING ON WRITTEN DIRECTIVES:

Supervisory personnel should explain new directives to their subordinates and give practical examples of how the directives affect daily work conditions. At this time, officers should ensure that they fully understand the new or revised directive.

The supervisor should stress the significance of changes in written directives. If the supervisor conveys the impression that he is merely fulfilling a tedious obligation, the officers may feel that the directives are unimportant.

The complete directive system will be presented to new officers before basic training school Post Program.

APPLICATION OF DIRECTIVES:

The basis for the administrative process is direction and control. While the establishment of policies, procedures, and rules represents the act of directing, application of these directives is best viewed as a control mechanism. However, a system of rules and regulations specifying proper behavior does not itself ensure effective discipline unless there is some method of detecting violations of the rules and bringing misconduct to the attention of the proper authorities.

The police supervisor is the key person to ensure that officers follow written directives. The supervisor should assist officers in developing work habits that conform to directives and organizational expectation. In fulfilling this responsibility, the supervisor is expected to completely understand departmental policies, procedures, and rules of conduct. Furthermore, the supervisor must be able to clarify for officers specific departmental expectations related to police conduct.

V. THE USE OF POLICIES AND PROCEDURES:

A major responsibility of the police chief is to develop and disseminate written directives to guide the actions of subordinates. A formal administrative or operational policy or procedure represents a definitive course of action selected from among a variety of alternatives. In light of existing conditions, particular approaches or avenues can be formally developed to guide and determine present and future decisions.

Word-of-mouth policy formulation and distribution is not acceptable.

The absence of written guidelines creates confusion and a resultant lack of uniformity of action. On the other hand, when formal policies and procedures exist and are clearly understood by all department personnel, the general direction of the organization is established and uniform and consistent action is encouraged.

A modern police agency, recognizing the importance of the policy-making function, will organize and implement processes to make policy-making systematic, intelligent, articulate, and responsive to appropriate social controls.

**ADMINISTRATIVE
WRITTEN DIRECTIVE SYSTEM
Vol. I, Ch. 2**

POLICY FORMULATION

The formulation process must include all command officers who will be involved in the implementation. This is usually accomplished through use of a "review and command" system, wherein, affected commanders are asked for an opinion of an order before publication.

A directive, which has been reviewed in this manner, is said to have been "staffed". This device assures that all involved have the opportunity to contribute to the final product. It permits every aspect of the problem to be reviewed and provides for discussion by those most closely involved. In addition to improvements in the policy itself, real support for it will more likely result because those responsible for the implementation have participated in its creation.

VI. DEPARTMENT WRITTEN DIRECTIVE SYSTEM:

A. The Borough of Fort Lee Police Department will function under the following written directive system consisting of:

1. Rules and Regulations
2. Policies and Procedures
3. Personnel Orders
4. Special Orders
5. Operations Orders.
6. Instructional Materials

The above 4, 5 and 6 may also be issued via electronic mail (E-Mail) system.

B. Rules and Regulations

1. The department's Rules and Regulations are established by ordinance and are the legal authorization for the operation of the police department.
2. All other written directives must be consistent with the Rules and Regulations:
 - a. Rules and Regulations Issuing Authority: Mayor and council.
 - b. Copy to all Personnel
 - c. Changes by Borough of Fort Lee resolution

C. Policies and Procedures

**ADMINISTRATIVE
WRITTEN DIRECTIVE SYSTEM
Vol. I, Ch. 2**

1. The department's policies and procedures are established through the office of the Chief of Police. Policies and Procedures are designed to give written direction to the department's goals, objectives and method of operation.
2. Issuing Authority: Chief of Police
3. Distribution: Copies will be distributed as follows:
 - a. Original - Office of the Chief of Police
 - b. Administrative Division Commanders Office
 - c. Operations Commanders Office
 - d. Training unit
 - e. Tour commander's desk.
 - f. Shift supervisor's office
 - g. Internal affairs unit
 - h. Detective Supervisor
4. It is the obligation and responsibility of each designated individual(s) to maintain a current up-to-date volume or volumes of the department's Policies and Procedures that have been distributed. Updates will be distributed to the same personnel and be maintained by them.
 - a. Distribution of approved changes will be made by Training unit as in Vol-1, Ch- 18 sec-XIII-E,2,g.

D. Changes

1. Changes will occur when written notification is made that a particular policy and procedure is no longer consistent with law and practices, or is outdated for apparent reason.
2. Changes will be accomplished by written submission to the Office of the Chief of Police, who has full authority for approving such change.
3. Approved revised policies will be distributed and old policies will be purged from binders and local files.
 - a. Original policies will be kept in the policy files so that they may be accessed if there are any requests for discovery prior to the date of the revision.

**ADMINISTRATIVE
WRITTEN DIRECTIVE SYSTEM
Vol. I, Ch. 2**

- E. Numbering System
 - 1. The department's Policies and Procedures will be placed in a binder by volume and number.
 - 2. Beginning with Volume I and within the volume consisting of numbering the Policies and Procedures 1, 2, 3, etc. The volumes will be categorized by title: Investigation, Traffic, Equipment, Hiring Practices, Disorders, etc.
 - 3. In addition, an alphabetical index will be maintained.
- F. Special Orders (VOL, I. CH, 2a)
 - 1. Special Orders are designed to facilitate and provide direction for the smooth operation of the police department.
 - 2. Special Orders are designed to give specific direction, pertaining to assignments, scheduling, special details. They can be issued by all superior officers of the department, with the approval of the Chief of Police.
 - 3. Special Orders can only be issued pertaining to a supervisor's area of responsibility.
 - 4. All special orders should be numbered sequentially starting with the year they are issued.
 - 5. Distribution will be to: Officers effected, and copies to all designated in C-3, pages 8 and 9.
- G. Personnel Orders (VOL, I. CH, 2b)
 - 1. Personnel orders :
 - a. Written notification to members of the department announcing; duty assignment changes, vehicle assignment, grid assignments, DWI details etc, Approved by the Chief of Police.
 - 2. Promotions:
 - a. By Borough of Fort Lee Mayor and Council on recommendation of the Chief of Police.
 - 3. All personnel orders should be numbered sequentially starting with the year they are issued.
 - 4. Distribution: Officers effected and as designated in C-3, Pages 8 and 9.
- H. Operations Orders (VOL, I. CH, 2c)

**ADMINISTRATIVE
WRITTEN DIRECTIVE SYSTEM
Vol. I, Ch. 2**

1. Orders pertaining to posting of shift bids, uniform changes, vacation requests etc.
2. Operations orders should be specific as to dates and duration.
3. Operations order should be approved by the Chief of Police, and will be sequentially numbered starting with the year the order is issued.

******BEFORE PREPARING ANY OF THE ABOVE ORDERS******

**THE FILE IN THE OFFICE OF THE CHIEF OF POLICE SHOULD BE CHECKED FOR THE NEXT SEQUENTIAL NUMBER TO BE USED.
UPON ISSUANCE OF ANY OF THE ABOVE ORDERS, THE ORIGINAL SHOULD BE PLACED IN THE FILE IN THE OFFICE OF THE CHIEF OF POLICE.**

I. Instructional Materials

1. Instructional Materials are designed to provide continuous in-service training for all personnel within the Police Department.
2. Materials consist of bulletins, manuals, lesson guides, cassette and videotapes.
3. Issuing Authority: Training Officer or Chief of Police
4. Distribution: All personnel
5. To maintain an accurate and updated recording for personnel training, copies of courses, certificates and written examination results will be provided to the office of the Chief of Police for filing in personnel jackets.
6. Also indicated in this area are Report Manuals, Report Guides and Department Job Descriptions.

J. Acknowledgment of Distribution

1. To insure that the distribution of Directives (Rules and regulations, Policy and Procedures) has been completed as required, it is necessary to have written certification from all affected personnel.
2. To accomplish this objective, along with each new Directive or revised Directive, a Personnel Initial Certification Sheet will be attached.
3. It will be the responsibility of employees, whose department identification number is on that Certification Sheet; to initial on the line next to their name, after reading and understanding Directive.
4. If for some reason the employee does not understand a particular Directive, he should consult with his immediate supervisor for proper clarification. After all personnel have initialed the Certification Sheet, the certification sheet will be removed and forwarded to the Chief's secretary for filing.

**ADMINISTRATIVE
WRITTEN DIRECTIVE SYSTEM
Vol. I, Ch. 2**

5. Failure to initial the Certification Sheet within ten (10) days of issue will be considered a violation of department Rules and Regulations and Policy and Procedure and appropriate disciplinary action will be taken. (The only exception to this ten-(10) day period is when an unexpected occurrence will not allow an officer to do so, if this does occur the officer must then receive approval from his/her supervisor)
6. Special orders, instructional materials, memoranda and official notifications, will be completed via Electronic Mail (return receipt) or written notification.
 - a. When sending E-mail , supervisors will select “options” prior to sending it and will select “request delivery receipt” and “request read receipt”, then the E-mail can be sent.
 - (1). When receiving the return receipt in there “in-box” they will then move this receipt into a separate folder in the E-mail labeled for one of the above titles, along with the sent message.
 - b. When accessing E-mail, a return receipt will automatically be sent to the issuing Supervisor of the E-mail.
 - c. Officer receiving the E-mail is responsible for reading and understanding it after it is accessed.
 - d. If access is not made within 10 days, disciplinary action as in I-5, will be followed.
 - e. Officer receiving the E-mail will be accountable for following the instructions or orders, which have been sent.
 - f. Any officer that has a question about a message or does not understand it, should see their Immediate Supervisor for clarification.
 - g. All Supervisors should send special orders only to their immediate subordinates.
7. Operations Orders may only be approved by the Chief of Police or his designate, any Supervisor with information that should be put out as a operations order should submit it to the Chief of Police through the chain of command for approval.
 - a. All Supervisors should review all operations orders with their subordinates.
8. All officers, upon reporting for duty will check their E-mail, voicemail and mailboxes for any messages, orders or instructions.

**ADMINISTRATIVE
WRITTEN DIRECTIVE SYSTEM
Vol. I, Ch. 2**

9. All officers will check their E-mail at the end of their tour of duty for any messages, orders or instructions.

K. Prosecutor and Attorney General Directives

1. Upon receipt of written directives from the Prosecutor's Office, or the Attorney General, they will be reviewed for determination of compliance to the department's Rules and Regulations and Policies and Procedures.
 - a. If not in compliance, proper adjustments should be made to department's Policies and Procedures to come into compliance.
 - b. If the department does not have a Policy and Procedure to cover the directive, one will be developed and placed into the proper volume.
 - c. If there is total compliance, the following procedure will be taken for #1 and #2, above.
 - (1). After "a" above has been completed, on the face of the department's Policy and Procedure, an indication will be made in the Prosecutor's Office reference box, year plus the number. The Chief will maintain a file on Prosecutor's and Attorney General Directives, which will be numbered for cross-reference to department's Policies and Procedures.

L. Written Directive System Instruction/Training

1. To insure compliance to the Borough of Fort Lee Police Departments written directive system, the Chief of Police will in addition to assigning an officer in charge of over seeing the development and revision of Policies and Procedures, assign an officer to coordinate the instruction/training of all personnel. The process to be followed to accomplish this mission can be found in Volume I, Chapter 18.

M. Officers actions where no written guidelines exist

Officers are occasionally confronted with situations where no written guidelines exist, and supervisory advice is not readily available. As it would be impossible and undesirable to attempt to address all possible situations with written guidelines, considerable discretion is given to the officer.

Faced with the need to make a decision or take an action where no guidelines exist, Officers should rely on the following resources:

1. Organizational values: The Department has developed a set of values used to guide the direction of the department. These values are basically statements of what is important to the Fort Lee Police Department. Officers should take these values in to consideration when making decisions.

**ADMINISTRATIVE
WRITTEN DIRECTIVE SYSTEM**

Vol. I, Ch. 2

2. Training: Previous training may give guidance in situations the Fort Lee Police Department has not specifically addressed with written guidelines.
3. Judgement: Each officer, as a professional, has developed the ability to judge situations based on experience.

**ADMINISTRATION
ACCREDITATION PROCESS
VOL, I, CH 28**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 11-14-08	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 4					CHAPTER 28
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: ACCREDITATION PROCESS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The accreditation process was initiated to coincide with the Fort Lee Police departments' Standard Operating Procedures. As such, all members of the department should be familiar with the accreditation process.

POLICY:

It is the policy if this department that all members of this department receive training and understand the accreditation process.

I. PROCEDURES:

A. Familiarization with the accreditation process is provided to this agencies employees as follows:

1. To all newly hired agency personnel within a reasonable period after their employment begins.
2. To all agency personnel during the self-assessment phase associated with achieving accreditation and each reaccreditation.

**ADMINISTRATION
ACCREDITATION PROCESS
VOL, I, CH 28**

3. To all agency personnel just prior to on-site assessment associated with initial accreditation and reaccreditation.

- B. The intent of this SOP is two-fold. First, it ensures that all employees are familiar with accreditation and what it entails during the self-assessment process. Second, familiarizing new employees with the process will provide a historical perspective and emphasize the importance of accreditation to the organization.

- C. Training will include the history and background of accreditation and the agency's involvement in the process, the accreditation process, the goals and objectives of accreditation, and the advantages of accreditation and its impact on the agency. This training may be through a review of policy or classroom settings.

- D. Accreditation has been in existence for over 200 years with criminal justice applications available since 1974 (corrections). The first law enforcement agency was accredited in 1985. The accreditation movement had its origins in this country when the New York State Regents were established in 1787. The mission of the regents was to determine whether colleges in New York State met minimum standards. Regents visited and reviewed the work of every college in the state on an annual basis and submitted a report to the state legislature.

From education, accreditation spread to other fields, such as hospitals. The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) was established in 1983, accrediting its first law enforcement agency in 1985. To accredit means to vouch for or recognize an agency as conforming to a body of standards related to a specific profession, in this case, law enforcement.

Our organization is voluntarily, and through a self-motivated approach, seeking to achieve, objectively verify and maintain high quality in our operations through periodic evaluations conducted by an independent, nongovernmental body that has established standards for law enforcement agencies.

In order to comply with the standards required by CALEA for State Accreditation, we have undertaken the task of issuing a complete and comprehensive Standard Operating Procedure for our department. This SOP will not only meet the standards required for accreditation but also encompass other requirements and guidelines our agency must follow (for example, the NJ Attorney General's Guidelines). Once the SOP is "complete", every member of our agency will have available to them, a guide or reference manual to consult when necessary. The SOP is a living document that will need to be updated or modified as legal requirements or conditions change and therefore, will remain comprehensive and fresh as time goes by.

Each member of this department will in some way be involved in the accreditation process. This could take the form of writing a particular standard operating procedure, reviewing procedures and policies or simply reading, understanding and putting into practice the SOPs of this agency.

- E. In order to be successful, our agency will undertake a self-assessment phase that will consist of issuing SOPs that meet the standards set by the Accreditation Commission. Each standard will be

**ADMINISTRATION
ACCREDITATION PROCESS
VOL, I, CH 28**

addressed by either a single SOP or an SOP that encompasses multiple standards. There are over 112 standards that must be achieved in order to meet the state accreditation requirements. Our agency is fortunate in that our written standard operating procedures have paralleled the Commission requirements in many aspects. The SOPs issued all meet specific standards. Some SOPs are strictly tailored for our agency and do not satisfy a particular standard. This is the reason that our SOP has been incorporated into the accreditation process. We will not only meet the standards required for accreditation, but also work in required guidelines set by the NJ Attorney General and the Bergen County Prosecutor. For the first time our agency will have a document that brings together all the elements required for successful and professional operation of our agency.

Once the self-assessment phase is complete, our agency will be inspected by representatives of the Accreditation Commission. This initial assessment will take approximately three days to complete. During this assessment the inspectors will examine our SOPs and facility to determine whether or not we have fulfilled the requirements for accreditation. Once complete our agency will be fully accredited for three years. In the fourth year, our agency will once again be inspected in order to determine if we have been complying with the standards and SOP's as written. In general, the purpose of self-assessment is to achieve compliance with applicable standards, establish proofs of compliance with those standards and facilitate the on-site review by the Commission's assessors.

- F. The objective of accreditation is to standardize many of the tasks patrol officers are required to perform on a daily basis. Our goal is to equip each officer with the necessary tools to handle question or problem at any time of the day or night simply by opening up the SOP and locating the pertinent directive. For the first time officers will be able to reference NJ Attorney General's Guidelines, Bergen County Prosecutor's Directives and New Jersey State Police Guidelines instantly and efficiently.

By creating an SOP that is not only comprehensive but also flexible when mandates change the agency is creating more efficient and capable police officers. This, in turn, increases professionalism and individual pride in each officer.

- G. The advantages of having a written SOP and achieving accreditation include standardization of tasks performed on a daily basis by every officer, allowing for instant and easy reference of policies and procedures, showing the public that our agency is more professional and above reproach because it was evaluated by an outside, nongovernmental agency and giving individual officers the chance to educate themselves on the necessary skills and knowledge required to perform to the best of their abilities. The impact accreditation will have on our agency will be positive in that accreditation is achieved by a very small margin of police agencies worldwide. Earning accreditation shows the public we serve that our members can and will perform to the best of their abilities. Standardization creates confidence in individual officer in that once a specific procedure is learned it will be utilized time and time again and not left to be figured out "on the fly". Although there is still room for improvisation in certain situations, the nuts and bolts of many situations will be readily available.

ADMINISTRATION
ACCREDITATION PROCESS
VOL, I, CH 28

- H. Any employee assigned to the position of Accreditation Manager will receive specialized training within one year of being appointed. This training should be accomplished through attendance at a CALEA Conference within the first year of appointment and/or at least once during the current award period. The Accreditation Manager will also join and participate in the New Jersey Public Safety Accreditation Coalition and take advantage of any training offered by the PSAC.

**ADMINISTRATION
SELECTION PROCESS
VOL.I, CH 3**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 08-11-05	REVISION DATE: 11-25-08 05-17-2009	PAGE #: 4 4&5	SECTION: V V.B	APPROVED 04-29-2009 05-17-2009	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 5					CHAPTER 3
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CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE: Department of Personnel DPF47L/Revised 10-8-99						

PURPOSE:

To ensure that correct information can be disseminated when the public makes inquires as to the selection process of police officers.

POLICY:

It will be the policy of this department to adhere to Civil Service regulations in the selection of personnel for the title of police officer.

PROCEDURES:

I. APPLICATIONS

Yearly the Department of Personnel puts out an announcement of examination for the title of Police Officer. The Department of Personnel sends applications to the Police Department and they can be obtained in the Records Bureau, or at the Main Desk. Applications are also available in the Internet at www.state.nj.us/personnel, applicants should be instructed to read the application carefully and fill out all sections.

A. The following are requirements for Law Enforcement applicants:

**ADMINISTRATION
SELECTION PROCESS
VOL.I, CH 3**

1. Applicants must be citizens of the United States as of the deadline date for the application.
2. Applicants must be residents of New Jersey. Additionally, applicants must meet the residency requirements of the appointing jurisdiction as of the date of the application deadline (to be determined by the Mayor and Council), and may be required to maintain continuous residency in that jurisdiction up to and including the date of appointment.
3. Applicants must be graduates of high school or vocational high school, or possess an approved High School Equivalent Certificate. If applicants graduate by June 30, of application year, they are eligible for this announcement. **If they will graduate by June 30, they should be sure to check the block for 12th grade in item 17 on the application.**
4. Applicants must be at least 18 years of age as of February 25, of application year. **Applicants for Municipal Police Officer positions can not be over 35 years of age (one is considered to be over 35 on his or her 35th birthday) as of February 25, of application year, unless they meet the exceptions in “MAXIMUM HIRING AGE REQUIREMENT FOR MUNICIPAL POLICE OFFICER” below.** The age 35 maximum hiring requirement applies **only** to the Municipal Police Officer, Municipal Police Officer, Bilingual in Spanish and English and Municipal Police Officer, Bilingual in Korean and English titles.

Note: If checking a bilingual box on the application they will be tested separately for the bilingual languages at the time of certification of their name to an appointing authority.

5. Appointees may be required to pass thorough medical, drug screening, and psychological/psychiatric examinations. Failure of any of these examinations will be cause for rejection.
6. Appointees will be required to successfully complete a training program mandated by the New Jersey Police Training Commission.
7. Appointees will be required to possess a driver’s license valid in New Jersey only if operation of a vehicle, rather than employee mobility, is necessary to perform the essential duties of the position.

B. MAXIMUM HIRING AGE REQUIREMENT FOR MUNICIPAL POLICE OFFICER

1. When applicants for Municipal Police Officer, Municipal Police Officer bilingual in Spanish and English and Municipal Police Officer bilingual in Korean and English positions reach their 35th birthday, they are considered to be **over 35** years of age and are **not** eligible for appointment to the title, **except for the following situations:**
2. Applicants **age 45 and under** (applicants are considered to be **over 45** years of age on their 45th birthday) as of February 25, of application year who previously served in the

**ADMINISTRATION
SELECTION PROCESS
VOL.I, CH 3**

following law enforcement titles, may deduct the amount of time they served from their current age to qualify for the maximum age 35 requirement. However, if they were separated from that prior service due to removal for cause on charges of misconduct or delinquency, they are **not** eligible for this age reduction exception.

- a. Municipal Police Officer (& Bilingual in Spanish or Korean and English)
 - b. County Police Officer/Sheriff's Officer (& Bilingual in Spanish or Korean and English)
 - c. State Trooper
 - d. SEPTA Police Officer
 - e. AMTRAK Police Officer
3. Applicants **over age 45** as of February 25th, of application year may deduct previous service in the above titles **only** if they were separated from that service due to **layoff**.
 4. Applicants may also deduct from their actual age the amount of time they served in the military, **only** during the conflicts and under the conditions for which they would qualify for Civil Service veterans preference, to qualify for the maximum age 35 requirement.

II. TESTING

- A. The Department of Personnel will notify applicants when and where the test will be administered.
- B. Upon successful completion of the test, with a passing score, applicants will be notified of their ranking on the list.

III. BACKGROUND INVESTIGATIONS

- A. The Chief of Police will assign officers to conduct background investigations of applicants from the list provided by the Department of Personnel.
- B. Officers assigned to the background investigations should follow procedures set forth in the background investigation policy Vol. I, Ch. 8.

IV. HIRING

The Mayor and Council of the Borough of Fort Lee will vote on hiring officers to the position of Police Officer through a process governed by ordinance.

**ADMINISTRATION
SELECTION PROCESS**

VOL.I, CH 3

V. RECRUITMENT

- A. The purpose of the recruitment plan is to increase the number Koreans and Females to ensure the department's ethnic, racial and gender composition more accurately reflects the demographics of the services population.
 - 1. Recruitment should include a review of demographic data of the community workforce and work toward bringing the department sworn ranks into proportion with the makeup of the composition of the community workforce.

- B. The best law enforcement recruiters are personnel currently serving in sworn positions. Therefore, every member is charged with actively recruiting individuals they feel are qualified with the potential to be an asset to the department.
 - 1. This agency will take a proactive role in programs intended to attract qualified people to apply for and take the Department of Personnel Entrance Examination. These programs include; but, are not limited to:
 - a. Establishing and maintaining contacts with community organizations and educational institutions and providing recruitment materials for display and distribution;
 - b. Participation in career day type programs at educational institutions and other public places and events;
 - c. Citizen police academies, junior police academies.
 - d. Posting Department of Personnel examination announcements on the Borough website and in local newspapers, including Korean newspapers.
 - 2. Particular attention should be paid to attracting candidates in approximate proportion to the racial, ethnic, and gender composition of the available workforce in the Borough.
 - a. Koreans and Females.
 - 3. School Resource Officers play a particularly important role in mentoring local youth, especially towards law enforcement careers. As such, one of their more prominent roles is influencing students towards a career with this agency.
 - 4. Personnel assigned to recruitment activities at career day and similar events and programs will be provided with information so that they are knowledgeable in those matters as they pertain to agency management and operation. Those topics include, but are not limited to:
 - a. Career opportunities
 - b. Salaries, benefits, and training

**ADMINISTRATION
SELECTION PROCESS
VOL.I, CH 3**

- c. State hiring guidelines
 - d. Community information
 - e. Cultural diversity
 - f. Qualification and selection process
 - g. Physical and academic requirements
5. The following information should prove useful when participating in recruitment activities:
- a. Recruitment/informational brochures
 - b. Agency organizational chart
 - c. Current contractual agreements
 - d. Training catalogs
 - e. Demographic data
 - f. N.J. Department of Personnel Bulletins
- C. The training supervisor will evaluate this process every three years and report to the Chief of Police on what changes may be needed in this plan. This plan will then be revised and reissued as needed.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 1/14.09	REVISION DATE: 5/13.09	PAGE #: 23 24	SECTION: VII B 1 IX A 3	APPROVED 05-14-2009	VOLUME I
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ISSUING AUTHORITY: _____ CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
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REFERENCE:						

PURPOSE:

The purpose of this policy is to establish training standards and procedures for all police personnel.

POLICY:

One of the most important responsibilities of a law enforcement agency is the training of all personnel. This policy will address the organization and administration of the training process, utilization of the training academy, recruit training, in-service training, Roll Call training, advanced training, specialized training, school crossing guard training and non-sworn personnel training.

All personnel are encouraged to attend relevant training programs that will enable them to perform their current duties more efficiently and professionally. In addition the training may prepare them for future assignments and / or promotions within the department.

Training may be used as part of the department's progressive disciplinary system.

The Borough of Fort Lee Police Department encourages sworn personnel to constantly increase their knowledge through education. The Fort Lee Police Department will utilize the various training facilities available through federal, state and county agencies in addition to private training corporations.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

PROCEDURE:

I. TRAINING BUREAU

- A. The establishment of a Training Bureau / Special Projects Unit has been authorized by the Chief of Police.
 - 1. The Training Bureau / Special Projects Unit will be staffed by supervisors / officers assigned by the Chief of Police.
- B. The Training Bureau shall be assigned to the Administrative Division.
 - 1. The Training Office staff will be responsible to the Chief of Police through the Administrative Division Commander.
- C. Training Bureau Instructors should possess the following qualifications:
 - 1. Successful completion of a Methods of Instruction (MOI) course or an Instructor Course containing a module on Instructor Development. An Instructor must have MOI to teach a recruit class at a police academy.
 - 2. Be employed as a full time police officer for a minimum of one (1) year. An exception may be granted by the Chief of Police.
 - 3. The Training Bureau Supervisor shall receive Instructor Training including the following topics:
 - a. Lesson plan development
 - b. Performance objective development
 - c. Instructional techniques
 - d. Testing and evaluation techniques
 - e. Resource availability and use
 - 4. Instructors are not required to be assigned to the Training Bureau on a full-time basis.
- D. The Training Bureau is responsible for the following functions:
 - 1. Develop and Schedule the Mandated Training Program.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- a. The Mandated Training Program should be scheduled on the 22-day rotation known as powershift days.
 - b. The Mandated Training Program will effectively reschedule re-certification in a timely manner thereby avoiding lapsed certifications.
 - c. Cancellation of a scheduled Mandated Training Class can only be ordered by the Chief of Police or the Training Bureau Supervisor.
 - d. A Captain from the officers division or the Training Bureau Supervisor can order cancellation of an individual officer from a Mandated Training Class.
2. Development of lesson plans and written examinations (if appropriate).
 3. Revising and updating lesson plans, as needed. Lesson plans will be maintained for five years.
 4. Development of Roll Call Instruction topics or classes.
 5. Curriculum development implementation will use the following resources:
 - a. Inspection Reports
 - b. Staff Meetings suggestions
 - c. Consultation with field personnel (supervisors and officers)
 - d. Training Bureau & Instructor Reports and Suggestions
 - e. Training Program Evaluations
 - f. Participation and approval by the Chief of Police
 - g. Internal Affairs Investigation Reports
 6. Coordinate the selection of personnel for attendance at specialized training courses with the officer's Division Commander.
 7. Recording and forwarding course results to the Administrative Division Commander.
 8. The Training Bureau should collect the attendance documentation from the instructor or a designated officer for all department-run in-service training sessions.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- a. The documentation should include the name of the attendee and the test results if given. The lesson plan will be kept on file in the Training Bureau.
9. Recruitment and selection of qualified instructors.
10. Evaluating instructors and training programs.
11. Coordination of all training programs.
12. Supervise, evaluate (annually) or schedule officers for the following training programs that are conducted either within the department or as in-service training.
 - a. Use of Force Law
 - b. Arrest, Search & Seizure Law including Roll Call legal updates
 - c. Fresh Pursuit
 - d. Firearms Qualifications and Safety Guidelines
 - e. Motor Vehicle Law including Roll Call legal updates
 - f. Domestic Violence
 - g. Criminal Law including Roll Call legal updates
 - h. Borough of Fort Lee Ordinances including Roll Call legal updates
 - i. Batons, Flashlight as a defensive tool, O.C. Propellant
 - j. Hazardous Material
 - k. Bergen County Prosecutor's Office Video Training Program
 - l. Alcotest Certification
 - m. Emergency Medical Technician / Crash Injury Management
 - n. CPR Training
 - o. Radar
 - p. Bloodborne Pathogen Training

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- q. Environmental Offense Video Training
 - r. Department Computer training
 - s. Police Training Commission / Recruit Police Academy
 - t. Roll Call Training Program
 - u. PEOSH / OSHA Employee Safety Training
 - v. Supervise the Veterans Affairs Program
 - w. Background (Applicant) Investigations
13. Preparation of Training Goals and Objectives for the upcoming year.
14. Preparation of the Training Bureau budget suggestion for the upcoming year for the Administrative Division Commander.
15. Delegate the inspection and review of all training equipment and supplies to the course instructor.
16. Preparation of registration forms for attendance to all outside training agencies.
- a. The Training Bureau staff will prepare and submit Purchase Requisitions to the Administrative Division Commander and the Department's Finance Officer.
 - b. Forwarding all registration forms and vouchers to the appropriate agency.
 - c. Notification to officers scheduled to attend classes and the officer's immediate supervisor via E-mail or written notification.
17. Submit a yearly report to the Chief of Police that contains the following information:
- a. Training Courses
 - b. Course Hours
 - c. Total number of officers that attended a specific course
 - d. Total training hours, by course
 - e. Total training hours

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

18. Process certificates of successful completion and forward to all attending officers.
 - a. Academy / Training Center Course Certificate
 - (1) Employees attending training at an academy or training site will provide Training with a photocopy of the original certificate within their next three (3) working days. The employee keeps the original certificate.
Note: Reimbursements for training expenses can not be processed without the certificate also attached as proof of attendance.
 - (2) The Training Bureau staff will:
 - a) Scan a copy of the certificate into the department's computer system (Training Certificate File).
 - b) Update the Training Bureau record.
 - c) Forward the copy of the certificate to the Office of the Chief of Police for entry into the officer's or clerk's Personnel File, or to the Communications Center Supervisor for entry into the telecommunicator's Personnel File.
 - b. In-house Course Certificate
 - (1) Create the department's course certificates then save in the certificate in the department's computer system (training Certificates file).
 - (2) Print out a copy for the Training Bureau Supervisor to sign then make a photocopy of the original certificate.
 - (3) Forward the original certificate to the officer.
 - (4) Complete and ensure that entry is made in the Training Record of the department's computer.
 - (5) Forward the copy of the certificate to the Office of the Chief of Police for entry into the officer's or clerk's Personnel File, or to the Communications Center Supervisor for entry into the telecommunicator's Personnel File
 - c. Computer Based / Learning Management System & Certificates

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- (1) The department may use various on-line and computer based Learning Management Systems (LMS). The systems may require individualized passwords to access the training materials. A Training Certification Sheet (Sign-Off) is not required if the system is capable of tracking an individual employee's learning and provide documentation or training reports.
 - (2) After completing course, if a certificate can be saved or printed the officer should print a copy for their record.
 - (3) If the certificate can be saved electronically, the officer is to save the electronic file (preferred PDF format) then forward the file to the Training Bureau.
 - (4) The Training Bureau staff will:
 - a) Scan or save a copy of the certificate into the department's computer system (Training Certificate File).
 - b) Update the training Bureau record.
 - c) Forward the copy of the certificate to the Office of the Chief of Police for entry into the officer's or clerk's Personnel File, or to the Communications Center Supervisor for entry into the telecommunicator's Personnel File.
19. Select officers as:
- a. Academy Instructors
 - b. Department Training Instructors
 - d. Field Training Officers
20. Supervise the Field Training Officer Program.
21. Periodically update training of the Field Training Officer(s).
22. Establish liaison with academy staffs at the county police academy and other training facilities.
- a. The department may make requests to meet training needs through the following channels of communication:
 - (1) The Bergen County Police Training & Education Advisory Board

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- (2) The Bergen County Law & Public Safety Institute Board
 - (3) The Bergen County Police Chiefs Association
 - (4) Direct contact with the Academy Staff
23. Maintain a Training Resource Library consisting of department owned books, videos, and training materials.
- a. A list of the Training Resource Library's contents should be readily accessible to all officers through the department's computer system.
 - b. Training library materials may be obtained from the Training Bureau for an officer to review.
 - c. Officers may submit the titles of books, videos or other training materials that they may directly lend to other officers.
24. Maintain and Disseminate Resource Publications
- a. All resource publications received by the department, including but not limited to the following, should be turned over to the Training Bureau for review and dissemination.
 - (1) Attorney General Directives, Guidelines, Advisories, etc.
 - (2) Bergen County Prosecutor's Office Directives, Advisories, Updates
 - (3) FBI Law Enforcement Bulletin
 - (4) Bureau of Administrative Justice (US Dept. of Justice) Publications
 - (5) NJ State Police Search & Seizure Review
 - (6) The DCJ Law Enforcement Reporter
 - b. The Training Bureau should post a copy of the resource publication in the briefing room for officers to review as needed.
 - c. The Training Bureau should add the resource publication to the Training Library for future reference.

II. ATTENDANCE AT TRAINING COURSES

- A. Out of State / long distance training

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

1. Reasonable lodging accommodations may be authorized for courses more than 75 miles away from Fort Lee, or at the direction of the Chief of Police.
 2. The accommodations authorization will be clearly stated in the officer's School Order.
 3. Lodging accommodations include hotel room and food for the attending officer(s).
 - a. Generally, when multiple officers are attending the same training, then two (2) officers of the same gender will share a room. If more officers are attending then additional rooms are authorized and shared as stated above.
 - b. There will be NO reimbursement for alcohol, entertainment or expenses for other people.
 4. Expense Report
 - a. The Expense Report for accommodations may be submitted individually or by one (1) officer for the group.
 - b. Each expense amount and explanation is to be listed on the report. The amount must match the claimed amount of the expense receipt.
 - c. The actual sales receipts must be attached to the Expense Report. Credit card charge slip or credit card statements are not acceptable.
- B. Compensatory Time (Time Due)
1. Officers that attend schools where they have to use lodging will not be compensated for time that is not spent training.
 2. If the officer is scheduled to work on the day of training and they are normally reassigned to attend the day of training as specified in the officer's School Orders. In certain situation the officer may be required to work their normal shift and attend training as specified in the officer's School Orders. The officer would then receive compensation in the form of Time Due.
 3. An officer who attends training on a furlough day will be compensated in time due only for the training time.
 4. No other down time such as hotel stay or traveling time will be compensated.
- C. State or County Academy Attendance and In-House Training
1. All personnel are encouraged to pursue relevant training programs which will enable them to perform their duties more efficiently and professionally.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- a. The employee will submit In-Service School Request form (as designated by the Training Bureau Supervisor) to their immediate supervisor.
 - (1) The employee should attach a brief written justification for attending the course. This is not needed for routine training courses or recertification courses.
 - (2) The immediate supervisor should evaluate the school request and justification with regards to the employee's job performance, current assignment and potential for career development before signing the form endorsing the request. The form is to be signed with the decision noted in the section available.
 - (3) The immediate supervisor is to forward the school request up the Chain of Command for review at each level up to the Captain. The Communications Center Supervisor will handle the scheduling and processing of requests for Communications Center personnel.
 - (4) Any supervisor within the employee's Chain of Command that does not endorse the request should provide a reason along with the request.
- b. The Division Captain will:
 - (1) Consider the supervisor's comments, in addition to the employee's job performance, current assignment and potential for career development. The form is to be signed with the decision noted in the section available.
 - (2) If denied the form is to be sent to the Training Bureau for filing and notification to the employee and the immediate supervisor.
 - (3) If recommending approval the Captain will check the schedule and make a staffing determine if manpower allows the employee to be re-assigned or must report for work before or after the school.
 - (4) The Division Captain will mark the scheduling assignment on the School Request form in the section provided.
 - (5) The Division Captain will forward the School Request form to the Administrative Division Commander for final approval.
- c. The Administrative Division Commander should consider the supervisor's comments, in addition to the employee's job performance, current

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

assignment and potential for career development. The form is to be signed with the decision noted in the section available.

- d. The Administrative Division Commander will then forward the school request to the Training Bureau Supervisor for processing.
 - e. The Training Bureau staff will:
 - (1) If the request was denied at any point along the Chain of Command, send the Denied School Request notification via the Email to the officer and their immediate supervisor.
 - (2) If approved confirm the school date(s), the availability of seats and register the officer.
 - (3) After confirmation is received (verbally or written) then send School Orders notifying the officer(s), immediate supervisor, Training and the Captains of the date(s), school name, location, time, required equipment. The School Orders are to clearly state if the officer is reassigned for the shift, reassigned during the shift, working and attending school during the same day, reassigned from another scheduled day of work or to receive Compensatory Time (Time Due).
 - f. When assigning officers for Mandated Training the Training Bureau staff will consult the Division Captains regarding scheduling and obtain their approval.
2. Officers may either be assigned to attend schools, or they may request to attend schools.
- a. Officers should only be assigned schools, or be approved to attend requested schools, which will assist them in their assigned duties.
 - b. Once an officer has been assigned or approved to attend a school, it is the officer's responsibility to attend the school.
 - c. Any officer assigned to a particular school or course will report at the starting time and remain in the course until it is completed. If an officer can not attend a course for any reason, including sickness, weather, etc., they will immediately notify the Tour Commander and request that the Training Officer be advised of the situation. If possible, the Training Bureau should notify the course instructor of the situation.
 - d. Officers failing to follow the above procedures may be subject to disciplinary action.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- e. Should a course be cancelled before the particular day, the Training Bureau will notify the officer and the approving Supervisor of the cancellation via E-mail or the telephone. If the course is cancelled on the actual day of training, the officer will immediately report for duty.
 - f. Officers attending full-day training will normally be reassigned from their normal tour of duty to the hours of training. If training is conducted during an officer's furlough day, then the officer will be given compensation time for the training time only, or the officer may be reassigned from his work schedule that week. If the training being conducted is for part of the day (i.e. 4-hour EMT) and occurs during an officer's off-duty time, then the officer will be given compensation time for the training time only.
 - g. All personnel will check in with the Tour Commander each day at the beginning of a scheduled course. If away at a training facility, all personnel will check in with the Tour Commander providing them with the dates of the course prior to leaving for the course.
 - h. All personnel will be entered in the daily blotter along the type of training being attended. This record is to be completed at the start of each training day.
- 3. If scheduled attendance is for mandated training only the Chief of Police or his designee can approve a cancellation request. If an officer wishes to be excused from the training, they must contact their Division Commander to get permission to be excused. If approved, the Division Commander will inturn notify the Training Officer of the cancellation.
 - 4. All personnel will adhere to all state and county academy guidelines.
 - 5. Upon completion of training, it will be the officer's responsibility to submit a copy of their course completion certificate into the Training Bureau. The Training Bureau may also require the officer to submit a copy of any course materials or handout for the Training Resource Library.
 - 6. Dress Code & Academy Regulations
 - a. All personnel will dress as follows:
 - (1) In-service personnel: Uniform of the day or shirt, tie and dress slacks. Jeans are prohibited unless specifically directed by the instructor.
 - (2) In-service personnel may, when the instructor approves and the course requires, dress accordingly.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- (3) Recruits will dress as specified by the academy.
 - (4) Non-sworn personnel will dress as specified by the training facility.
 - (5) Unless specifically directed, no employee should wear jeans, t-shirts, shorts while attending training.
7. Personnel shall follow all department rules and regulations of proper grooming while attending an academy or in-service training program.

III. CLASSROOM MANAGEMENT FOR DEPARTMENTAL TRAINING

- A. Whenever officers attend an in-service training course, they are under the command of the Training Bureau Instructor.
- B. The department should conduct all in-service training in the training classroom. Other specific facilities may be utilized as required for the specific course.
- C. The following are not permitted in the classroom during class:
 1. Smoking
 2. Newspapers and/or magazines
 3. Non-course reading materials
 4. Any other distracting devices that the instructor deems a nuisance.
- D. All personnel attending in-service training shall conduct themselves in an orderly fashion and afford the instructor their complete attention.
- E. Attendance records shall be kept by the instructor and forwarded to the Training Bureau upon completion of the course.
- F. Officers should be given a 10-minute break after every 50 minutes of lecture or as deemed necessary by the instructor.

IV. LESSON PLANS AND TESTING

- A. All courses must be approved by the Chief of Police.
 1. Master copies of lesson plans shall be kept on file for five (5) full years.
 2. Master copies of lesson plans may only be destroyed upon written approval from the Chief of Police.
 3. The lesson plan should contain the following:

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- a. a statement of performance and job related objectives
 - b. the content of the course
 - c. the delivery method
 - d. any tests if used
- B. No course should be authorized unless a detailed lesson plan is submitted to the Training Bureau. This requirement will not apply to section XIII of this policy.
- C. Lesson plans should be developed according to F.B.I., New Jersey State Police and New Jersey Police Training Commission Guidelines, manufacture's curriculum or other published sources.
1. Title Page
 2. Introduction
 3. Performance Objectives
 4. Explanation
 5. Summary
- D. Teaching techniques may be varied and should include the following:
1. Conference Methods
 2. Lecture Style
 3. Participation Practical
 4. Computer Based / Learning Management Systems
- E. Testing
1. If tests are used, each attendee's the scores will be recorded in the course file.

V. RECRUIT TRAINING

- A. Newly appointed police officers must attend a certified training academy.
1. They must successfully complete the required training course and be certified by the New Jersey Police Training Commission (PTC).

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

2. They must complete the agency's Recruit Orientation Training meeting the PTC's Agency Based Training Objectives.
3. Newly appointed officer are to receive initial training on the department's mission, policies and procedures. They will be issued their Fort Lee Borough Employee Manual and Fort Lee Police Department Rules & Regulations explaining the working conditions, regulations and rights.
 - (a) Newly appointed non-sworn personnel are to receive initial training on the department's mission, policies and procedures. Non-sworn personnel will be issued their Fort Lee Borough Employee Manual explaining the working contradictions, regulations and rights.
- B. No officer should assume the duties of a police officer (carry a weapon, exercise arrest powers) until they have successfully completed the mandatory recruit training academy.
- C. Officers attending the recruit-training academy must obey all academy rules and regulations.
- D. Officers attending the academy for the basic course will normally be provided with transportation designated as a recruit vehicle, unless vehicle shortages occur. The following procedures will be adhered to:
 1. The recruit vehicle keys will be obtained from the Tour Commander's desk at the beginning of each academy day and returned at the end of the day.
 2. Recruits will take turns ensuring that the vehicle is properly gassed and serviced.
 3. Should the vehicle breakdown, the recruit driving the vehicle will be responsible for notifying the Tour Commander immediately via the radio or a telephone. The recruit will follow the Tour Commander's directions.
 4. The vehicle is to be driven directly to and from the academy, with no detours allowed.
 5. Should the vehicle be damaged in any manner, the recruit driving the vehicle will immediately:
 - a) Make a complete report to the police agency having jurisdiction.
 - b) Make a complete report of the incident and submit it to the Chief of Police through the Training Bureau chain of command.
- E. Equipment necessary for attendance at the academy shall be obtained prior to the commencement of the training course. (See Equipment Policy v4c16).

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- F. Should any recruit become injured or sick, and cannot go to the academy, they will call the Tour Commander before the start of the school day and report the sickness / illness. The recruit must make any academy notifications. Should a member of a recruit's immediate family die, and the recruit is forced to miss school, they will notify the Training Bureau or if after hours, the Tour Commander. The recruit must make any academy notifications.
- G. Familiarization and understanding of the Borough of Fort Lee Police Departments Operational Manuals is mandatory for successful completion of the Field Training Officer (FTO) Program.
- H. On holidays or at any other time the academy is closed, the recruit will report for duty, in the academy uniform at 0800 hours. Should a recruit wish to take the day off as a holiday, they will submit a time off request form to the Training Bureau.
- I. Officers who have completed the academy shall not be assigned to regular patrol duties until they completed the Field Training Officers (FTOs) as specified in the Field Training Policy (v6c7).
- J. Officers are required to complete a working test period as specified in NJAC Title 11A:4-15a.

VI. MANDATORY & OPTIONAL IN-SERVICE TRAINING

A. Firearms Qualifications/Training

- 1. All officers will participate in Firearms Qualifications semi-annually as outlined in department policy. (Vol. 4 Ch. 2)

B. Use of Force

- 1. Classroom instruction on the use of non-lethal force and deadly force is required semi-annually in conjunction with their Firearms Qualifications.

C. CPR Initial / Refresher (American Heart Association / American Red Cross)

- 1. All EMT certified officers will be recertified according to AHA / ARC standards for healthcare providers level or equivalent every other year.
- 2. All EMT certified officers will attend an approved AHA /ARC refresher course.
- 3. Any police officer attending a CPR class will complete the course, as required by the AHA / ARC before receiving a CPR card. Defibrillator training should be included as part of their CPR training according to AHA / ARC standards.
- 4. All ESU officers should be certified in CPR.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

5. All Patrol officers should be certified in CPR.
6. Any other sworn personnel may be certified in CPR with the approval of their supervisor.

D. Vehicular Pursuit Policy

1. All officers will receive training semi-annually.
2. Supervisors should review the topic of Vehicular Pursuits during Roll Calls and Roll Call Training.
3. Officer should receive training in the proper use of agency-authorized “Tire Deflation Devices” as defined in the AG Pursuit Guideline prior to the deployment of authorized devices.

E. Domestic Violence

1. All officers will attend a four-hour refresher course every year N.J.S.A. 2C:25-20.

F. O. C. Pepper Spray

1. Officers are encouraged to voluntarily become trained in O.C. Pepper Spray.
2. Officers may become certified by completing an O.C. course during the Basic Police Officer Academy, or by attending an in-service course with departmental instructors or at a training facility.
3. OC certified officers will attend a refresher course biennially on the use, application and decontamination procedures of O. C. Pepper Spray (Vol. 4 Ch. 3).

G. Baton

1. Officers may become certified by completing the specific baton course (ASP, PR-24 etc.) during the Basic Police Officer Academy, or by attending an in-service course with departmental instructors or at a training facility.
2. All certified officers will be re-certified in the use of the department issued and / or authorized baton biennially. A certified instructor will conduct the rectification process in accordance with the manufacture’s training standards.

H. Blood Borne Pathogens

1. All officers identified by the Training Officer that have the potential to be exposed to hazardous materials during the course of their work will receive updated in-

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

service training for occupational exposure to blood borne pathogens annually (C.F.R. 1910.1030).

2. All non-sworn employees will receive updated in-service training for occupational exposure to blood borne pathogens annually (C.F.R. 1910, 1030).

I. Hazardous Materials

1. Police officers identified by the Training Officer that have the potential to be exposed to hazardous materials during the course of their work will receive updated in-service training at the Awareness Training Level annually (C.F.R. 1910,120(q) (6)).

J. Hazardous Communication Standard / Right to Know (HC / RTK)

1. Police officers identified by the Training Officer that have the potential to be exposed to hazardous substances during the course of their work will receive Biennially training in Right to Know. (N.J.A.C. 8:59-7.1(c) (C.F.R. 1910.1200).
2. HC/ RTK training may be conducted by certified Training Bureau instructor(s) or through Bergen Risk Management.

K. Alcotest & Re-certification / Driving While Intoxicated Enforcement

1. Police officer may submit a School Request Form for an Alcotest Operator's Course after completing a minimum of 1 year of service.
2. Police officers will be recertified to operate the Alcotest every third calendar year. The re-certification process will be administered by the New Jersey State Police during a one-day course as required by (N.J.A.C. 13:57-1.7).
3. A number of Patrol Officers should be provided with the NJSP DWI Detection Course to further develop the officer's skills in detecting those persons who are under the influence of alcohol or drugs.

L. Speed Measuring Devices: Radar & Re-certification

1. Police recruits should receive the classroom portion of the Radar training during their academy class. Additional training may be obtained during the Field Training Program.
2. Police officers that are not currently certified may be certified by department Radar instructors.
3. Police officers will be re-certified to operate the radar every three (3) years. The re-certification process will be administered by a New Jersey Div. of Criminal

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

Justice certified radar instructor, and shall comply with DCJ training requirements, which consists of a minimum of four (4) hours of instruction.

4. Officer may be certified for other speed measuring devices in compliance with standards set by NJ Div. of Criminal Justice or the equipment manufacturer.

M. Emergency Medical Technician

1. Any police officers may be, Patrol officers and ESU officers should be, certified as New Jersey Dept. of Health Emergency Medical Technicians every three (3) years. The re-certification shall be established by the NJ Dept. of Health.
2. Every certified EMT with a valid CPR card should receive defibrillator training as part of their CPR training.

N. C.J.I.S. (Criminal Justice Information System) Training

1. Biannually, detective, police officers, and dispatchers with CJIS responsibilities will be provided functional retesting and reaffirm their proficiency to assure compliance with C.J.I.S./NCIC Policies.

O. Occupational Safety Training

1. General Safety Handbook & Safety Manual.
 - a. Officers shall be issued a copy the department's Safety Handbook and receive basic Safety Training during their Recruit Orientation Program.
 - b. Non-Sworn Personnel shall be issued a copy the department's Safety Handbook and receive basic Safety Training during their Office Orientation Program
 - c. Existing officers and non-sworn personnel shall be issued a copy of the department's Safety Handbook and receive basic Safety Training during In-Service or Roll Call Training.
2. Fire Extinguisher Safety
 - a. Officers identified by the Training Officer that have the potential to use a fire extinguisher during the course of their work shall receive annual training in the general principles of fire extinguisher use and hazards involved in incipient-stage fire fighting (OSHA 1910.157(a)). Non-sworn personnel are not expected to fight fires.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

3. Fire Safety Employees
 - a. Employees shall receive training identifying general hazards of fires and prevention techniques during their initial orientation. (OSHA 1910.38, .39).
4. Work Zone Safety
 - a. Officers who are identified by the Training Officer that have the potential to direct traffic during the course of their work or while on a traffic detail shall complete a Work Zone Safety course during their initial training and then every three years thereafter. (OSHA 1926.201).
5. Hazard Communications
 - a. Employees identified by the Training Officer that have the potential to be exposed to hazardous substances during the course of their work based on job assignment shall complete the department's Haz-Com (Right to Know) training program during their initial orientation and then biennially thereafter. (OSHA 1910.1200).
6. Hazardous Material Awareness
 - a. Officers identified by the Training Officer that have the potential to respond to or be exposed to hazardous materials during the course of their work shall complete the Hazardous Materials Awareness course initially during their academy training and annually thereafter. (OSHA 1910.1209p)(7)). Patrol supervisors, patrol officers and detectives are identified by policy.
7. CBRNE Awareness
 - a. Officers identified by the Training Officer that have the potential to be exposed to chemical, biological, radiation, nuclear explosive material during the course of their work shall complete the CBRNE Awareness course initially during their academy training. ESU officers should receive refresher training every three years. Patrol supervisors & patrol officers, detectives may receive refresher training as needed.
8. Ladder Safety
 - a. Officers identified by the Training Officer that have the potential to use a ladder during the course of their work shall receive Ladder Safety Training (OSHA 1910.25, .26, .501). ESU officers are identified by policy and will complete Ladder Safety Training initially upon joining and every three years thereafter.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

9. Defensive Driving
 - a. Employees identified by the Training Officer that have the potential to drive a department vehicle during the course of their work shall complete a driver training program initially during their academy training or orientation and every three years thereafter. Driver training may include but not limited to NJ Safety Council Defensive Driver DDC-6/8, Coaching Emergency Vehicle Operations, Vehicle Operations Course or Driving Simulator Training.

10. Personal Protective Equipment
 - a. Officers identified by the Training Officer that have the potential to be exposed to hazardous situations during the course of their work shall complete training on the specific job task and the appropriate Personal Protective Equipment initially upon assignment to the job task and then every three years thereafter. (OSHA 1910 Subpart I and 1926 Subpart E)

11. Respiratory Protection
 - a. Officers identified by the Training Officer that have the potential to be exposed to respiratory hazards during the course of their work shall complete a Respiratory Protection Course initially during their orientation and then annually thereafter. (OSHA 1910.134(k)(5))

12. Managing Special Events
 - a. Supervisors or officers assigned the responsibility for managing or organizing special events within the community should complete a course on Managing Special Events upon being assigned.

13. Confines Space Entry
 - a. Officers identified by the Training Officer that have to, during the course of their work, routinely function in a confined space shall complete a Confined Space Entry Awareness Training prior to working in such an environment. (OSHA 1910.146)
 - b. Employees are not be required to enter or work in a confined space unless properly trained, equipped and authorized by a supervisor who ensures that the required paperwork / permits have been obtained.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

P. Ethics

1. Ethics training should be provided for both sworn and non-sworn personnel biennially through Roll Call Training which may include a review of applicable statutes and the Code of Ethics.

Q. Sworn Personnel 9-1-1 Telecommunication Operators and Call Taker

1. Communications Supervisor, if certified to work the telecommunications system will receive eight-hour in-service 9-1-1 training annually as required by (N.J.A.C. 13:18-2.2).

R. Arrest of Foreign Nationals

1. In support of the Arrest of Foreign Nationals SOP (v7c1-4), officers should received training on the rights of foreign nationals as explained in the US State Department's publication Counsular Notification and Access as part of their Academy Training. This topic may periodically be subject of a Roll Call Training when assigned by the Training Bureau Supervisor. A copy of the publication is to be kept behind the Tour Commander's Desk and another copy in the Training Bureau. Any officer or supervisor may review the publication when ever needed.

S. Profiling and Discriminatory Practices

1. In support of the Profiling and Discriminatory Practices SOP (v9c10) and as per AG Directive, all officers are required to receive training on bias based policing including the AG program on Racially Influenced Policing.
2. On an annual basis the Roll Call training should include profiling related training that should include field contacts, traffic stops, search issues, asset seizure and forfeiture, interview techniques, cultural diversity, discrimination, and community support.

T. Emotionally Disturber Persons / Mentally Ill

1. As per the PTC new officers are to receive training in the proper methods of deal with people believed to be menatllly ill or challenged during their basic academy training.
2. Officers are to receive training on identification, techinques and resources available every three years. This would include dealing with prisoners, alternatives to arrest and legal decisions. The topic may also be reviewed during the Use of Force and Roll Call training.
3. Non-sworn personnel are to receive training on identification, techinques and resources available every three years.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

U. Incident Command System / All Hazards Plan

1. All officers shall receive annual training on the department's All Hazard Plan including the Incident Command System.
2. As required by law all Police Officers shall completed NIMS 700 and ICS 100 & 200.
3. Sergeants, Lieutants, Captains, Inspectors and Deputy Chiefs shall complete NIMS 700, ICS 100 / 200 / 300.
4. The Chief of Police, as the department head, shall complete NIMS 700, ICS 100 / 200 / 300 / 400.
5. Officers and non-sworn personnel who have been assigned Emergency Operations Center responsibilities shall complete NRP 800 (National Response Plan).

VII. LEGAL IN-SERVICE TRAINING

A. Arrest, Search and Seizure

1. All officers should attend an eight-hour refresher course once every three (3) years.
2. All officers shall be advised when the New Jersey Law Enforcement Handbooks Volume 1 & 2 are received annually. Each officer should receive a listing of the new case-law decisions in addition to the notifications and or publications received by the department.

B. Criminal Law

1. All officers shall receive at least one-hour of training annually during Roll Call Training no later than June of each year or when new New Jersey 2C / 2A and Title 39 books are received. Each officer shall receive a listing of all new, edited and deleted statutes. Each officer should receive case-law decisions regarding statutes as the department receives notifications and or publications.

VIII. TELECOMMUNICATIONS TRAINEE & OPERATOR TRAINING

A. Newly Appointed Telecommunications Operators

1. Telecommunications Trainees are required to be certified by completing a 40-hour Basic Tele-Communicator Course, Emergency Medical Dispatch and completing a CPR course before being allowed to answer the 9-1-1 system and completing the working test period as established by Title 11A. They may answer non-emergency phone lines and perform other Communication Center functions.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

2. Telecommunications Trainees and newly hired Telecommunications Operators shall be initially trained on the communications desk by telecommunications operators as assigned by the Communications Supervisor.
3. Telecommunications Trainees and newly hired Telecommunications Operators should be evaluated during the working test period by the Communications Supervisor after receiving written recommendation that they are capable of performing the job functions.
4. All newly appointed Telecommunications Trainees and Operators will be trained by the TAC Officers on the use of the C.J.I.S. Computer and will be certified and assigned a password prior to assuming communications responsibilities.
5. All newly appointed Telecommunications Trainee & Operators will be assigned a "Log On" I.D. for the use of the 9-1-1 system prior to assuming communications responsibilities.

B. 9-1-1 Refresher course - C.J.I.S. Terminal Operator Refresher

1. All telecommunications operators shall attend an eight-hour refresher course every year on the use of the 9-1-1 System. (N.J.A.C. 13:18-1.1).
2. Biannual training will be provided to telecommunications operators with functional retesting, and reaffirm the proficiency of terminal operators to assure compliance with C.J.I.S./NCIC policies. This training will be conducted by a certified instructor or the TAC Officer.

IX. OTHER IN-SERVICE TRAINING

A. Supervisory Training

1. Officers that are promoted to the rank of Sergeant shall attend an in-house Supervision Orientation Course as soon as possible, but not later than 2 months, of obtaining the rank of Sergeant.
 - a. Newly promoted sergeants should work with another supervisor on the shift until they have completed the Supervisor Orientation Course.
2. Newly promoted sergeants should also attend an additional Supervision Course by an outside instructor during the first year that they hold the rank of Sergeant.
3. Newly promoted command personnel (Lieutenant & above) should within a year attend a command level course such as but not limited to West Point Command & Leadership, Certified Public Manager, Penn State POSIT, Penn State POLEX or

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

other similar training; and should receive training in their new position from their predecessor or supervisor previously holding that position or rank.

4. A newly promoted Chief should attend the New Chief Orientation provided by the New Jersey State Association of Chief's of Police.
5. Newly promoted supervisors and commanders should be mentored on their new duties and functions by at least an equal if not higher ranking supervisor, approved by the Chief.
6. During the Supervisor Orientation Training, supervisors are to receive awareness training and information on the Borough's Employee Assistance Program (EAP) and other referral services available to employees. The training is to assist them in the identification and resolution of concerns or problems (personal or job related), which may adversely affect an employee's personal or professional well-being or job performance.
7. Every three years Desk Supervisors are to receive Cell Block Management training in the proper method of monitoring prisoners within the holding cells in HQ. The training will include a review of the Dept. of Corrections Cell Block Management presentation and the department's Holding Cell SOP. Specific attention will be given to emergency operations in the event of an emergency (fire, fire suppression) within the building that would require the relocation of prisoner(s). The training will include a review of the proper physical restraint techniques to ensure the safety and security of personnel and the detainee(s).
8. Supervisors shall receive training on the proper method of completing the department's evaluation process.

B. Emergency Services Unit (ESU) SOP v5c14

1. All newly assigned ESU members will attend a basic Tactical Officer training course as soon as practical based on scheduling.
2. All newly assigned ESU members should attend monthly ESU drills unless excused by the ESU Commander or Team Leader.
3. All ESU members are required to meet the attendance requirement as established by the ESU Commander.
4. The attendance and training activities for each monthly drill will be documented by the completion of the ESU Drill Report by the ESU Commander or Team Leader. The ESU Commander will maintain a file containing each completed ESU Drill Report. The Tour Commander will be called from the drill and informed of the officers attending the drill so their names are entered into the blotter.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

5. All weapons qualification scores will be documented in writing and turned over to the Rangemaster by the firearms instructor.
 6. The purpose of the Monthly ESU drill is to ensure that tactical team members have ample opportunity to practice their special skills and develop their abilities to function effectively as a team.
 7. Operational simulations should be included in the monthly ESU drills to ensure the team's state of readiness.
- C. Traffic / Accident Investigation Unit (AIU) Training
1. Officers assigned to the AIU should complete courses on the following training topics:
 - a. Crash Investigation I
 - b. Crash Investigation II
 - c. Vehicle Dynamics
 - d. Traffic Accident Reconstruction
 - e. Pedestrian / Bicycle Crash Investigation
 - f. Motorcycle Crash Investigation
 - g. Commercial Vehicle Investigation
 2. Officers assigned to the AIU may complete courses on the following training topics:
 - a. Interview & Interrogation
 - b. Scene Mapping (using Laser Devices)
 - c. Computerized Collision Diagramming
 - d. Various Technical Programs on Vehicle Data Collection
 - e. Vehicle Dynamics
 3. AIU officers should periodically attend training sessions, meetings and conferences of the NJ Association of Accident Reconstructionists. Information should be shared with other AIU officers.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

4. Motorcycle Unit
 - a. Officers must complete a Motorcycle Operator's Course before being allowed to operate a police motorcycle.
 - b. Motor Officers should complete the recertification process as specified by the certifying agency.
 5. Traffic Officer Specialized Training
 - a. Traffic Engineering for Police Officers
 - b. Radar Instructor
- D. Detective Bureau
1. Detectives should complete the following training topics:
 - a. Interview & Interrogation
 - b. Electronic CDR (complaint) System
 - c. Search Warrant Preparation
 - d. Specialized Investigation Courses
 - (1) Narcotics
 - (2) Juvenile
 - (3) Arson Investigation
- E. Evidence Collection / Crime Scene Preservation & Processing
1. Officers, if authorized, Detectives and Supervisors should receive training in the proper method to operate department digital and video camera equipment before using them. The training should describe the techniques used to document a particular type of scene, the information to be collected at the scene, the procedures to store the collected images as potential evidence.
 2. During Roll Call and other training officer should review the proper methods of crime scene preservation.
 3. Officers should receive training in the proper methods to collect basic evidence from a crime scene that is not going to be processed by a trained Crime Scene Detective.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

4. Detectives, Supervisors and Officers, if authorized, should receive specific training in the proper method to document, preserve and collect evidence, including fingerprints, DNA or blood splatters, from a crime scene before using department evidence collection equipment. The training should include the proper method of collecting, storing and transporting DNA evidence for analysis submission.
5. Officers, if authorized, should be trained in the proper methods of seizing computer equipment and other data storage devices before collecting them as evidence. If needed technical assistance may be obtained from the Prosecutor's Office Computer Crime Task Force.
6. The training may include a review of applicable statutory and case law.

X. POLICE MATRON TRAINING

- A. Newly hired matrons will attend a Cell Block Management course to supervise detainees as required by 10A:34-2.15. Retraining will be provided every three years.
- B. Matrons should attend and complete a CPR course.
- C. Matrons shall be issued current copies of the following department policies:
 1. Holding Cell Facilities Vol. 7 Ch. 8
 2. Prisoner Restraint Chair Vol. 7 Ch. 8-2
 3. Prisoner Transportation Vol. 7 Ch. 9
 4. Strip Search Vol. 7 Ch. 21

XI. SCHOOL CROSSING GUARD CERTIFICATION

- A. Before a school crossing guard is assigned to work, all school crossing guards must attend the mandated three-hour Basic Training Course provided by the Traffic Bureau Guard Liaison or at a police academy.
- B. Passing an initial eye and hearing tests will be part of the annual employment process. The tests will be conducted by the Board of Health.
 1. If there is a question regarding a guard's ability to perform the job function then the guard may be required to have a physical and provide a medical note indicating that they are physically able to perform the job function as specified by the department.

XII. ROLL CALL TRAINING

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- A. Roll Call Training will be conducted during normal shift hours.
- B. The squad supervisor will explain all new policies and orders issued by the Chief of Police, orders issued by supervisors within their chain of command and any other items assigned to them by the Training Bureau.
- C. The squad supervisors may, if deemed it necessary, may request their supervisor or the Division Commander to further explain policy, procedure and special orders.
- D. Lecture and conference training methods should be used whenever possible.
- E. During Roll Call Training, supervisors should utilize officers who have recently completed academy in-service training to make a brief presentation.
- F. In support of the Arrest of Foreign Nationals SOP v7c1-4, officers should receive training on the rights of foreign nationals as explained in the US State Department's publication Consular Notification and Access as part of their Academy Training. This topic may periodically be subject of a Roll Call Training when assigned by the Training Bureau Supervisor. A copy of the publication is to be kept behind the Tour Commander's Desk and another copy in the Training Bureau. Any officer or supervisor may review the publication when ever needed.

XIII. SPECIALIZED TRAINING

- A. Positions that require specialized training:
 - 1. K-9 (Canine) Teams
 - a. As per the K9 SOP (v5c9) and AG K-9 Training Guidelines, all K9 (Canine) Teams must successfully complete an approved K-9 program before being placed in-service.
 - b. K-9 Teams / K-9 Specialty Teams must complete In-service and Evaluation as specified by the AG's Office and the Bergen County Prosecuotr's Office with qualified instructors in order to ensure continued effective performance.
 - c. As per the Evidence (v7c11) & K9 SOPs, Controlled Dangerous Substances may be used during K9 training with the approval of a supervisor as designated by the Chief of Police.
 - 2. Academy / Department Instructor

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- a. As per the PTC requirements an instructor must have completed a Method of Instruction Course before teaching at an academy's Basic Police Officer course.
 - b. The Training Bureau Supervisor must complete a Method of Instruction Course.
 - c. An instructor may teach during an academy or agency in-service training if they have attended an instructor course or have developed extensive knowledge in the topic area being taught.
 - d. It is preferred that In-service Instructors complete a Method of Instruction Course.
3. Firearms Instructor, Armorer and Range Master
- a. Firearms instructors must meet the training requirements as specified in the AG Firearms Guideline.
 - b. Armorer should attend armorer courses for the weapons (handguns, shotguns, rifles, sub-machineguns) commonly used by officers and the various units within the department.
 - c. The Range Master must meet the qualifications and training requirements as specified in the AG Firearms Guideline.
 - d. A Firearms Instructor should meet the requirements of a First Aider as specified in the AG Firearms Guideline.
4. Crime Prevention
- a. Crime Prevention Officers should complete a Crime Prevention Officer Course (i.e. North Jersey Crime Prevention Association or equivalent) before performing crime prevention surveys or functions.
5. School Resource Officer
- a. Officers shall complete an approved School Resource Officer training program before being assigned to a school as an SRO.
6. Field Training Officers
- a. Field Training Officers should receive training on the function and responsibilities of an FTO.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

7. Background Investigation Unit
 - a. As per the Background Investigation SOP v1c8, investigators are to be trained when they join the Background Investigation Unit. The BIU Supervisor should provide the BIU investigators with training on recent DOP and employment law decisions including current topics in Human Resources.
 - b. Background Investigators should receive training that provide knowledge in personnel matters, especially equal employment opportunity.
8. Specialized Vehicle Operator
 - a. Officers should only operate specialized vehicles after receiving training in operating the particular vehicle including but not limited to ESU vehicles, motorcycles, bicycles and possessing any required license.

XIV. REMEDIAL TRAINING

- A. Remedial training is directed at solving a particular problem or improving the performance of an employee in a particular area within a given time period and with expected results and/or standards of improved performance.
- B. Criteria used to determine the need for remedial training would be gained from the employee counseling sessions, evaluation reports or in the case of new recruits, from the FTO/Supervisor's Evaluations.
- C. Supervisors, when counseling employees in reference to sub-standard performance should confer with the Training Officer about the possibility of including remedial training in the area of poor performance only if training is required.
- D. The remedial training should be conducted within a three (3) week period.
- E. Remedial training assignments, just as all other training assignments, are a duty assignment.
- F. The remedial training process within a specific training program (i.e. CPR) shall be followed.

XVI. WRITTEN DIRECTIVE SYSTEM INSTRUCTION AND TRAINING

- A. Chief of Police Responsibilities:
 1. The Chief of Police will insure that all areas of this section are carried out and proper recording and filing is maintained to provide accountability in meeting compliance.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

- B. Division Commander Responsibilities:
 - 1. Division Commanders will be required to coordinate all areas of this section with the Training Officer and all personnel under their command.

- C. Accreditation / Policy Unit Responsibilities:
 - 1. The Accreditation / Policy Unit, as part of the Administrative Division Training Bureau / Special Projects Unit will oversee and coordinate all instruction / training as it pertains to the Borough of Fort Lee Police Department Written Directive System. The Accreditation / Policy Unit will be responsible for the following functions:
 - a. Institute a proper filing system that will maintain records submitted affecting all instruction/training of personnel within the Borough of Fort Lee Police Department. This system shall include:
 - (1) A master file of all instruction/training as it pertains to the Borough of Fort Lee Police Department written directive system.
 - (2) A separate file for each officer serving in the Borough of Fort Lee Police Department.
 - (3) A general file that will include information that may question a specific policy.
 - b. Schedule in-service training classes covering all Borough of Fort Lee Police Department Policies and Procedures on a continuous basis. The scheduling will insure that all mandatory training is accomplished within the specified time frame and all other as needed.
 - c. Will insure that an Instruction/Training Certification Form is completed and filed for each policy and each officer.
 - d. Will insure that all officers receive Policy and Procedure training and each officer signs the appropriate Instruction/Training Certification Form for filing.
 - e. Will receive any questions, conflicts, or other problems with any particular policy from Bureau or Unit Supervisors and bring the issue to the attention of the Chief of Police. Any questions, conflicts, or other problems with any particular policy will be handled through the Chain of Command.
 - f. Will manually update the following Policy and Procedure volumes:
 - 1. Training Bureau

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

2. Tour Commander's Desk
- g. Will disseminate updated Policy and Procedures to the following:
 1. Office of the Chief of Police (original)
 2. Administrative Division Commander's Office
 3. Operations Division Commander's Office
 4. Lieutenant's / Shift Supervisor's Office
 5. Internal Affairs Unit
 6. Detective Division Commander's Office
 7. Traffic Bureau
- h. Provide the Computer Unit with a computer file copy of the new or updated Policy and Procedure.
- i. Provide the Chief of Police with an annual report on all Written Directive System Instruction/Training for each specific year.

D. Supervisor Responsibilities:

1. Supervisors are accountable for providing proper guidance and instruction to all personnel under their direct command pertaining to the Borough of Fort Lee Police Department's Written Directive System. Each supervisor will also be accountable for requiring all subordinates to meet full compliance to the Borough of Fort Lee Police Department's Rules, Regulations, Policies and Procedures.
2. The supervisors should seek the assistance of their supervisor or the Training Bureau when they are unable to justify or clarify any particular rule or policy to one of their subordinates.
3. As part of their normal responsibilities, Supervisor are to monitor officers for compliance with and training needs regarding the Written Directive System.

E. Officer Responsibilities:

1. All officers of the Borough of Fort Lee Police Department are required to make themselves fully aware of the department's Operations Manuals and will indicate their understanding of the contents by signing the required forms. Any question or concern an officer may have pertaining to any specific rule or policy will be directed to their immediate supervisor for further clarification.

**ADMINISTRATION
TRAINING
VOL. I, CH. 18**

2. Each officer will be required to meet full compliance to all department Rules, Policies, Special Orders, Personnel Orders and Operations Orders.
3. Each officer shall obey the orders and directions of their immediate supervisor and attempt to resolve any problems or differences at that level of the chain of command. If any officer feels their immediate supervisor is not providing them with proper orders or direction, or if the supervisor fails to comply with department rules or policies, the officer should request of that supervisor to seek assistance at the next level of the chain of command. This should be done in writing by the officer, with the supervisor indicating his/her awareness of the officer's request. If the officer feels their concern or complaint is not being addressed or corrected at each level of the chain of command, they may bring it to the attention of the Chief of Police.

F. Computer Unit Responsibilities

1. The Computer Unit is responsible for developing and maintaining the computer system that allows officers to gain access to the current Policy and Procedures.
2. If possible the computer system should be updated the day the new policy is issued. This would assist officers during the roll call training process. The computer system shall be updated within ten (10) days of the policy being issued by the Chief of Police.

G. Accreditation Process

1. The Accreditation Manager and the Assistant Accreditation Manager shall receive training on the accreditation process within one year of being assigned.
2. Officers assigned to the accreditation process should attend the annual NJ Public Safety Advisory Council Accreditation Conference.
3. Employees shall receive information regarding the goals, objective and benefits from the Chief of Police, the Accreditation Manager, and the Assistant Accreditation Manager regarding the accreditation process throughout the process. Information should be provided during the self-assessment phase and prior to the on-site assesment. Information may be provided verbally, via email, and written form.

**ORGANIZATION
CIVILIAN ASSISTANT RESPONSIBILITIES
VOL. II, CH. 10**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-06-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
VOLUME TITLE: ORGANIZATION	# PAGES: 2					CHAPTER 10
ACCREDITATION STANDARD(S):	REFERENCE: V2C10					
SUBJECT: CIVILIAN ASSISTANT ASSIGNMENT & RESPONSIBILITIES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish a clear guide for civilian employees acting in the position as a Civilian Assistant to the department.

POLICY:

The position of Civilian Assistant is designed to provide the Chief of Police, Division Commanders, Divisions, Bureaus, Units or staff with personnel that can be utilized as specific needs occur.

The position of Civilian Assistant will include full-time, part-time employees, volunteers, and student interns completing a portion of the schooling.

The procedures set forth in this policy should be followed in assigning civilian assistants to particular tasks.

PROCEDURE:

- I. Approval

**ORGANIZATION
CIVILIAN ASSISTANT RESPONSIBILITIES
VOL. II, CH. 10**

- A. The Chief of Police must authorize a person to become a Civilian Assistant to the department.
 - B. If the Civilian Assistant is being hired as a consultant or specialist the borough's hiring process is to be followed.
- II. Assignment
- A. The Civilian Assistant should be assigned to a specific supervisor.
 - B. The Civilian Assistant should be advised by the supervisor of their responsibilities, authority and limitations.
- III. The general responsibilities are as follows:
- A. Provide technical or analytical assistance in the following areas:
 - 1. Emergency Management
 - 2. Vehicle Maintenance
 - 3. Property Inventory Tracking
 - 4. Budget Analysis and Tracking
 - 5. Traffic Accident Analysis
 - 6. Any area as authorized through the Chief's Office
 - B. Will provide assistance with general activities as approved by the Chief of Police and within the guidelines of their position.
 - C. Provide specific assistance relating to a project.
 - D. Conduct themselves in a professional manner at all times.
 - E. Maintain confidentiality of all department business and records.

**ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-23-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 13					CHAPTER 12
ACCREDITATION STANDARD(S):	REFERENCE: V#I C#12					
SUBJECT: AWARDS AND RECOGNITION PROGRAMS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To assure that members of the Fort Lee Police Department are fairly rewarded for actions above and beyond the normal call of duty.

To recognize civilians and other Borough employees for meritorious acts.

POLICY:

The Merit Board will review any act of uncommon Police service performed by personnel of the Fort Lee Police Department, based upon investigation of the merits of the particular act, and recommend the category and type of award deemed justifiable.

The Police Department will recognize through awards, acts of Valor Service and achievement accomplished by members of the Fort Lee Police Department.

The Merit Board will also review meritorious acts performed by civilians and other Borough Employees, for possible recognition.

PROCEDURE:

I AWARDS

A. The Awards Program will consist of the following:

ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12

1. Department Medal of Honor
2. Distinguished Valor Award
3. Commendation for Valor Award
5. Meritorious Valor Award
6. Unit Citation for Valor
7. Distinguished Service Award
8. Commendation for Service Award
9. Meritorious Service Award
10. Unit Citation for Service
11. Life Saving Award
12. Combat Award
13. Wounded In Combat Award
14. Injured In Combat Award
15. Honorable Service Award
16. Educational Achievement Award
 - a. Associate Degree
 - b. Bachelor's Degree
 - c. Emergency Medical Technician.
17. War Veteran Award
 - a. Korean War
 - b. Vietnam War
 - c. Expeditionary Service
18. Special Olympic Service (Issued by Special Olympics).
19. Special Achievement Award
20. Civilian Service Award

**ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12**

B. Issuance of Awards

1. An officer must be recommended for an award by anyone of the following people:
 - a. A member of the police department who witnessed, or has knowledge of the officer's performance.
 - b. Any private citizen that witnessed the officer's performance.
 - c. Officer involved
2. Whenever an officer is recommended for an award, the Officer Award Recognition Application must be completed and submitted to the Chief of Police. A summary report with case number, should be submitted with the applications (See attachment A)
3. Upon receipt of the application, the Chief of Police will ask the Merit Board to review the application and forward their recommendations to the Chief of Police for review. The Chief of Police will have the final decision on all awards.
4. All award applications that have been approved, and a medal issued, will become part of the officer's personnel file.

II AWARD COMMITTEE

C. Merit Board

1. The Merit Board will consist of eleven members, of which, four will be alternates and have the same rights and authority of the other seven.

Six of the members will be selected by the Chief of Police, with approval of the Executive Board of the P.B.A. local, the other five will be selected by the P.B.A. local, with approval by the Chief of Police.

The term for Merit Board members will be for a two-year period, on a schedule set up by the Board. Rank will not be a primary consideration.

Members will possess the following qualifications:

- a. All members will have a minimum of three years of active service.
 - b. The Secretary will so note and notify the Chief of Police of all persons attending meetings, and of time spent, for compensation of off duty time in time due (at time and a half).
2. The Chief of Police will select the Merit Board Presiding Officer.

**ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12**

- a. Presiding Officer will be responsible for the proper running of the Board,
 - b. He will call all meetings,
 - c. Act as liaison with other officials,
 - d. Delegate the investigation of all nominations to the Merit Board
3. The Presiding Officer will select a Secretary.
- a. The Secretary will act in the Presiding Officer capacity when the Presiding Officer is absent,
 - b. He will also be responsible for handling all official correspondence, including the receiving and processing of all nominations for awards,
 - c. He will keep minutes of all meetings,
 - d. He will serve at the discretion of the Presiding Officer,
 - e. He will also forward a list of recommendations for awards to the Bergen County Chiefs of Police Association Award Program whenever advised to do so, by the convening Merit Board
4. Award applications will be reviewed when a meeting is held by the committee and submitted to the Chief of Police for final approval. After final approval has been granted by the Chief of Police, a list will be posted containing the names of those officers or civilians that have received a Department Award.
5. All committee recommendations must be based upon documented facts that can be substantiated.

III CRITERIA FOR AWARD

D. Award Criteria

1. **Department Medal of Honor**

- a. The recipient shall receive a Medal and Citation bar (police). The recipient will also receive a matching framed certificate.
- b. The department's Medal of Honor is the highest single Honor the department can bestow. Hence it will be reserved for those extraordinary acts of Heroism involving the greatest degree of danger, at the greatest risk.

**ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12**

2. Department Combat Award

- a. The recipient shall receive a Citation Bar (police). The recipient will also receive a matching certificate.
- b. A department's Combat Award may be awarded to any member for the successful performance of an act of extraordinary heroism while engaged in personal combat with an adversary at imminent personal hazard of life in the performance of duty.

3. Wounded in Combat

- a. The recipient shall receive a Citation Bar and a certificate.
- b. A department's Wounded in Combat may be awarded for a wound received in the line of duty, inflicted intentionally by an adversary, resulting in severe puncture wounds, lacerations, fractures, or concussion being suffered by the nominee.

4. Life Saving Medal

- a. The recipient shall be awarded a Citation Bar, and a certificate.
- b. The Life Saving Award may be awarded to any member of the force whose prompt and alert action, through disregard of personal safety, results in saving a life.

5. VALOR AWARD

- a. The recipient shall be awarded the Valor Award, Citation Bar and certificate.
- b. Given in incidents where the officer knowingly put his life in jeopardy to defend or save himself, to protect others or to make an arrest.
- c. The following will be considered when determining which of the Valor Awards are to be given:
 - (1) The amount of danger involved
 - (2) The alternatives open to the officer
 - (3) The complete circumstances of the incident
 - (4) Did the officer knowingly put himself in jeopardy.
 - (5) Did the circumstances warrant the action taken.

**ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12**

- d. Unit Citation for Valor will be given same consideration, with the addition of :
 - (1) When two or more officers who shared equally in contributing to the incident, but did not meet criteria for individual awards.
- e. The Merit Board will vote on the different types of Awards utilizing a point system delineated in V,(C), (1).

6. SERVICE AWARD

- a. Service Awards will be recommended for exceptional police work, which in essence, did not involve a degree of danger.
- b. Awards will be voted on utilizing the point system, which is delineated in V,(C),(1).

7. LETTER OF APPRECIATION:

- a. Letter of Appreciation will be given when the Merit Board wishes to recognize an officer's actions, but cannot justify awarding a higher degree of award.
- b. The accumulation of five letters will entitle the officer to a Meritorious Service Award.

8. AWARDS ISSUED BY OTHER AGENCIES:

- a. Awards issued by other agencies to members of this Department in the area of Valor or Service, may be worn in addition to those issued by the Merit Board, with approval of the Chief of Police.
 - (1) Requests should be in writing and copy of request should be sent to the Merit Board.

9. HONORABLE SERVICE AWARD

- a. The Honorable Service Award will be given for continued good Police Service over a period of five, ten, fifteen, twenty, twenty-five and thirty years.
- b. The Board will record each officer's initial service date. It will be up to the individual officer to properly make out a request form for an Honorable Service award. He will submit this to the Board Secretary.
- c. The Board will make no effort to investigate the issuing of this award unless the officer takes the initiative to request it.

**ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12**

- d. Merit Board will use the Point System in place for issuing this award.

7. Special Achievement Award

- a. This Award will be given to an officer who has made an especially valuable contribution to the running or improvement of the Police Department.
- b. Nominations will come from the Chief of Police, Deputy Chief or a Captain.

9. Military Service Citations

- a. A Citation Award and Bar will be awarded to any member of the department that served honorably in the Armed Forces during :
 - (1) Korean War,
 - (2) The Vietnam Conflict,
 - (3) Desert Storm and Bosnia (Expeditionary Service Award)
- b. Officer will provide DD214 paperwork with request for these awards.

10. Educational Achievement Award

- a. The Educational Achievement Award will be issued to an officer who has received an Associates degree in Police Science from an accredited college.
- b. The Educational Award with Star will be given to an officer who has received a Bachelors degree in a field directly relating to Police Science.

11. Civilian Service Awards

- a. Two types of Civilian Service Awards will be available.
 - (1) The Police Appreciation Award, which may be given for: Valor, Assistance or Service.
 - (2) The Police Department Certificate of Appreciation, which will be distinguished from award issued to regular members of the Police Department.
- b. At the discretion, of the Chief a department plaque may also be awarded.

**ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12**

12. EMERGENCY MEDICAL TECHNICIAN:

- a. Citation to be worn by Officers completing training and certifying as an E.M.T.

13. RETIREMENT AWARD:

- a. Expresses appreciation for the many years spent in the field of public service, devoting high quality of work, intensity of interest and spirit of dedication.
- b. The Police Liaison along with the Fort Lee Police Department, expresses in some small measure its deep appreciation by presenting a retirement award.
- c. The Chief of Police will upon receiving a list of retirees, will verify it and forward copies to the Police Liaison to the Borough Governing body.
- d. The Chief of Police or his designee will order and have the retirement shield available for presentation, at least one week prior to the announced retirement date of the member of the department.
- e. The Police Chief or his designee will present the award on the retiree's last day of work.
- f. Retirement Award will be awarded to the recipient officer for;
 - (1) Twenty-five or more years of credited service.
 - (2) Accidental disability retirement- the injury must be job incurred and had happened during the performance of Police duties.
 - (3) Ordinary disability retirement- the officer must have fifteen years or more of service.

IV MEDAL DISTINCTION

- | | | |
|----|------------------------|------------------------|
| 1. | Medal of Honor | Green with 12 Stars |
| 2. | Distinguished Valor | Green with single Star |
| 3. | Commendation for Valor | Green |
| 4. | Meritorious Valor | Green / White / Green |

**ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12**

5.	Unit Citation for Valor	Grey with 3 Green Stripes (2 outside & 1 center)
6.	Distinguished Service	Blue with single Star
7.	Commendation for Service	Blue
8.	Meritorious Service	Blue / White / Blue
9.	Unit Citation for Service	Grey with 3 Blue Stripes (2 outside & 1 center)
10.	Life Saving	Red / White
11.	Combat Award	Red / White with 1 White Stripe on each side
12.	Wounded in Combat	Red with 4 White Stripes
13.	Injured in Combat	Red / White / Red
14.	Honorable Service	Yellow / Green/ White / Blue
15.	Educational Achievement Associates Degree Bachelors Degree	Green / White / Blue Green / White / Blue with single Star
16.	War Veterans Korean War Vietnam Conflict Expeditionary Service	Blue / Yellow with Green & Black Stripes Yellow / White with White and Blue Stripes Blue / White with Red, White, Blue Stripes in Center and Green, Red, Yellow and Black on Each side.
17.	E.M.T.	Red / White with Gold Cadusis
18.	Special Olympic Service	Blue / Yellow with Torch
19.	Special Achievement	Green / White / Blue with Single Star
20.	Civilian Service	Green with Horizontal White Stripe
21.	Retirement Award	Shield Award: A duplicate of shield carried by the retiring officer on the day of retirement, with the word RETIRED written across the face of the shield.

V MERIT BOARD MEETINGS

- A. Meetings will be convened punctually, on a date, time and place specified by the Presiding Officer.

**ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12**

1. To conduct any official business, at least five members must be in attendance.
2. The meetings will be open to the Chief of Police, his designate, and the Police Liaison.
 - a. These officials may comment, but will have no direct vote in the awards decision;
 - (1) except in the special case of the Chief's vote
- B. The Merit Board will first review the summary report.
 1. If any member prior to the meeting requests that witnesses be called, the secretary will make arrangements to have such voluntary witnesses present to testify.
- C. After review and discussion, the members of the Board will each vote as to the type of award they feel should be issued.
 1. If in the category of Valor or Service, the point system will be used.
 - a. If five members are present, each will cast from one to five points for the nomination, depending on how high a rating the member gives the individual act, for a Valor Award.
 - b. In the case of Service Awards, members will cast from one to three Votes in favor of the nomination.
 2. All five members votes will be added up, the a total will determine a degree of award which will be recommended.
 - a. If seven members are present, all seven will cast votes.
 - b. In this case the single highest and single lowest vote total will be eliminated and the other five totaled.
 3. After all tabulation is concluded, each member will have the opportunity to comment, and before the final recommendation is made, may change their vote.
 4. Based upon the number of points, a recommendation will be made as to the award to be given, based on the rating sheet of awards.
 - a. If an even number are present, the Presiding Officer will cast a deciding ballot, and may enter any discussion.
 5. The recommendation will be forwarded to the Chief of Police by the Secretary, for his approval.

**ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12**

6. The Chief will review the recommendation.
 - a. In the case of Valor Awards, he may at his discretion cast one extra vote to the total number; thus it is possible for the Chief to elevate the award, but only if the point total is within one, of a higher award.
- D. Achievement Awards will be decided by verification of achievement, by members of the Board.
- E. At the end of each meeting, each member will be assigned several applications for investigation. Discussion on each application will take place at the next meeting.

VI CONTESTED AWARDS:

- A. As soon as the Merit Board reaches a decision, it will notify the officer in private of their recommendations.
- B. The officer may contest the recommendation within five days, by submitting his intention and reasons in writing to the Merit Board Secretary.
- C. If the officer does contest the recommendation and submits his intention, the Secretary will notify the Chief of Police.
- D. The Chief will then convene a meeting if the Board Presiding Officer and a representation from the Board Grievance Committee (Chosen by Presiding Officer).
 - a. They will review the Merit Boards decision, and makes its own recommendation to the Chief of Police.
- E. The Chief will be the ultimate authority on the matter.
- F. The entire procedure will be completely documented by the Secretary of the Merit Board.

VII AWARDS CEREMONIES:

- A. Department Awards will be given at appropriate times, usually every three months.
 - a. Under special circumstances, the award may be given at a special ceremony or occasion.
- B. The decision on when the awards are to be given will be left up to the Board Presiding Officer, the Chief of Police and the P.B.A. President.
- C. Posting of awards will be done as soon as the Chief of Police gives final approval.
 - a. Posting will be the duty of the Secretary or the Presiding Officer.

**ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12**

VIII CITATION BARS:

- A. A Citation Bar may be worn on the Police Uniform to indicate that the wearer is a recipient of an Award..
 - a. A bronze oak leaf cluster will be affixed to the citation bar when three awards of the same type have been received.
 - b. When the fifth award of the same type is awarded, the bar will have a silver oak leaf cluster attached.

- B. Citation bar supply requested for inventory:
 - 20 Meritorious Valor
 - 20 Meritorious Service
 - 5 Commendation for Valor
 - 5 Commendation for Service
 - 5 Medal of Honor
 - 5 Distinguished service Medal for Valor
 - 5 Distinguished Service Medal for Service
 - 10 Educational Achievement Associates Degree
 - 10 Educational Achievement Bachelors Degree
 - 20 Honorable Service with 10 each of inserts for 5-10-15-20-25 & 5 for 30 years
 - 5 Special Achievement
 - 5 Wounded in Combat
 - 10 Bronze Clusters
 - 10 Silver Clusters
 - 20 Unit Citation for Valor
 - 20 Unit Citation for Service
 - 20 Emergency Medical Technician
 - 5 Korean War

ADMINISTRATION
AWARDS AND RECOGNITION PROGRAMS
VOL. I, CH. 12

5 Vietnam conflict

10 Expeditionary Service

Special Olympic is issued by the Special Olympics.

**ORGANIZATION
CHIEF OF POLICE RESPONSIBILITIES
VOL. II, CH. 2**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 05-08-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
VOLUME TITLE: ORGANIZATION	# PAGES: 4					CHAPTER 2
ACCREDITATION STANDARD(S):	REFERENCE:					
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ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
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PROSECUTOR'S OFFICE:						
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I. CHIEF OF POLICE, AUTHORITY AND RESPONSIBILITY

The Chief of Police is the executive head of the police department responsible for the general direction, control and administration of the police department, as authorized and provided for by statute, ordinance and the department's Rules and Regulations. The Chief of Police, as head of the department, shall be the final department authority in all matters of policy, procedure, operations, discipline and shall:

- A. Be the chief executive officer of the police force.
- B. Administer and enforce Rules and Regulations for the control, disposition and discipline of the department and of its officers and employees.
- C. Administer procedures consistent with state law, for the hearing and determination of charges of violation of department Rules and Regulations by any member of the police force.
- D. Have and exercise all of the functions, powers and duties delegated to him by the governing body.

ORGANIZATION
CHIEF OF POLICE RESPONSIBILITIES
VOL. II, CH. 2

- E. Prescribe the internal organization of the department and the duties of his subordinates and assistants.
- F. Administer the work of the department through the divisions established and such other units of administration, as he may find necessary or desirable.
- G. Assign functions, responsibilities and duties to members and employees of the department.
- H. Delegate responsibilities as he may deem necessary for the efficient administration of the department to be exercised under his direction and supervision of division heads.
 - I. Report at least annually to the Mayor and Council, in such form as shall be approved by the governing body, on the work of the department during the preceding year.

II. PLANNING RESPONSIBILITY

- A. Long Range
 - 1. Capital Improvements
 - a. Communications
 - b. Headquarters
 - c. Equipment
 - d. Training
 - e. Personnel
 - 2. Methods of Operation
 - a. Special Events
 - b. New Growth
 - c. Special Units
 - d. Special Projects
 - e. Rules and regulations, Policies, Procedures, Department Memoranda, Special Orders, operations orders and personnel orders.

**ORGANIZATION
CHIEF OF POLICE RESPONSIBILITIES
VOL. II, CH. 2**

- B. Short Range
 - 1. Day to Day Operations
 - 2. Division Head Assignments and Responsibilities
 - 3. Staff Meetings

III. RESEARCH RESPONSIBILITIES

- A. Evaluate and update on a continuous basis ongoing operations and programs.
- B. Implement new methods for operations and new programs to meet the goals and objectives of the department.
- C. Avail himself of information for all areas possible to provide the knowledge and facts to prepare manuals and procedures for operations.

VI. MANAGEMENT

- A. Found Property and Evidence
 - 1. Oversee the proper handling of all property coming into control of the Borough of Fort Lee Police Department.
- B. Prepare and submit the overall police department budget to the Borough of Fort Lee Mayor and Council at the proper designated time.
- C. Control and supervise expenditures in accordance with the Borough of Fort Lee budget system.
- D. Coordinate annually, an independent audit with the Borough of Fort Lee auditor.

VII. RESPONSIBILITY TO THE BOROUGH OF FORT LEE MAYOR AND COUNCIL

- A. Be responsible for the required department reports to be submitted to the Borough of Fort Lee Mayor and Council at the proper designated time and dates.
- B. Be available to the Borough of Fort Lee Mayor and Council, conference and regular meetings, to assist with any input deemed necessary by the Borough of Fort Lee Mayor and Council. Assign personnel to assist when Chief of Police is not available.

VIII. EXTERNAL AFFAIRS

- A. Join and attend required meetings of the various Chiefs of Police Associations.

ORGANIZATION
CHIEF OF POLICE RESPONSIBILITIES
VOL. II, CH. 2

- B. Represent the police department in all required public functions and police related functions on the federal, state and county level.
- C. Take an active part in organizations to assist in promoting good, professional law enforcement and gaining knowledge and aid for the Borough of Fort Lee Police Department.

IX. CLERICAL STAFF RESPONSIBILITIES

- A. Supervise and direct civilian secretaries and clerk-typists.
- B. Maintain proper schedules for work assignments.

X. PERSONNEL FILES AND RECORDS

- A. Maintain and update complete accurate records on all personnel relating to their attendance, performance, status, etc.

XI. RULES, REGULATIONS, POLICIES, PROCEDURES AND SPECIAL ORDERS

- A. The Chief of Police is responsible for development, reviewing, purging and updating the rules, regulations, policies, procedures and special orders on a continuous basis.

XII. EMERGENCY MANAGEMENT

- A. The Chief of Police will, as part of the duties of the Office of Chief of Police, assign personnel to be liaison to the O.E.M. Coordinator for the Borough of Fort Lee.
- B. The O.E.M. Coordinator is responsible for the development and implementation of the O.E.M. Plan.
- C. The Municipal Emergency Management Coordinator shall be responsible for the planning, activating, coordinating and the conduct of Emergency Management Operations within Borough of Fort Lee.
- D. The Municipal Emergency Management Coordinator shall be a member and serve as Chairman of the local Emergency Management Council.
- E. The O.E.M. Coordinator shall appoint one, and may appoint more than one, Deputy Municipal Emergency Management Coordinator(s) with the approval of the Mayor. Wherever possible, such Deputy(s) shall be appointed from among the salaried officers or employees of the municipality.

**ORGANIZATION
 INVESTIGATIVE DIVISION
 COMMANDER RESPONSIBILITIES
 VOL. II, CH. 3**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 10-29-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
VOLUME TITLE: ORGANIZATION	# PAGES: 3					CHAPTER 3
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: DETECTIVE DIVISION COMMANDER RESPONSIBILITIES						DISTRIBUTION ALL
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CHIEF THOMAS R. TESSARO						
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PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To outline the responsibilities of any administrative officer assigned to the Detective Division as Commander of that division.

POLICY:

There shall be a branch of the police department known as the Detective Division. The Chief of Police will designate a commander in charge of the Detective Division. The Detective Division Commander shall be under the direct control of the Operations Commander.

PROCEDURE:

Detective Division Commander's Responsibilities.

- I.** Subject to the direction of The Chief of Police, the Division Commander has direct control over all members and employees within this command, and is to be held accountable for the management and good order in all matters pertaining to daily operations of the Detective Division, he/she shall:

**ORGANIZATION
INVESTIGATIVE DIVISION
COMMANDER RESPONSIBILITIES
VOL. II, CH. 3**

- A. Keep abreast of all operations of this division, and report to the Operations Commander any information of urgency or matters of unusual occurrence.
 - B. Support and carry out the orders of the Operations Commander in all areas of performance. If for any reason they are required to take action to the contrary, a written explanation will be submitted immediately to the Operations Commander.
 - C. Be responsible for the organization and assignment of duties within this division to assure proper performance of department functions and those of this command.
 - D. Coordinate manpower needs and, deploy personnel in the most effective interest of this division, the department and the Borough of Fort Lee.
- II.** The Division Commander shall coordinate all major investigative functions with proper agencies, (Bergen County Prosecutor's Office, Sheriff's Department, New Jersey State Police, FBI, DEA, and other departments and out of state agencies etc.)
- A. Shall attempt to meet with the prosecutor and judges of the courts at least every six months for coordination purposes.
- III.** The Division Commander shall maintain a complete and thorough knowledge of local ordinances, state and federal law.
- A. Shall be charged with the proper and efficient enforcement of all laws and ordinances within this area of responsibility and shall have direct managerial responsibility for the personnel and equipment assigned to this division.
 - B. Shall insure that all operations performed by members within this division have been properly conducted with thorough and complete reports submitted for proper recording, filing or further action.
- IV.** The Division Commander will have a thorough and complete knowledge of the Department Rules and Regulations. Policies and Procedures, Special Orders and other divisional information from a higher authority.
- A. Shall insure that the personnel under this command adhere to department rules and regulations, policies and procedures.
 - B. In dealings with the public and members of the department, he/she shall set an appropriate example and comply with all regulations in his/her daily performance.
- V.** The Division Commander shall communicate and coordinate all activities with other units of the department as may be received from time to time, and insure the smooth and efficient operation of the department. Shall also be responsible for the initiation of proper action in cases not regularly assigned to this division when delay to inform the proper unit might result in the failure to perform a records function.

**ORGANIZATION
INVESTIGATIVE DIVISION
COMMANDER RESPONSIBILITIES
VOL. II, CH. 3**

- VI.** The Division Commander will have a thorough and complete knowledge of divisional equipment and its operation, and shall also assure that the equipment, supplies and material assigned to this division are correctly used and maintained.
- VII.** The Division Commander shall monitor and review the attendance of all personnel under this command, and shall report to the Operations Commander any abuse of sick time or any occurrence of prolonged illness.
- VIII.** The Division Commander shall be responsible for proper adherence to department Policies and Procedures for the appropriate handling of records and equipment.
- IX.** The Division Commander will be responsible for overseeing the investigation of and that proper written reports are prepared for all complaints against any member of the division when so designated by the Operations Commander. All statements and written investigative information sustaining facts pertaining to the complaint are to be compiled and forwarded to the Operations Commander.
- X.** The Division Commander shall be responsible for being available at all times to aid and assist personnel under this command as may be required.
 - A.** Shall aid and assist Detective Division Supervisors in their supervisory responsibilities.
 - B.** Shall be responsible for the development and maintenance of esprit de corps and loyalty to the department.
- XI.** The Division Commander will provide guidance and coordinate bi-annual evaluations for personnel in this division. Shall also evaluate the performance and effectiveness of the section supervisors under his/her control.
- XII.** The Division Commander shall be responsible for the preparation of required correspondence, reports and maintenance of records related to the activities of this command.
- XIII.** The Division Commander shall be responsible to insure that information is communicated up and down the chain of command as required.
- XIV.** The Division Commander shall be required to submit to the Operations Commander a yearly budgetary request for the Detective Division.
- XV.** The Division Commander shall be responsible for the coordination and approval of vacation time, personal days and other leaves to insure that there is sufficient personnel to efficiently and effectively perform the police functions that are his/her responsibility.

**ORGANIZATION
COMMUNICATIONS CENTER
VOL. II, CH. 11
DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES**

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-28-2009	REVISION DATE: 05-18-2009	PAGE #: 18, 5	SECTION: D.5 4.f	APPROVED 05-18-2009	VOLUME II
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CHIEF THOMAS O. RIPOLI						
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REFERENCE:						

PURPOSE:

The basic function of the communications system is to satisfy the immediate information needs of the law enforcement agency in the course of its normal daily activities and during emergencies. With the ever-increasing complexity of the communications function, it has become necessary to establish specific guidelines and procedures to assist desk personnel in the performance of their duties.

POLICY:

It is the policy of this Department that all members adhere to the following guidelines and procedures.

I. PROCEDURES

A. ORGANIZATION

Departmental communications functions include radio, telephone, Teletype, automated data communications, and alarm monitoring.

**ORGANIZATION
COMMUNICATIONS CENTER
VOL. II, CH. 11**

1. Communications personnel, (9-1-1 Operators), fall under the command of the Administrative Division Commanding Officer (CO).
2. Communications personnel will receive specific and specialized training prior to assignment to the communications function.
 - a. Any and all personnel being considered for the position of Communications Operator must meet the following eligibility requirements.
 - b. All training will be received after the Borough of Fort Lee Council has duly appointed the individual. The individual will serve a period of training as required by NJDOP and familiarization with a qualified and established operator. Once the trainee has met the requirements, he / she will be assigned a shift.
 - 1) All Communications Operators must be certified in the following;
 - a) Cardio Pulmonary Resuscitation (CPR)
 - b) Emergency Medical Dispatch (EMD)
 - c) APCO Basic Telecommunicator Class
 - 2) Have a good working knowledge of all the procedures, rules and regulations and equipment pertaining to the Communications Center Operations.
 - 3) All personnel will familiarize themselves with all agencies served by, or connected with the Communications Center, which will include, but not be limited to
 - a) Fire, to include East Bergen Mutual Aid Fire Departments
 - b) Police
 - c) Medical
 - d) Hospitals
 - e) Public Works
 - f) Emergency Management

**ORGANIZATION
COMMUNICATIONS CENTER
VOL. II, CH. 11**

3. Suggestions, procedural problems, policy failures, equipment breakdowns, or any other related communications information shall be relayed to the Communications Supervisor.
4. The Communications Supervisor is assigned responsibility for the communications function and will, serve as the primary focal point for matters associated with this function.

B. AUTHORITY AND RESPONSIBILITIES

1. The term Telecommunicator will be the term used for a telecommunicator (non-sworn) or Desk Officer (sworn) operating communications equipment. The communications operator must know the capabilities and limitations of the communications system that he/she is authorized to operate. He/she must be familiar with the organization of the Department so as to be able to route communication traffic properly, and be knowledgeable of the equipment and resources available to this Department. He/she must be familiar with the applicable rules and regulations of the Federal Communications Commission (FCC) and is required to conduct all operations in accordance with those requirements. The communications operator has the authority to dispatch cars to calls and control cars in and out of service. The shift supervisor will direct certain police emergencies, which will be defined in this policy.
2. It is the responsibility of the Municipal agency holding the radio license to assure that the system is operated in accordance with FCC rules and regulations. No operators' license is required for most dispatching duties.
3. An operator, whether licensed or not, has the right to protect themselves concerning their communications activities. In so doing, he/she has the duty to advise his/her supervisor of any message he/she has been requested to dispatch or of any act he/she has been requested to perform, which in his considered opinion, may reasonably cause a violation of the rules and regulations of the FCC.
 - a. If, in such an instance as that noted above, the operator is again requested to perform the reported act by his/her supervisor, then the operator should immediately do so, and should enter his/her pertinent and relative comment on a memorandum/e-mail, to be forward through the chain of command.

C. OPERATIONS

1. **24-hour Emergency Access**
Telephone access for emergency calls for service is provided for the Fort Lee Police Department by the Communications Center, which is staffed

**ORGANIZATION
COMMUNICATIONS CENTER
VOL. II, CH. 11**

by dispatch personnel 24 hours daily. The Communications Center has the Enhanced 9-1-1 System and the service is provided throughout the entire county on a 24 hours basis. In addition to the Enhanced 9-1-1 system, the Communications Center provides a number that is available for use on a 24-hour basis (201-592-3700).

Three TTD (Text Telephone Devices) instruments, for communication with hearing impaired persons, are maintained in the Communications Center. The telecommunicator, upon receiving a call, which sounds as if it could be from another TTD, is to utilize this instrument. The TTD is to be used for police related purposes only.

A Facsimile Terminal (FAX) machine is maintained at the Fort Lee Police Department Communications Center (201-585-1036) and may be used to electronically send and/or receive police documents to those criminal justice agencies requiring or requesting such items. Additionally, the FAX machine may be used for the purpose of electronically sending and/or receiving documents, which assist in the conduct of department business. The agency contracts with a language line vendor that has the ability to provide immediate translator services if a caller does not speak the English language. This ensures that the agency can provide emergency services to a caller of any nationality.

Line load studies are to be conducted periodically to assess equipment needs. The Administrative CO shall be responsible for these studies and shall report to the Chief of Police.

2. **Emergency 9-1-1**

The emergency number for Police, Fire, and EMS services for all of Fort Lee is 9-1-1. This number is routed to a single location, the Communications Center. This emergency number is published in telephone books, on the side of police cruisers, and other conspicuous places.

3. **24-hour Radio Communication**

The radio system utilized by the Fort Lee Police Department is a 400 MHz radio system. The Communications Center is staffed on a 24-hour basis and maintains operation continuously with back-up equipment and procedures available as described in this SOP. Telecommunicators while on duty are to monitor all radio, telephone, and computer traffic throughout their shift.

All sworn officers are equipped with a portable radio. Each radio is programmed to a specific Identification Number identifying the officer assigned to that radio.

**ORGANIZATION
COMMUNICATIONS CENTER
VOL. II, CH. 11**

All marked vehicles normally utilized for patrol operations are equipped with a mobile radio and Laptop Computers. Each radio is programmed to a specific Identification Number identifying the vehicle assigned to that radio. All unmarked vehicles normally utilized by the Department are equipped with a mobile radio. Each radio is programmed to a specific Identification Number identifying the vehicle assigned to that radio

4. Recording Information

The CAD system utilizes a specific format to be utilized by communications personnel whenever a call is received via landline, letter, in person, self-initiated by the officer, or reported to the officer in the field. This format will consist of the following information:

- a. Event number (generated automatically by the CAD system);
- b. Date and time of request;
- c. Name and address of complainant and victim (if possible);
- d. Type of incident reported;
- e. Location of incident reported;
- f. Identity of primary and backup officers detailed/responding to call;
- g. Time of dispatch;
- h. Time of officer(s) arrival;
- i. Time of officer(s) return to service;
- j. Disposition or status of reported incident; and,
- k. Comments.

All calls for service are date and time stamped automatically by the CAD system and cannot be altered.

5. Radio Communications

- a. This section is to provide procedures for radio communications to and from field officers/employees of the Fort Lee Police Department. Radio identification systems in the Communications Center system are based on unit numbers or officer identification

**ORGANIZATION
COMMUNICATIONS CENTER
VOL. II, CH. 11**

numbers. Operations are more efficient and officer safety is enhanced when telecommunicators, supervisors, and officers know the status of other officers, their locations, the nature of cases, and the developments in their investigation.

Field officers and/or personnel will be responsible for maintaining contact with the telecommunicator at all times while on duty, keeping the telecommunicator informed of their status and location, and are to carry their portable radio in an approved case with them at all times when away from their assigned vehicle, unless unusual circumstances exist.

Members of the Department are to use the radio system (mobile radios, portable radios, and Laptops) only for the transmission of police-related messages. All messages are to be transmitted in a professional and concise manner. Members are to avoid showing emotion (anger, frustration, etc.) over the air. Words or voice inflection which reflect (or seem to reflect) laziness, irritation, lack of concern, loss of temper, sarcasm, or can be construed as editorializing or are derogatory in nature will not be tolerated and will not be used. Officers shall also refrain from asking the telecommunicator questions that have no bearing on the officer's ability to handle the call in a safe and effective manner. The on-duty Tour Commander is responsible for resolving inappropriate radio usage. Courtesy is more effectively reflected by tone of voice and manner of presentation than by the content of the message.

When called by a telecommunicator or other unit, officers shall promptly answer the radio. Officers will not acknowledge messages as being received unless the message was completely and clearly understood. If necessary, officers should ask that the message or parts of the message be repeated or explained further.

Radio messages must be concise, and should be as brief as possible. When it is necessary to transmit a lengthy message, officers will "break" the message into smaller segments. This procedure will allow the intended receiver time to complete any necessary notes, and provide other officers and the telecommunicator an opportunity to interject any emergency radio traffic that may exist.

For purposes of clarity and brevity, a uniform set of radio signals and the phonetic alphabet will be utilized. All officers shall become familiar with the signals and alphabet used by the Department, and will utilize them, when appropriate, while transmitting radio messages.

**ORGANIZATION
COMMUNICATIONS CENTER
VOL. II, CH. 11**

When transmitting radio messages involving numbers or letters of the alphabet, officers should repeat the numbers and letters twice. The numbers should be broadcast two separate ways. For example, numbers may be broadcast the first time individually as separate integers, and then broadcast the second time either as a whole number or broken into small sections. Letters should be broadcast phonetically. When spelling names during a radio transmission the phonetic alphabet should be utilized, unless the name is of a common spelling.

If a telecommunicator transmits a message of a sensitive nature, he/she will advise that all non-sworn personnel should be out of hearing distance of the next transmission.

- b. The telecommunicator shall record all changes in the status of officers/employees and their availability for dispatch. In addition, the telecommunicator shall record pertinent information such as the time of status change, the location of the officer, and the reason for status change. Officers shall be responsible for keeping the telecommunicator current and informed on their status changes. The telecommunicator can then determine where and how long each officer has been out on a call or unavailable for service.

All on-duty patrol officers shall notify the telecommunicator whenever they leave their cruiser or will be out of service, providing their location and the reason for doing so.

On-duty patrol officers shall notify dispatch whenever they leave their assigned sector or are leaving the Borough. The telecommunicator shall change the officer's status in the CAD computer to accurately reflect the officer's location and availability.

- c. Patrol officers, when on duty, shall identify themselves by their shield or unit number. Officers should not normally refer to one another on the radio system by name or by abbreviated unit number. When calling the Communications Center, officers may refer to the Communications Center as "com-cen".

Calls should be dispatched by the appropriate sector assignment of the officer being called, and waiting for the officer to respond with his/her location. The exact location, nature of the call, and known pertinent information should then be transmitted to the officer(s). Officers must acknowledge receipt of a completed dispatch. In the

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

event the dispatch is not understood, it is the officer's responsibility to seek clarification.

Patrol officers, upon arrival at an incident or call for service, shall advise the telecommunicator that they are on scene. In the event an officer is done obtaining information and is able to clear the location, he/she shall advise the telecommunicator of this fact. Upon affecting a traffic stop, officers shall provide the telecommunicator with:

- 1) The location of the stop;
- 2) The license number and state of the vehicle being stopped;
- 3) When appropriate, the reason for the stop.
- 4) Vehicles displaying no visible registration shall be described in detail.

When making contacts with suspicious persons, pedestrians, and similar people, officers shall notify the telecommunicator of their location, a brief description of the subject, and, when appropriate, the reason for stopping the subject.

- d.** Communications with interacting agencies will normally be handled via telephone in the most efficient and mutually conducive manner as possible. Any agency that interacts with this department on the Fort Lee Police main channel will be subject to direction by the Communications Center or Tour Commander. Normally, police related interactions will not take place on the Fort Lee Police main channel. Dispatch personnel will coordinate all interactions with outside agencies when events or circumstances require police actions with the outside agency in question.
- e.** A single unit will generally be dispatched to handle routine calls for service. However, the nature of some calls may require additional units be dispatched for purposes of safety as well as more effective handling of a situation. Any additional units dispatched on a call are expected to clear the scene as soon as it has been determined that their presence is no longer needed to deal with the situation.

Two units will normally be dispatched on the following types of calls: (NOTE: Additional units may be dispatched to a call when a

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

supervisor, officer or telecommunicator has reason to believe they may be needed to handle the situation.)

- 1) Officers calling for help.
- 2) Any crime in progress.
- 3) Any crime having just occurred where there exists a need to check the area for suspects. One unit should respond directly to the scene while the other unit checks for suspects.
- 4) Calls involving weapons.
- 5) Domestic Disputes.
- 6) Neighbor Disputes with a known or suspected potential for violence.
- 7) Disturbances involving intoxicated or disorderly persons.
- 8) Emotionally Disturbed Persons.
- 9) Alarms.
- 10) Open door and/or window calls.
- 11) Upon request of the responding unit if, based upon his judgment, the need exists for additional officers;

When any officer of this Department is involved in a pursuit, emergency response, has activated his/her emergency button, or indicated that he/she is in trouble or need of assistance, all other officers shall clear the radio until the emergency situation has been resolved, except for other emergency traffic or necessary radio traffic pertaining to the emergency at hand.

The Communications Center is equipped with three distinct alert tones that can be activated prior to any radio transmission. The alert tones should be utilized in situations where the telecommunicator needs immediate access to radio traffic or to alert road officers to calls of a serious nature.

- f. Incidents of a serious nature often arise that require the presence of a supervisor who possesses the authority necessary to deal with the

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

problem. In order to assume command, a patrol supervisor will respond to the scene of the following incidents, when possible:

- 1) Homicide
 - 2) Suicide
 - 3) Natural disaster
 - 4) Rape
 - 5) Hostage or barricaded suspect
 - 6) Any crime in progress
 - 7) Any other incident as directed, dispatched, requested, or at the discretion of the on-duty Tour Commander.
 - 8) Serious motor vehicle collisions
 - 9) Incidents resulting in arrests
- g.** In the event an officer requests emergency assistance the Communications Center will immediately dispatch the supervisor and backup officers to that location. A minimum of two additional officers will be sent to the location. If an activated emergency alarm is received by the Communications Center the Telecommunicator/Desk Officer will attempt to raise the officer via radio and determine the status of the officer. If the officer cannot be located the supervisor will be notified and a search will be undertaken to locate the officer. If the officer's location is known the same procedure will be followed as that of a request for emergency assistance.

6. Department Access

Communications Center personnel have immediate access to at least the following Police Department resources:

- a. **Officer in charge** (Communications Center personnel always have immediate access to Tour Commander via radio, portable radio, Laptop, cellular phone, and/or department telephone);
- b. **Duty roster of all personnel** (copies of the current department schedule, personnel rosters, and the current shift assignment sheet

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

are available in the desk area and the Communications Center for use in the event there is a need to contact officers concerning court appearances or other matters as authorized by the Chief of Police. This information shall not be released to any outside agency or person without prior approval of the individual employee or the Chief of Police);

- c. **Residential telephone number of every agency member** (a current department roster is available to Communications personnel listing each officer's address and home telephone number, along with pagers if applicable);
- d. **Visual maps detailing the agency's service area** (the Communications Center has maps of the Police Department's service area posted to assist the communications personnel in dispatching police units. These maps are updated as necessary. In addition, an updated street directory is also located in the Communications Center.
The Fort Lee Communications Center utilizes a computer aided dispatch system that integrates a complete geo-file system for Fort Lee. The geo-file system is integrated with the enhanced 9-1-1 system to verify address validity and determination of the proper police/fire/ems jurisdiction. Calls not received by the enhanced 9-1-1 system are verified through the geo-file's integration with the computer aided dispatch system);
- e. **Officer status indicators** (the Communications Center utilizes a computer aided dispatch system that integrates an officer assignment status monitor at each dispatch position. The status monitor reflects officer status changes made by the telecommunicator or made by the officer through Laptop status update);
- f. **Written procedures and telephone numbers for procuring emergency and necessary external services to the agency** (emergency and necessary services external to the Fort Lee Police Department may be required at certain times and circumstances. The Communications Center has directories & listings for these services readily available); and
- g. **Tactical dispatching plans** (the Communications Center will maintain copies of The Telecommunicator's Guide to Medical Emergencies and Criteria Based Dispatch Guide-cards. These guides outline various responsibilities and key priorities in medical, disaster or serious emergency situations.

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

In a Tactical Response situation, the Communications Center will remain the communications coordination point. The on-scene commander will coordinate with the commanding officer of the Fort Lee ESU.

Standard radio procedures are to be utilized in emergency situations, except that radio traffic on certain frequencies may be restricted or moved to other frequencies as needed. The Tour Commander may restrict the type of calls that will be responded to by the Police Department in an emergency situation. An example of this would be holding non-emergency calls for a period of time while a tactical emergency or Town wide emergency (i.e., weather related) is handled. The Communications Center is responsible to keep the Tour Commander aware of call load status.

The Tour Commander is responsible to decide when calls will be held and when normal operations will resume.

The Chief of Police or in his absence a Division Commander may initiate an emergency alert and recall of personnel. This would be done to provide additional manpower resource for a major disaster, civil disturbance or similar emergency situation. The Tour Commander is responsible to inform the Communications Center of the size and scope of the recall. When notified of a recall situation, communications personnel will notify the communications supervisor and recall additional communications operators as appropriate).

7. Calls for Information or Service

Communications personnel in responding to calls for information or services will determine whether an emergency or non-emergency response is required. Communications personnel will use information provided by the caller and use the guidelines in this Policy and in Volume V, Chapter 4 Crime Alerts, to determine the response to be received by the caller. If the communications personnel have any doubt about the seriousness of the situation, information should be referred to the on-duty police supervisor as soon as possible. Even in cases of "routine" or non-emergency calls, information shall be forwarded to an on-duty police supervisor in an expedient manner so the call is prioritized and is not left pending any longer than necessary.

Communications personnel in responding to calls for information or services will inform the caller of the agency's response, including direct law enforcement service and/or referral to other agencies. The

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

telecommunicators will advise the caller if an officer will be responding to the call and if there will be a delay and will provide them with an estimated time of arrival; however, the telecommunicator is not to commit the officer to a specific arrival time. When a supervisor's response is required, the telecommunicator will advise the caller of any expected delay. Referrals will normally be at the discretion and/or direction of an officer, who should inform the caller of alternatives.

Communications personnel may utilize materials on hand to provide immediate information concerning alternate sources of assistance.

8. Playback Capabilities

The Fort Lee Police Department has the capability of immediate playback of recorded telephone conversations while it maintains a continuous recording of radio transmissions and emergency telephone conversations within the Communications Center. The citizen requesting service or the officer wanting assistance may not be able to repeat an emergency conversation that was garbled or too quick for easy understanding. Therefore, the Department has the capability to replay a conversation while recording other calls and radio transmissions. These recordings are an indispensable source for criminal investigations, internal investigations, training, and audits of the agency's service delivery system.

a. Retention

All radio and all published operational telephone lines into and out of the Communications Center are recorded on a time-coded Digital Recorder. The system is capable of replaying a conversation maintaining continuous recordings of radio and telephone communications within the Communications Center. The system records approximately 30 days activity onto a digital recorder, which is stored for 30 days before being reused, and uses the FIFO (First in First Out Principle) for recording data onto the Hard Drive. Communications Center personnel shall be familiar with immediate playback procedures and may use them to clarify information received during a radio or phone conversation. Each Telecommunicator position is equipped with a digital playback device for both radio and telephone conversations to permit the telecommunicator to replay the last sixty (60) minutes of conversations if necessary.

b. Storage

The system records approximately 30 days activity onto a digital recorder before being reused by the Communications Center. These recordings can be accessed by the communications

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

supervisor and administrative level officers for investigative/informational purposes.

c. **Review**

Any police supervisor or officer acting in such capacity may review the contents of an incident or request a copy if it is in conjunction with the conduct of official business. Generally, such requests are necessitated by citizen complaints, departmental complaints, and as a result of a criminal investigation. Any other Department personnel must receive approval of the Chief of Police or a Division Commander to review a particular incident. Any police supervisor or officer acting in such capacity may order an incident to be copied to a CD and held for investigatory or evidentiary purposes. In such cases the Communications Division Commander is to be notified at the earliest opportunity.

9. **NCIC/SCIC**

The Fort Lee Police Department participates and has access to local, county and state criminal justice information systems. The effectiveness of investigative efforts depends heavily upon the quality of information resources. The Fort Lee Police Department has the equipment to gain access to information from nearby agencies, regional law enforcement information networks, statewide information resources, and the National Crime Information Center. The Department is equipped with an NCIC/SCIC terminal and interface line giving the Department access to SCIC/NCIC and criminal history files from the Bureau of Criminal Identification. This terminal and interface will be utilized in accordance provisions outlined in the NCIC manual. The Bureau of Criminal Identification maintains centralized criminal history records. As these records are created and substantiated by the submission of fingerprint cards, this department will participate in the system. Officers are encouraged to utilize the CCH when such use is appropriate for criminal justice purposes. Such access will be in accordance with department policy and procedures as well as operating procedures.

10. **Interjurisdictional Radio System**

The purpose of SPEN (State Police Emergency Network) is to allow communication with units of another jurisdiction when communication with another agency is necessary. These systems are available throughout the county and state, respectfully. The system within the Department is designed allow station-to-station or station-to-car communication via radio. Such communication is limited official police business.

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

11. Emergency Messages

Emergency notification, either from citizens or law enforcement agencies, shall be handled as a call for service. Each call will be judged on its own merit as to priority (response code). Death, illness and injury messages will be handled as outlined in Volume IV, Chapter 14 Death Notification Policy. Generally, non-emergency message delivery will not be made unless other unusual circumstances exist. The telecommunicator receiving such request, and not certain as to whether the request necessitates a response, is to consult with the On-Duty Tour Commander. In the event of a Death Notification, the Tour Commander may wish to personally deliver such a message, or assign the call to an officer with instructions on the delivery of the message. Such messages should be handled discreetly, tactfully, bearing in mind the feelings of the person receiving the message. A member of the clergy or a Victim-Witness Advocate may also be utilized to respond to such calls if the situation warrants.

12. Misdirected Emergency Calls

Routing of Misdirected Emergency Calls (non 9-1-1): Occasionally, the Fort Lee Police Department receives non-emergency 9-1-1 phone calls intended or under the jurisdiction of another law enforcement agency or public service agency. In those cases of emergency assistance, the communications operator will properly route the call. If unable to do so, he/she will take all the information and will notify the agency via other means (i.e.: landline, Radio, etc.). If the call is an emergency in nature the caller should be kept on the while the employee immediately phones the appropriate agency to provide the caller's name, address, call back number and the specific nature and location of the call. The employee must make a determination, based upon known facts, if keeping the caller on the line is the most appropriate action.

Things to consider include:

Will this prevent or save the victim from harm, or aid in the capture of the suspect (such as may be the case during a burglary progress); will the employee be able to give instructions which may prevent or reduce further injury, or aid in the capture of the suspect; the caller in a state of mind that hanging up may cause the situation to further deteriorate; is the caller, by staying on the phone, being prevented from administering first aid to the victim or removing him from further danger. This list is not all-inclusive and the employee, based upon the information at hand, must make the determination whether to allow the caller to hang up or stay on the phone. Nothing in this section shall preclude an employee from contacting the appropriate agency when the employee believes this will be the most efficient manner to handle the call.

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

13. Private Security Alarms

Homeowners installing private security alarms are required to register the alarm and authorized key holders with the Borough. These alarms are kept on file in the Fire Prevention/Bureau of Alarms office. Generally, calls received from a private alarm monitoring company will be entered via address into the CAD system and the necessary dispatch information will automatically be entered onto the CAD dispatch screen. In the event that the alarm is not registered or already in the database, the telecommunicator should obtain all the necessary information from the private security company operator. See Volume X, Chapter 7 Alarm Response for specific procedures.

14. Telephone/Mail Complaints

Unless unusual circumstances exist, all calls for service are to be handled by the response of an officer to the scene, or the complainant coming to the station. Under unusual circumstances, when a complainant, victim, etc. cannot report an incident in person, the Tour Commander may grant permission to take the complaint by phone and/or mail. All crimes and criminal offenses must be handled in person by a sworn police officer. The Tour Commander is to ensure that every effort has been made to have the report made in person.

Complaints or information received by telephone should be relayed to an officer. The officer may handle the complaint by telephone;

- a. When the caller is relaying information only;
- b. When the infraction is minor or civil on nature; and
- c. When the call should be directed to another city department or government agency.

A sworn officer of the Department will answer all other calls in person. Crime reports are not normally received by mail by the Department. If they were to be, they would be assigned to an officer to personally make a contact with the complainant.

The approval of the Tour Commander is necessary in order to delay a call, assign to the next shift or assign to the next day.

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

15. Emergency Instructions via Telephone

All Communications Center personnel are Emergency Medical Dispatch EMD certified in Emergency Medical Pre-Arrival first-aid instruction. Every telecommunicator/call-taker is certified. In addition, each telecommunicator/call-taker receives CPR instruction from the Red Cross approved course of instruction and is re-certified every two years. The Communications Center is equipped with emergency medical dispatch guide cards for use in providing emergency first-aid instruction over the radio or telephone. These guide cards must be used every time Pre-Arrival instruction is given on a 9-1-1 call.

D. FACILITIES AND EQUIPMENT

1. Security Measures:

a. Limiting Access:

- 1) The communications center door will be closed at all times.
- 2) Unauthorized police personnel shall not enter/be allowed into the communications center unless absolutely necessary to conduct Departmental business.
- 3) Non-sworn personnel shall never be allowed in the communications area unless:
 - a) They are employed as communication operators;
 - b) They are repair personnel;
 - c) They are part of a guided tour;
 - d) They are of a service nature.

2. Protecting Equipment: The following measures have been taken to protect all communications equipment and the communications personnel:

- a. The communications center is equipped with bullet resistant glass to protect the communications personnel from the public.
- b. In order to gain entry into the station beyond the lobby area, a Fob is required to open the electronic security door, or the Tour Commander may allow access via the release button located at the desk.

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

3. Back-up Resources

A back-up power source is automatically activated any time there is a power failure to ensure continuous uninterrupted operation of the communications equipment.

4. Security of Lines

- a. All transmission lines are located in a secure area of the Police building and access is limited to authorized personnel.
- b. The antenna is located outside of the Police building.
- c. The main telephone trunk line room is located in the communications center, which should be kept secured at all times. Access into the phone system itself requires both an accepted password and ID number.

5. Alternate Power Source

The Fort Lee Police Department maintains a back-up generator to assure electrical power to the Police Building and for communications. This generator is tested on a regular basis by the Department as recommended by the manufacturer. Weekly tests will be conducted and a semiannual full load test will be conducted.

6. Separation of Calls

The Communications Center provides all primary central dispatch services for the Law Enforcement, Fire, and EMS agencies in Fort Lee via an Enhanced 9-1-1 System for emergency calls. The system is capable of handling a high volume of calls and can be increased in number as the need dictates.

The Fort Lee Police Department maintains separate administrative and informational telephone lines for calls to the Department that are administrative and informational in nature.

E. PERSONNEL ACTIONS

1. Communications personnel shall not:

- a. Transmit any false or superfluous call;
- b. Interfere with any distress communication;
- c. Fail to respond to official communication from the FCC;

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

- d. Fail to keep proper log/computer entries;
 - e. Deny access to properly identified representatives of the FCC;
 - f. Permit profane, indecent, biased or obscene language;
 - g. Willfully permit damage to radio equipment;
 - h. Allow the interception, use or publication of the content of a radio message without permission of the proper authority.
2. It is the responsibility of each operator reporting for duty to become familiar with any activity called to his attention by the operator going off duty.
 3. It shall be the responsibility of each communications operator to maintain the communication center in a clean manner. Any deficiencies shall be reported via the chain of command.
 4. Communications operators are not permitted to leave the communications center unless a relief operator/substitute call taker is available. Food and drink should not be consumed while seated at the console.
 5. Procurement of necessary services external to the agency:
 - a. **Fire Equipment:** Any request for the fire Department that comes into the police communications center shall be entered into the CAD (Computer Aided Dispatch) system for dispatch. The communications operator shall then dispatch the Fire Department. Simultaneously, a police unit will be dispatched.
 - b. **EMS:** Any request for an ambulance shall be entered into the CAD (Computer Aided Dispatch) system for dispatch. The communications operator shall then dispatch the appropriate EMS unit required. If needed, a police unit will be dispatched also.
 - c. **Paramedics:** Any request for emergency medical services that meet the paramedic Dispatch Protocol shall necessitate the requesting of a paramedic unit. The communications operator shall make such request by notifying MICOM via landline. If there is some question as to the need for such unit, the unit shall be dispatched.
 - d. **N.J. State Police:** If the communications operator receives a request for services on RT 95, the Telecommunicator shall immediately notify the Newark Barracks of the N.J. State Police. However, if the request is for emergency services (i.e., motor vehicle accident with injuries, etc.), a

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

Fort Lee unit will also be dispatched pending the arrival of the State Police.

- e. **Wrecker Service:** Wrecker services utilized by the Police Department shall be dispatched in accordance with the "rotation wrecker on call sheet" maintained at the communications center. The only exception to utilizing the rotation wrecker who is on call is if the citizen requests a specific wrecker and if the utilization of such a wrecker will not adversely affect traffic flow or require unnecessary time of the officer. If there is no response from the "on call" wrecker, the next wrecker on the "on call sheet" will be contacted. Dispatch of heavy-duty wreckers shall be done in the same manner as regular wreckers.
- f. **Cab Service:** The communications operator will dispatch (via landline) the closest cab service when a citizen requests such service. If at all possible, the decision as to which service to utilize will be left to the citizen.
- g. **Medi-vac Helicopter:** (See sections E & F for specifics) If a situation arises in which a person must be evacuated via helicopter to a specialized medical facility, the communications operator shall contact the N.J. State Police unit responsible for this service. The number can be found in the information book at the communications center, or can be obtained by calling any State Police barracks. Once the Medi-vac Helicopter is put on stand-by, the Fire Department will be dispatched to stand by at the Landing Zone.
- h. **Environmental and Human Services:** Any such services shall be contacted via landline by the communications operator.
- i. **Medical examiner:** If an investigation results in a death, the Bergen County Medical Examiners office shall be contacted (via Bergen County Police Department) by the Tour Commander operator via landline. All related information available shall be conveyed to the medical examiner or the on-call investigator at that time.
- j. **Emergency Management:** Any request/need for the services of the Borough's Office of Emergency Management shall be made through the communications operator, who will contact the necessary personnel via radio/landline/cellphone, depending on the time of day. Any further emergency notification to any federal, state, county or municipal agency shall be made by emergency management personnel who are equipped with the mobile cellular telephone at the scene.

**ORGANIZATION
COMMUNICATIONS OPERATOR RESPONSIBILITIES
VOL. II, CH.11**

- k. **State/County/ Municipal Road Departments:** Any emergency road condition shall be made to the proper maintenance agency via landline. The only exception to utilization of the landline is that the Borough's Road Department may be contacted during normal business hours via radio.

- 6. **Obtaining Additional Relevant Information:** For each call for service, the communications operator shall utilize the information provided by the CAD system for guidance in obtaining the information needed for the call. This becomes particularly important in certain categories of calls, such as crimes in progress and emergency medical calls. The elicitation of such additional information will enhance the safety of the officer(s) and assist in anticipating conditions to be encountered at the scene.

- 7. **Stolen Vehicle Information:** Police Officers completing stolen vehicle reports during a specific tour of duty shall ensure that such information is forwarded to the supervisor for attachment on the "hot sheet" clipboard for proper dissemination at roll call to on-coming shifts. Communications operator shall make the appropriate entries into the NCIC\SCIC systems and send a general statewide information Teletype. Communications personnel who receive information from other agencies (via landline, NCIC/SCIC hits, or Teletype) regarding stolen vehicles that may be in the area shall notify the field units with the pertinent information. Communications personnel shall also notify other surrounding agencies of stolen vehicles that occur in Fort Lee (via landline, Teletype and/or SPEN 1) if there is information as to the possible destination/suspects involved.

F. RADIO FAILURE

- 1. **Repeater Down:**
In the event that the main Repeater on Police 1 goes off, the tour commander should have everyone switch to channel 2 until communications repair can respond and remedy the problem.
 - a. In the event of a radio console failure, in which no radio communications are possible. All traffic will proceed thru the Laptop system.

 - b. If in the event that radio transmissions are not clear, or coverage is becoming an issue, radio transmissions, will switch over to the channel 2 on the console.

 - c. Notify radio repair of the problem.

**OPERATIONS
EQUIPMENT OFFICIAL CREDENTIALS
VOL. IV, CH. 16-1.1**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12/29/99	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 3					CHAPTER 16-1.1
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REFERENCE:						

PURPOSE:

To establish guidelines for the use and care of departmental issued identification.

POLICY:

The Fort Lee Police Department will:

1. Issue a badge and hat badge to sworn officers identifying the bearer as a police officer;
2. Issue identification cards (ID) to officers and civilian employees verifying the personal identity of the bearers and their relationship to the Fort Lee Police Department;
3. Badges and identification cards will be issued by the Administrative Division Commander, who should maintain a record of assigned credentials, indicating date issued, person issued to, person authorizing issue, and date replaced, if applicable. An inspection and inventory of the badges and badges in inventory should be conducted by the Administrative Division Commander's office, at least annually.
4. Require employees, to whom such symbols of authority are issued, to make every reasonable effort to ensure the security and safekeeping of badges and ID cards at all times; and
5. Take disciplinary action against employees failing to safeguard their credentials.

**OPERATIONS
EQUIPMENT OFFICIAL CREDENTIALS
VOL. IV, CH. 16-1.1**

Police officers are to carry their badge and ID cards:

1. At all times when in the state of New Jersey, except when it would jeopardize an operation and is authorized by a supervisor.
2. At all times when carrying a firearm, except when it would jeopardize an operation and is authorized by a supervisor.
3. At all times when out of state on an assigned detail including training.

Civilian employees are to carry their ID at all times.

Police officers may purchase duplicate badges as needed for additional uniforms and badge holders.

Employees are prohibited from photocopying department ID cards without written authorization from the Chief of Police.

PROCEDURE

I Officers

- A. Each officer that is issued a department badge and ID card should make every reasonable effort at all times to prevent the theft or loss of such items.
- B. When acting in an official capacity, an officer should produce their badge and/or ID card for any member of the public requesting to see the credentials as a means of identifying them as an officer. Conforming to such a request is not required if the situation is such that conforming would endanger the officer, another Fort Lee Police Department employee or the general public.

II Civilian Employees

- A. Each civilian employee that is issued a department ID card should make every reasonable effort at all times to prevent the theft or loss of such items.
- B. When acting in an official capacity, a civilian employee should produce their ID card for any member of the public requesting to see the credentials as a means of identifying them as an employee.

III Identification cards

- A. Identification cards are to be issued to a police officer when:
 1. The officer is hired, promoted or retired.
 2. A new Chief of Police takes office.

**OPERATIONS
EQUIPMENT OFFICIAL CREDENTIALS
VOL. IV, CH. 16-1.1**

3. Anytime, as deemed necessary by the Chief of Police.
- B. Identification cards should contain enough personal information to ensure that the bearer is the person to whom the ID card was issued.
 - C. Identification cards shall bear of photograph of the employee.
 - D. Expiration Dates
 1. Police ID cards should not have an expiration date.
 2. Full-time civilian employee ID cards should expire 5 years from the date of issue.
 - E. Badges and ID cards that are issued to employees are property of the Police Department.
 - F. Civilian employees will surrender their issued ID card to the police department upon terminating their employment with the department.

IV Missing badge or ID card

- A. Immediately upon determining a badge or ID card is missing, the employee should report the theft or loss to the immediate supervisor, if available, or to the Tour Commander if their supervisor is not available.
- B. The employee should follow the verbal notification by completing a report detailing the circumstances surrounding the missing items.
- C. The supervisor to whom the disappearance is reported should ensure the loss or theft is entered immediately into NCIC if the badge / ID card have a unique identification characteristic (engraved badge). The officer's badge number by itself is not unique.
- D. The commander of the unit to which the employee is assigned should take appropriate action to verify the facts surrounding the loss and submit a written report through the chain of command, to the Administrative Division Commander within five (5) working days from the date of notification. The written report should include:
 1. The supervisor's assessment of whether or not the loss was avoidable, and
 2. An assessment of the employee's negligence, if any.
- E. The employee's Division Commander should determine whether or not the loss of the badge or ID card was avoidable and will take appropriate disciplinary action if required. The employee will receive notification of the finding and its factual justification.

**COMMUNITY ASSISTANCE
CRISIS INTERVENTION TEAM
VOL. III, CH. 5**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 10-18-2002	REVISION DATE: 3/27/09	PAGE #: 4	SECTION: IV, A, 8	APPROVED 05-12-2009	VOLUME III
VOLUME TITLE: COMMUNITY ASSISTANCE	# PAGES: 8					CHAPTER 5
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I. Purpose

- A. The purpose of this policy is to provide the members of the Fort Lee Police Department and members of the **Southeast Regional Domestic Violence Crisis Response Team** with guidelines for determining when the assistance of the Southeast Regional Domestic Violence Crisis Response Team will be utilized for responding to incidents of domestic violence.
- B. This policy is developed to conform with the Prevention of Domestic Violence Act, N.J.S.A. 2C:25-17 et seq.

II. Introduction

The Fort Lee Police Department acknowledges the significant impact which incidents of domestic violence have on their victims. Domestic violence victims have special needs and issues, which cannot be addressed simply through the enforcement of criminal statutes and the issuance of court imposed restraining orders. Domestic violence victims experience personal tragedy, and as such, need access to special treatment at the time of victimization.

By the establishment of a cooperative effort between the Cliffside Park, Edgewater, Fairview, Fort Lee and Ridgefield Police Departments, Alternatives to Domestic Violence (ADV), Shelter Our Sisters (SOS), the Bergen County Prosecutor's Office and community volunteers, the Southeast Regional

**COMMUNITY ASSISTANCE
CRISIS INTERVENTION TEAM
VOL. III, CH. 5**

Domestic Violence Crisis Response Team has been developed. This team has been formed to provide the domestic violence victim with the opportunity to be provided with information about services which exist to help them through the experience of being a domestic violence victim.

Strict adherence to this policy will insure proper utilization of the Southeast Regional Domestic Violence Crisis Response Team and the ultimate goal of providing quality services to the victims of domestic violence.

III. Definitions

- A. Southeast Regional Domestic Violence Crisis Response Team** - Volunteer citizens who have been accepted by the participating law enforcement agencies of the Southeast Regional Domestic Violence Response Team Project and trained by the participating law enforcement agencies, ADV and SOS, to respond to and provide immediate assistance to victims of domestic violence.
- B. Police Department CRT Project Coordinator**- the sworn member of the Fort Lee Police Department, who has been assigned by the Chief of Police, to coordinate all activities of the **Southeast Regional Domestic Violence Crisis Response Team**. The duties of the Coordinator will include, but will not be limited to: liaison between the Fort Lee Police Department, ADV and SOS, oversee/assign all training provided to members of the Southeast Regional Domestic Violence Crisis Response Team, oversee the schedule and maintenance of the on-call list of volunteers to provide response services, maintain statistics on domestic violence incidents and DVCRT activation, continuous evaluation of the program to identify areas of needed improvement and areas which have proven to be beneficial to victims, and any other responsibility which the Chief of Police, or designee, deems necessary for the proper and efficient operation of the Southeast Regional Domestic Violence Crisis Response Team.
- C. Police Department Liaison** - Each participating agency of the Southeast Regional Domestic Violence Crisis Response Team shall appoint one sworn officer as a representative between the participating law enforcement agency and the Southeast Regional Domestic Violence Crisis Response Team. The duties of the Liaison will include, but will not be limited to: liaison between their agency and the Police Department CRT Project Coordinator, SOS and ADV, maintain statistics on domestic violence incidents and DVCRT activation, continuous evaluation of the program to identify areas of needed improvement and areas which have proven to be beneficial to victims, maintain the interview room and any supplies needed, and any other responsibility which the Chief of Police, or designee, deems necessary for the proper and efficient operation of the Southeast Regional Domestic Violence Crisis Response Team.
- D. Team Leader** - Volunteer citizen member(s) of the Southeast Regional Domestic Violence Crisis Response Team who are the liaisons between the team, the Police Department CRT Project Coordinator, ADV and SOS, and who are responsible to maintain the on-call schedule, hold monthly team meetings, and perform other duties as described in the team leader job description.

**COMMUNITY ASSISTANCE
CRISIS INTERVENTION TEAM
VOL. III, CH. 5**

IV. Procedures

- A. The standard operating procedure for patrol officers' response to incidents of domestic violence is enumerated in full detail by the Prevention of Domestic Violence Act of 1990, the Bergen County Prosecutor's Office policy and the Fort Lee Police Department's policy. These procedures, specifically those mandating instances when an arrest is required, shall be followed in responding to all domestic violence incidents.
1. The responding officer shall secure the scene to prevent further violence. The officer's first duty should be to stop the violence and provide for the safety of the victim.
 2. The responding officer shall determine whether an incident of domestic violence has occurred.
 3. The responding officer shall take immediate steps to remove the alleged offender from the scene and to assist the victim of domestic violence.
 4. Based upon a review of the facts involved in the incident, the responding officer will notify a supervisor of the circumstances. According to the facts provided by the investigating officer, a supervisor will determine if the Southeast Regional Domestic Violence Crisis Response Team should be activated at this time.
 - a. If it is determined that the Team will be activated, a supervisor or designee shall explain the function of the Southeast Regional Domestic Violence Crisis Response Team and offer its services to the victim.
 5. The following are the criteria that will be used to guide a supervisor in determining whether or not to activate the team:
 - a. The offender was arrested for committing one of the offenses delineated under the Prevention of Domestic Violence Act of 1990; or
 - b. The victim exhibits signs of injury which are attributed to an act of domestic violence; or
 - c. The victim requests to apply for a restraining order; or
 - d. The alleged offender exhibits behavior that is believed would place the victim in immediate fear for personal and/or family safety; or
 - e. All incidents where shelter for the victim or shelter for the victim's children is an issue; or
 - f. The domestic violence incident involves the welfare and care of minor children; and/or

**COMMUNITY ASSISTANCE
CRISIS INTERVENTION TEAM
VOL. III, CH. 5**

- g. The victim requests to speak with a member of the Southeast Regional Domestic Violence Crisis Response Team; and
 - h. The victim has agreed to go to police headquarters.
- 6. The Southeast Regional Domestic Violence Crisis Response Team will **NOT** be activated in any of the following circumstances:
 - a. Minor verbal disputes between parties where there is no threatening behavior, no history or prior responses for domestic violence calls, and no criminal complaints are issued; or
 - b. Non-violent domestic disturbances resolved by individuals at the scene; or
 - c. Neighborhood disputes that do not involve domestic violence, as defined in N.J.S.A. 2C:25-19, et al.; or
 - d. Child custody and/or visitation disputes; or
 - e. When the victim has explicitly declined the offer to speak or meet with a member of the Southeast Regional Domestic Violence Crisis Response Team; or
 - f. When the victim is under the influence of intoxicating liquor or drugs.
- 7. Fort Lee Police Department members will not utilize the members of the Southeast Regional Domestic Violence Crisis Response Team for activities which are not directly related to their duties.
- 8. At the time when a supervisor makes the determination to notify the on-call member of the Southeast Regional Domestic Violence Crisis Response Team, that supervisor will inform the Fort Lee Police Department Tour Commander. The Tour Commander will attempt to contact the on-call team member by dialing the primary call # **201-646-3532**.
 - a. In the event that the assigned on-call member does not return the page within ten (10) minutes, the Tour Commander will utilize the pager again in an attempt to contact the on-call member.
 - b. In the event the assigned on-call member does not return the second page within ten (10) minutes, the Tour Commander will attempt to contact any available member by dialing the pager number and entering the department telephone number followed by 911.
 - c. The Tour Commander will follow the same procedure to contact a back-up member as followed to contact the primary on-call member.

**COMMUNITY ASSISTANCE
CRISIS INTERVENTION TEAM
VOL. III, CH. 5**

- d. In the event neither the primary nor the back-up on-call members return the pages sent by the Tour Commander, the Tour Commander will then contact the Team Leader of the Southeast Regional Domestic Violence Crisis Response Team and request assistance in activating a team member.
9. Upon contact with the Southeast Regional Domestic Violence Crisis Response Team member, the Tour Commander shall notify the member as to the need for their response, and will advise the on-call team member of the names of the victim(s) and actor(s) involved in the incident that prompted the activation of the team.

NOTE: In the event the team member and the victim know each other, the option to request a different team member to respond to the call shall be available. An additional team member may be requested at this time to help with any children if needed.
 - a. The team member(s) will respond to the Fort Lee Police Department, and report to a supervisor.
 - b. Upon the team member's arrival at the Police Department, the supervisor or the investigating officer will confirm the team member's identity by checking their issued Southeast Regional Domestic Violence Crisis Response Team Identification cards.
 - c. The team members will then be escorted to the designated CRT room where they will be introduced to the domestic violence victim. The team member and the victim have been provided with this secure and private environment to conduct their conversations.
10. At the conclusion of the team member's interaction with the victim, the team member will notify the supervisor that they have concluded and return the victim to the police officer.
 11. It is deemed **impermissible** for Southeast Regional Domestic Violence Crisis Response Team members to:

- a. Maintain detailed notes or reports of conversations with the victims except for statistical reports which are required by the Fort Lee Police Department and/or ADV and SOS;

NOTE: Upon completion of the Domestic Violence Intervention Summary sheet and Victim Confidentiality Statement, the team member shall fax both forms to **SOS, or ADV when appropriate**, utilizing a separate cover sheet, and seal the two forms in an envelope addressed to the Southeast Regional Domestic Violence Crisis Response Team Leader and place it in the Team Leader's mailbox.

- b. Disclose any information about the persons served through the Southeast Regional DVCRT project and their families, including all communications with victims, to the police, prosecutor or any unauthorized person, unless the victim consents to such disclosure, or the team member is required by Southeast Regional DVCRT confidentiality policy and procedure or by law to make such disclosure;

**COMMUNITY ASSISTANCE
CRISIS INTERVENTION TEAM
VOL. III, CH. 5**

- c. Meet with victims of domestic violence at any location other than the participating Southeast Regional Police Departments;
- d. Divulge their home telephone number(s), Southeast Domestic Violence Crisis Response Team Pager number(s) or home address to victims, develop a relationship with, or offer themselves for additional assistance or services beyond the on-site duties of a Domestic Violence Crisis Response Team volunteer, including, but not limited to, outings, visits, correspondence, and telephone communications with clients and former clients;

NOTE: Members will utilize only their first name to victims and not disclose their last name.

- e. Promise a particular result to a victim such as: you will get a restraining order, you will get welfare or we will stop the abuse.

12. Services to be provided by members of the Southeast Regional Domestic Violence Crisis Response Team:

- a. Each team member will be prepared to provide the following services to each victim:
 - (1) Advise the victim about available options.
 - (2) Explain the applicable criminal justice and civil court procedures to the victim.
 - (3) Explain to the victim the option of obtaining a restraining order and the remedies available, when appropriate.
 - (4) Arrange shelter for victim and minor children.
 - (5) Provide referral to, or information about, the appropriate crisis services available in Bergen County.
 - (6) Arrange for language interpreter to assist the victim in communicating with the police and/or the team member.

A team member shall immediately inform the Chief of Police or designee:

- (7) If contacted by an attorney or any individual who is not a member of the Southeast Domestic Violence Crisis Response Team for information regarding any case in which the member has responded.
- (8) If served with a subpoena to testify or produce documents in connection with any case in which the team member has responded.

**COMMUNITY ASSISTANCE
CRISIS INTERVENTION TEAM
VOL. III, CH. 5**

- (9) If the member is injured and/or there is any damage to Police Department property while services are being performed for the Southeast Regional Domestic Violence Crisis Response Team.

13. Confidentiality of Information

- a. It is the position of the Southeast Regional Domestic Violence Crisis Response Team, the Fort Lee Police Department, The Bergen County Prosecutor's Office, Alternatives to Domestic Violence and Shelter Our Sisters, that the Victim Counselor Privilege found in N.J.R.E. 517 applies to communications made by victims to the members of the Southeast Regional Domestic Violence Crisis Response Team.
- b. It is the policy of the Southeast Regional Domestic Violence Crisis Response Team that team members shall advise a victim of domestic violence that all statements made by the victim to the team member will be treated as confidential by the team member and the supervising social service agency (ADV), and that this information will not be disclosed to the police or prosecutor or any other individual without the permission of the victim **except** where there is an issue of child abuse or neglect.

The victim shall be given a confidentiality statement which details this policy and seeks a waiver of that confidentiality in the following limited circumstances:

- (1) Where the victim communicates an intent to harm her/himself or others;
- (2) Where failure to disclose the information communicated presents a clear and present danger to the health or safety of an individual.
- C. If the victim chooses to sign this form, she/he shall sign the form indicating that she/he understands and accepts the policy. In addition, the team member will inform the victim that unless one of the above exceptions applies, all communications will be held confidential and, while it is the position of the Southeast DVCRT Project that the Victim Counselor Privilege found in N.J.R.E. 517 applies, the team member may be required to disclose the content of those communications if ordered to do so by a court of law.
- d. If the victim chooses not to sign this form, the team member shall not proceed with an intervention beyond the offering of resource materials. The team member should indicate the refusal on the confidentiality form and in the intervention summary. At the conclusion of the meeting, the officer in charge should be advised that further services were not offered.
- e. A Southeast Regional Domestic Violence Crisis Response Team member who improperly and without authority reveals any information received from a victim or otherwise obtained in connection with the domestic violence call shall be dismissed from the Southeast Regional Domestic Violence Crisis Response Team Program.

**COMMUNITY ASSISTANCE
CRISIS INTERVENTION TEAM
VOL. III, CH. 5**

14. Dismissal of volunteers.

- a. Southeast Regional Domestic Violence Crisis Response Team members may be dismissed from the Southeast Regional Domestic Violence Crisis Response Team by the Police Department CRT Project Coordinator, the Director of ADV, the Executive Director of SOS, the Bergen County Prosecutor, or his/her designee, for any reason, including, but not limited to poor performance or attitude, lack of attendance at meetings, or lack of commitment to the team.

**INTERAGENCY PROCEDURES
CRITICAL INCIDENT STRESS MANAGEMENT
VOL, 5. CH,12.**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 11-1-2002	REVISION DATE: 9-10-08	PAGE #: 5	SECTION: IV, A,1	APPROVED	VOLUME V
VOLUME TITLE: INTERAGENCY PROCEDURES	# PAGES: 6					CHAPTER 12
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: CRITICAL INCIDENT STRESS MANAGEMENT						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:	Special Instructions					
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To provide officers with procedures that should be followed, when an officer is involved in a critical incident which could cause post-traumatic stress to the officer, or other emergency response personnel involved.

DISCUSSION:

Responding to an accident or crime scene and finding dead, beaten, and dismembered bodies of what once were walking talking people in perfectly good health is not a normal part of our growing up and going to school before becoming a police officer. There are no courses to prepare an officer for that except on-the-job exposure, and perhaps a trip or two to the morgue to witness autopsies. It becomes more personal when you are actually on the scene trying to administer aid and comfort to those victims, while you may show no signs of this bothering you, and you should not, these pent-up emotions sometimes need to be released.

The best way to cope with these stressful situations is to remember that you are not superhuman and that you have no control over the results of most of the things that you do. This also applies to those tragedies you witness and later feel that there was something more that you could have done.

**INTERAGENCY PROCEDURES
CRITICAL INCIDENT STRESS MANAGEMENT
VOL, 5. CH,12.**

Officers who feel that they cannot cope with the stress of a recent situation, should seek to tell someone about their feelings, a fellow officer, a supervisor, or a family member.

POLICY:

The procedure set forth in this policy should be followed by all officers and supervisors of this department when there is a critical incident which has a high probability of causing post-traumatic stress, or they recognize any symptoms, or are advised of any symptoms of an officer being effected by post traumatic stress.

PROCEDURES:

I. Identifying stress:

A. Officers and supervisors should be aware of the signs of post-traumatic stress.
Some of the signs of stress include:

1. Physical signs.
 - a. Nausea.
 - b. Upset stomach.
 - c. Tremors (lips and hands).
 - d. Feeling uncoordinated.
 - e. Profuse sweating
 - f. Chills.
 - g. Diarrhea.
 - h. Dizziness.
 - i. Chest pain.
 - j. Rapid heart beat.
 - k. Rapid breathing.
 - l. Increased blood pressure.
 - m. Headaches.
 - n. Muscle aches

**INTERAGENCY PROCEDURES
CRITICAL INCIDENT STRESS MANAGEMENT
VOL, 5. CH,12.**

- o. Sleep disturbance.
 - 2. Cognitive signs.
 - a. Slowed thinking.
 - b. Difficulty making decisions.
 - c. Difficulty in problem solving.
 - d. Confusion.
 - e. Disorientation.
 - f. Difficulty calculating.
 - g. Difficulty concentrating.
 - h. Memory problems.
 - i. Difficulty naming common objects.
 - j. Seeing an event over and over.
 - k. Distressing dreams.
 - l. Poor attention span.
 - 3. Emotional signs.
 - a. Anxiety.
 - b. Fear.
 - c. Guilt.
 - d. Grief.
 - e. Depression.
 - f. Sadness.
 - g. Feeling lost.
 - h. Feeling abandoned.

**INTERAGENCY PROCEDURES
CRITICAL INCIDENT STRESS MANAGEMENT
VOL, 5. CH,12.**

- i. Feeling isolated.
 - j. Worry about others.
 - k. Wanting to hide.
 - l. Wanting to limit contact with others.
 - m. Anger.
 - n. Irritability.
 - o. Feeling numb.
 - p. Startled.
 - q. Shocked.
4. Behavioral.
- a. Withdrawal from others.
 - b. Erratic behavior.
 - c. Acting out.
 - d. Avoidance.
 - e. Clinging behavior.
 - f. Unusual behavior.
 - g. Emotional outbursts.
 - h. Pacing.
 - i. Change in sexual function/desire.
 - j. Any significant change in behavior.
- B. When an officer notices some of the symptoms listed in section “A” above either in themselves, a co-worker or other emergency response personnel, they should immediately notify that persons supervisor of these conditions.

**INTERAGENCY PROCEDURES
CRITICAL INCIDENT STRESS MANAGEMENT
VOL, 5. CH,12.**

II. Causes of traumatic stress:

- A. A police officer, firefighter, or EMS worker dies or is seriously injured in the line of duty; or
- B. A police officer is involved in any incident in which a fatality occurs either directly or indirectly because of an officer's actions, including but not limited to a motor vehicle accident or officer-involved shooting,
- C. A mass casualty incident;
- D. The sudden death of a child;
- E. Death of a victim after prolonged rescue efforts;
- F. Death of a victim resembling a loved one;
- G. An extreme high-risk event;
- H. A high visibility event which draws considerable media or public attention;
- I. Any other event occurs which produces significant and unusual stressors.

IV. Supervisors responsibilities:

- A. When officer(s) display symptoms of critical incident stress, either at the scene or later on, the tour commander or other involved supervisor is to notify a CISD Team.
 - 1. The Tour Commander or other supervisor should call either CISM Team out of Valley Hospital at 201-447-8502, MICOM at 1-973-595-7900, or the State of NJ Critical Incident Stress Debriefing Team at 1800-581-7883 / pager 1800-800-9724.
- B. When an incident occurs which has a high probability of causing critical incident stress, the supervisor should call a CISD team for a debriefing of all officers involved.
- C. When officers are involved in a shooting incident, whether they fired at someone or were fired at, the supervisor should contact a CISD team for debriefing.
- D. The Chief may order all officers involved in a critical incident to attend a confidential CISD session with a CISD team.
- E. If symptoms persist, the supervisor may want to recommend professional counseling. If such counseling is deemed necessary, the supervisor should advise the administration of the department through the chain of command.

**INTERAGENCY PROCEDURES
CRITICAL INCIDENT STRESS MANAGEMENT
VOL, 5. CH,12.**

- F. It is recommended in street survival training that there is a down time after an incident for a period of 20 minutes.
 - 1. All officers involved sit quietly in a room for 20 minutes.
 - a. During this time they do nothing but sit quietly.
 - b. After the 20 minutes, any officer that falls asleep should be allowed a power-nap for 1 hour before being allowed to drive home.
 - 2. Statistics have shown that if this procedure is followed after a long, drawn out incident, it will help keep officers from being involved in collisions while driving home.
- G. Document all actions and forward through the chain of command.

V. Administration responsibilities:

- A. When Critical Incidents occur, the administration of this department should assign a supervisor to follow-up on the status of any officers that needed to be debriefed or counseled due to such an incident.
 - 1. Follow-up should include; post trauma counseling interview with the officer involved, contact with a family member to check on any symptoms which may persist while the officer is not at work, and follow-up with any professional counselor the officer was sent to, just to verify that the officer has been attending sessions.
- B. Review reports submitted by supervisor assigned to do the follow-up, and make any recommendations deemed necessary for continued counseling.

**AUTHORITY
DEATH NOTIFICATION
VOL. IV, CHAP. 14**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 5/2/2001	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IV
VOLUME TITLE: AUTHORITY	# PAGES: 6					CHAPTER 14
ACCREDITATION STANDARD(S):	REFERENCE: V4C14x					
SUBJECT: DEATH NOTIFICATION						DISTRIBUTION ALL
ISSUING AUTHORITY: <hr/> CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure that proper procedures are followed in the death notification to the next of kin.

POLICY:

One of the functions required of a police department is the handling of death notifications. This responsibility is extremely sensitive and therefore, it is most important that the officer assigned to this detail conduct himself in a compassionate, considerate and respectful manner. This policy will address the three major areas of sudden death situations; notification of death, release of information and property and the rendering of other assistance.

PROCEDURE:

I. Notification of Death

- A. Whenever a decedent's next of kin lives in this municipality, a member of the department shall personally respond to the residence to make the notification of death.
 - 1. This notification could be for a death that occurred in another jurisdiction and a request has been made for this department to notify a resident within our jurisdiction.

AUTHORITY
DEATH NOTIFICATION
VOL. IV, CHAP. 14

- B. Before an officer responds to make a death notification, arrangements should be made for the uniform officer to be accompanied by a plain cloths detective, if a detective is on duty.
1. In all instances, an attempt should be made to contact a member of the clergy, preferably one who is of the same denomination as the family, if clergyman can not be contacted, attempts should be made to have a friend , relative or neighbor present during or after the notification.
- D. If this department has information that the individual or individuals being notified may need medical attention, the Communications Center should notify the Ambulance corps of the notification so that they may stand-by at their headquarters.
- E. Information that shall be provided to the next of kin as follows:
1. Place of Death.
 2. Circumstances of death.
 3. Who, in the department, they should contact for further information.
 - a. Write the officer's name and department's phone number on a piece of paper, or leave a business card.
 4. The exact location of the hospital where the decedent is located.
 - a. Provide all the directions and street address in writing.
 5. If the death occurred in another jurisdiction, the officer will also provide the following information:
 - a. Investigating department.
 - b. Name of Investigating Officer.
 - c. Directions to investigating department's headquarters.
- F. It is important that an officer attempt to have someone present at the residence before he leaves. Officers should avoid leaving the decedent's relatives alone.
1. Attempt to have a relative, friend or neighbor respond to the location.
- G. At no time is a death notification to be made over the phone.
- H. Before a notification is made, proper identification should be made.

AUTHORITY
DEATH NOTIFICATION
VOL. IV, CHAP. 14

1. Example: If there was a death in a motor vehicle accident, when the officer speaks to the decedent's relatives, he should advise them that a person who fits the description of your son/daughter/husband, etc. may have suddenly died in a motor vehicle accident. We would like you to make an identification.

I. General Death Notification Guidelines

1. Notifications of death should be made in person by a law enforcement officer conducting the investigation.
2. Where staffing levels permit, two officers should effectuate the notification, one of whom should be in uniform.
3. Notification should occur as soon as the deceased's identity has been established and the next of kin located.
4. An attempt should be made to ascertain pertinent medical information about the surviving family members prior to their being notified, so that the officers will be better able to react to potential medical emergencies.
5. Upon arriving at the survivor's residence, the officers should introduce themselves, present their credentials and request admission.
6. If a child answers the door, the officers should request to speak to the child's parents and ensure that notification is being made to the appropriate individual.
 - a. If the next of kin is not at home, a neighbor can be notified that the Police have important information for their neighbor, and they should leave contact information with the neighbor to call the Police Department when their neighbor arrives at home. They should not give the neighbor the information about the deceased.
 - b. If possible, information on where the next of kin might be should be obtained, if practical (someone else's home, workplace) officers should respond to that location.
 - c. Should the next of kin be at work, the officers should respond to that location and ask to speak to a supervisor of the next of kin and explain that they would like to speak to that person in private, and that they have important information for them. The supervisor should not be given information about the deceased.
7. Survivors should be informed of the death, simply and directly.
8. Upon the request of the survivors, the officer should provide as much information as possible regarding the circumstances of the death, without jeopardizing a criminal investigation.

AUTHORITY
DEATH NOTIFICATION
VOL. IV, CHAP. 14

9. The officers should ask the survivors if there is anyone they would like to have called to provide assistance or comfort. The officers should not leave a survivor who resides alone until someone designated by him arrives.
10. The survivors should be informed that it may be necessary for them to identify the deceased. If identification is necessary, the officers should transport or arrange for transportation of the survivors to and from the hospital or morgue.
11. Survivors should be informed that state law may require an autopsy to establish the exact cause of death.
12. Survivors should be informed that other law enforcement officers may need to question them at a future time. If it is imperative that the survivors be questioned immediately after notification, questioning should be conducted compassionately.
13. Prior to departing the residence, the officers should provide the survivors with their names and telephone numbers.
14. If surviving family members reside outside of the jurisdiction of the law enforcement agency responsible for investigating the death, the investigating officer should contact the appropriate law enforcement agency in the other jurisdiction. That agency should be requested to make the "in person" notification as described herein.
15. If a victim is brought to a hospital, care should be taken to preserve and label the package containing the victims clothing and personal effects.
16. Where it is hospital policy to prepare the body for identification, investigating law enforcement personnel should allow hospital staff adequate time for preparation.
17. When possible, hospital staff should permit survivors sufficient time with the deceased or an explanation.

II. Release of Information and Property

- A. The officer in charge of records, the Chief of Police or his designee shall be the only members of the department authorized to release reports to anyone.
- B. Upon request, all information pertaining to a suicide or accidental death should be made available to the victim's next of kin.
 1. Authorization must be granted by the officer in charge of records and the Chief of Police.
- C. Information pertaining to homicide, including death by auto, and suspicious deaths should be made available by the County Prosecutor's Office.

AUTHORITY
DEATH NOTIFICATION
VOL. IV, CHAP. 14

- D. Autopsy information can be requested in writing through the County Medical Examiner's Office.

- E. News releases shall be authorized through the Supervisor(s) in charge of news releases.
 - 1. The name of the victim should only be released after the next of kin have been notified and positive identification has been made.
 - 2. The circumstances of the case can be given.
 - 3. No opinion shall be released to the media.

- F. Property that has been seized in connection with a criminal investigation shall not be released to the next of kin until two (2) months after the disposition of the case.
 - 1. Authorization must be obtained through the County Prosecutor's Office when the investigation is:
 - a. Homicide
 - b. Death by Auto
 - c. Sexual Assault
 - d. Robbery
 - e. Burglary
 - f. Arson
 - g. Aggravated Assault
 - 2. Authorization by the Chief of Police must be granted.

- G. Property that has been seized as a result of an accidental death shall be released when the investigation has concluded.
 - 1. Authorization by the Chief of Police must be granted.

- H. General Guidelines
 - 1. Every law enforcement agency should designate an appropriate staff to coordinate the dissemination of information pertaining to all sudden and unexpected deaths.
 - 2. All information pertaining to a death which has been determined to be a suicide or otherwise accidental, should be made available to the victim's next of kin upon their request. Discretion should be exercised so that the survivors are not provided details which might produce additional trauma.

**AUTHORITY
DEATH NOTIFICATION
VOL. IV, CHAP. 14**

3. In homicides, including death by auto, and cases involving suspicious death, information which will not jeopardize a criminal investigation should be provided by the County Prosecutor's Office to the survivors upon their request. Discretion should be utilized when providing details regarding the circumstances of the death which might further traumatize the survivors.
4. The State or County Medical Examiner shall provide a copy of the autopsy report upon written request of the next of kin except in homicides, death by auto or suspicious deaths, whereupon the medical examiner should consult with the County Prosecutor prior to its release.
5. The "Statement of Principles and Guidelines for the Reporting of Criminal Procedures" shall govern the release of information to the media. Information should be provided to survivors prior to its being released to the media. Information concerning details of the death should be scrutinized to insure that its release will not intensify the grief of the survivors.
6. Hospital staff and funeral service personnel should release only that information which is related to their specific area of responsibility. All other requests for information should be referred to the appropriate law enforcement agency.
7. In those cases involving accidental death, the victim's personal effects should be promptly returned. In homicides, including death by auto and suspicious deaths, property not deemed pertinent to a criminal investigation should be released promptly. Property which is determined to be essential to a criminal investigation and is normally retained should be photographed and returned upon the approval of the County Prosecutor. If it is determined that the property cannot be promptly released, a designated law enforcement officer should explain the reason for withholding property and ensure that it is returned when possible.

I. Assistance to Survivors

1. Law enforcement, funeral service and hospital personnel should attempt to meet the needs of survivors of sudden and unexpected death.
2. Where financial assistance is required, survivors should be referred to the appropriate agency.
3. Survivors of homicide, which includes manslaughter and death by auto, should be notified by the investigative division of the status and outcome of the criminal case.
4. Survivors should be informed of their right to effectuate victim impact statements which will be considered by the court prior to sentencing; and the parole boards prior to granting parole.

**INVESTIGATION
 DECISION NOT TO ARREST
 VOL. VIII, CH. 8**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE:	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VIII
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PURPOSE:

To provide a guide for officers to refer to in making decisions on whether to arrest or not to arrest an offender.

POLICY:

There are circumstances where although there are grounds for a lawful arrest, better police practice dictates that the offender not be arrested. However, in most cases, it is not the role of a police officer to decide whether an offense should be prosecuted, that is the responsibility of the court prosecutor. So any decision not to arrest must be reached only after the officer has carefully weighed the following guidelines.

PROCEDURE:

- I. When the arrest would cause a greater risk of harm to the general public than the offense that had been committed, the officer should refrain from effectuating an arrest. **Example:** In crowd situation, a police officer's decision to arrest may aggravate tension and lead to a riot or other serious disorder.
 - A. An officer would be justified to back away and wait for additional units.

**INVESTIGATION
DECISION NOT TO ARREST
VOL. VIII, CH. 8**

- B. An organized directed plan would be the first step, **not** arrest.
- II.** There are situations where police resources are stretched to their limit, e.g., on a particularly busy night, arrests for minor offenses would take up officer's time to the point that they could not respond to really serious crimes.
- A. Remember that even though there is no arrest at the time the offense is committed, at a later date, the officer may sign a complaint against the offender.
 - 1. The offender in such cases should be properly identified for later arrest or issuance of summonses.
 - 2. Should the offender(s) identity be known to the officer, and he has been arrested before, then his information can be obtained in the in-house computer system.
 - B. The issuance of traffic summonses, criminal complaints and disorderly complaints have workable time frames for charging individuals.
- III.** A decision not to arrest is when the arrest would cause harm or embarrassment to an offender who poses no threat of danger to the public. The following are examples of this kind of situation:
- A. The intoxicated person (unless they are driving a vehicle) who is harmless and at most, needs a little assistance home. See ATRA Policy and Procedure.
 - B. The juvenile offender whose wrong doing would best be handled through informal warnings, advice, etc., (for a very minor offense) and a talk with the parents. In this way, getting a record of any kind can be avoided.
 - C. As mentioned above, a decision not to arrest when there are grounds for arrest is considered good police practice only in the special circumstances given. Consequently, if there is doubt that those circumstances exist and if a supervisory officer is not readily available, **ARREST**.
- IV. Drug Investigations, Confidential Investigations**
- A. When the arrest would jeopardize an ongoing drug investigation, the officer should refrain from arresting and individual.
 - 1. This should be under the direction of a Division Commander.
 - B. During a vice investigation or organized crime investigation, it may be necessary to forego an arrest in order to develop adequate intelligence information that would result in major charges issued to multiple defendants at a later time.
 - 1. This should also be under the direction of a Division Commander.

**ORGANIZATION
DETECTIVE BUREAU CALL OUT
VOL. II, CH. 17**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 05-18-02	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
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SOP 95-9						

PURPOSE

To ensure the proper and effective response of detective personnel to investigate serious criminal acts.

POLICY

The Police Department will have a set procedure for the call-in of Detectives as needed. Circumstances require that Detectives should be available on a 24 hour a day, seven days a week basis. To accomplish this goal this department should adhere to the following procedure. Compliance with this procedure should eliminate unnecessary call-ins while maintaining investigative coverage at times when efficiency demands the Detective Division go unmanned.

PROCEDURE

I. HOURS OF RESPONSIBILITY

A. General Investigation

1. Detectives assigned to the 1600 - 2400 Hr. tour are subject to recall up to 0400 hours.
2. Detectives assigned to the 0900-1700 Hr tour are subject to recall from 0400 to 0900 hours.

**ORGANIZATION
DETECTIVE BUREAU CALL OUT
VOL. II, CH. 17**

- B. Narcotics Bureau
 - 1. When a Narcotics Detective or additional Detectives are needed during non scheduled hours, the Narcotic Bureau Supervisor should be notified and they will make the determination based upon the circumstances, as to which Detective(s) will be called in.
 - 2. If the Narcotic Bureau Supervisor is unavailable, the Detective Division Commander should be notified. He will then make the decision in the absence of the Division Supervisor.
- C. Juvenile Bureau
 - 1. Detective(s) assigned to the 1600-2400 hours tour will be subject to recall up to 0400 hours.
 - 2. Detectives assigned to the 0900-1700 Hr. tour are on call from 0400 to 0900 hours.
- D. If a Detective is needed and has not worked the previous shift or is not scheduled to work the next shift, then the on-duty Detective Bureau Supervisor or Detective Bureau Commander should be notified. They will make the determination based upon the circumstances, as to which Detective(s) will be called in.
- E. The call being placed to the Detective Division Commander, Narcotic Bureau Supervisor or on-call Detectives will be made with the approval of the on-duty Supervisor of the Patrol Division.

II. AREAS OF RESPONSIBILITY

- A. The following guidelines will be utilized in calling in off-duty detective bureau personnel:
 - 1. General Investigation Detectives should be recalled to investigate any 1st or 2nd degree crimes (i.e. Homicides, Sexual Assaults, Arsons, Robberies, Kidnapping etc.) or in any crime in which a victim suffers apparent serious injury.
 - 2. The Narcotic Bureau supervisor should be notified of any second degree narcotics arrest or any currency seizure in excess of \$10,000. The Narcotic Bureau supervisor will then ensure that the necessary detective personnel respond to investigate.
 - 2. Juvenile Detectives should be recalled to investigate any 1st or 2nd degree crimes (i.e. Homicides, Sexual Assaults, Arsons, Robberies, Kidnapping etc.), burglary or other serious incidents where a juvenile is a suspect. A detective from another

ORGANIZATION
DETECTIVE BUREAU CALL OUT
VOL. II, CH. 17

bureau may also be recalled to handle the crime scene and / or victim / witness statements.

3. In other situations, off-duty detectives should not routinely be recalled unless there is a pressing need for their assistance in an investigation, which cannot wait until their scheduled working hours. The Tour Commander or Shift Supervisor should notify a Detective Supervisor. They will make the determination based upon the circumstances, as to which Detective(s) will be called out.
4. The responding detective may request that additional detectives be recalled through the highest-ranking on-duty supervisor.

**ORGANIZATION
DETECTIVE RESPONSIBILITIES
VOL. II, CH. 16**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 1-25-06	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
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PURPOSE:

This policy was formulated so that each officer holding a position within the Detective Division would have basic procedures to follow in the performance of their investigative and supervisory duties.

POLICY:

There shall be a branch of the police department known as the Detective Division. The Chief of Police will designate a commander in charge of the Detective Division. The Detective Division Commander shall be under the direct control of the Operations Commander.

PROCEDURE:

I. GENERAL INVESTIGATION DIVISION SUPERVISOR'S RESPONSIBILITIES

Under the direct supervision of the Detective Division Commander, a general investigation supervisor has charge of all subordinates assigned to his/her particular section. Whenever necessary, he/she is also in direct supervision of the fraud squad detectives, the warrant squad detectives and the property and evidence unit detectives. When the Narcotics Bureau and Juvenile Bureau supervisor is not available, the general investigation supervisor will also oversee operations of these bureaus.

ORGANIZATION
DETECTIVE RESPONSIBILITIES
VOL. II, CH. 16

- A. The General Investigations supervisor performs his/her duties within the confines of departmental rules and regulations, policies and procedures and state and federal statutes.
 - 1. When necessary, apprehends, warns or takes into custody violators of the law.
 - 2. Monitors and insures compliance with department rules and regulations, and investigation procedures. Makes any corrections and conducts training where needed.
 - 3. Keep detectives informed of new rules, regulations, procedures and legal changes.

- B. The general investigation supervisor assigns cases to detectives, considering nature of case and special abilities and/or areas of expertise of individual detectives. Assigns personnel as teams or stake out units to work on more serious cases as workloads require
 - 1. Will screen incidents occurring during the workday for cases needing investigation; such cases to be followed up until all investigative means have been exhausted in attempting to recover stolen property or identification and apprehension of a suspect.
 - 2. Will review reports of the previous shift for cases needing follow-up, but not yet assigned.
 - 3. Will monitor case loads of detectives, including review of cases in progress and supervising reports, statement preparation and the interrogation of suspects.
 - 4. Will review cases submitted for closeout for thoroughness and valid reasons for suspending investigation. Cases arising that come under the jurisdiction of other law enforcement agencies (i.e., FBI, Secret Service, CIA, Immigration, ATF or National Security Agency, INS etc) will be investigated until they properly and clearly come under another jurisdiction and with the approval of the County Prosecutor.
 - a. Decisions about extent of follow up will be made from detectives input, degree of seriousness and workloads.
 - 5. Will keep abreast of investigations and of detectives on opposite work schedules.
 - 6. Will assign to detectives all incidents requiring crime scene search and all incidents resulting in serious bodily injury or mass property destruction, destruction of all municipal, county, state or federal property.
 - 7. Will assign for investigation all incidents that occur in dwellings that have multiple separate families or living units, causing dislodging, injury or destruction in order to determine if a criminal act or public housing violation occurred, thereby fixing liability.
 - 8. Will assign all incidents in which a suspect has been identified but fled the scene. Cases in which suspects are not identified shall also be assigned for apprehension.

ORGANIZATION
DETECTIVE RESPONSIBILITIES
VOL. II, CH. 16

9. Will assign cases on the need for urgency, prevention of escape of a suspect, the need for urgency in possible recovery of property or the prevention of further injury to victim.
 10. Cases of a non-violent or non-serious nature will be assigned for further investigation when a suspect has been identified or likelihood of apprehension is great.
 11. All cases assigned will first be screened by the detective supervisor to ensure it falls into the above categories to prevent loss of manpower on frivolous cases or cases that fall under another jurisdiction.
 12. The screening of cases for assignment, will be conducted on a daily basis and monitored during a supervisor's tour of duty by listening to dispatched patrols (if possible) or telephone request.
 13. All detectives' reports and completed case jackets must be checked by the supervisor in charge prior to being sent for processing.
- C. The general investigation supervisor will assist detectives when needed concerning investigative methods, applicable charges, etc.
1. Will respond to serious incidents when needed, and take charge of crime scenes.
 2. Will take part in investigative training when appropriate.
 3. Will supervise the daily activities of detectives, and assist with any cases or questions they might have, job related or not.
- D. Will authorize and approve all overtime requests and forward to the detective division commander.
- E. The general investigation supervisor will assist in and help to coordinate large-scale investigations and activities, including supervision of search warrants, liaison with the court system, etc.
1. Will maintain "Police Intelligence" exchanges with area departments to aid in investigations and keep abreast of criminal activity, crime trends and helpful investigation techniques and imparts such information to detectives.
 2. Will maintain open lines of communication with Bergen County Prosecutor's Office, Bergen County Sheriff's Department, New Jersey State Police, Federal Bureau of Investigations, etc., in areas of mutual benefit and need.
- F. The general investigation supervisor will monitor care of equipment and vehicles, and proper use of supplies.
1. Will supervise the operation and maintenance of all electronic equipment in the general investigative division.

**ORGANIZATION
DETECTIVE RESPONSIBILITIES
VOL. II, CH. 16**

2. Will train all detectives in various areas of electronic equipment, identification work, and other surveillance equipment.
 3. Will review daily activity of detectives. A report will be forwarded to the Detective Bureau Commander upon his/her request.
 4. Will prepare performance evaluation reports for detectives and submit them to the Detective Bureau Commander upon request.
 5. Assumes duties of Detective Bureau Commander in his/her absence when needed.
- G. Assigns a detective to attend all patrol briefings, ensuring an exchange of information and ideas between patrol and the plainclothes division.
- H. Upon responding for his/her tour of duty, Will inform the communications center of vehicle assignments as soon as possible.
- I. The general investigation supervisor will conduct monthly physical inspections of the various functions of the unit as assigned by the Detective Division Commander.

GENERAL INVESTIGATION DETECTIVE

- I. Investigates assigned cases where the suspect has escaped apprehension.
- A. Interviews victims and witnesses of crimes.
1. Seeks out witnesses who may or may not know a crime was committed.
 2. Takes statements from victims and witnesses in instances where formal statements are needed.
 3. Attempts to have composites prepared of suspects, and sees that same are distributed to other agencies and departments.
 4. Prepares and conducts photographic line-ups for viewing by witnesses and victims, in an attempt to identify suspects.
 5. Seeks information needed during investigations by using all available sources such as; informants, street contacts, NCIC , motor vehicle records, business owners, and other Federal, State, County and local law enforcement agencies.
 6. Maintains contact with victims and witnesses of assigned cases and advises them of new developments and pending prosecutions when necessary.
 7. Assists the court in notifying and/or issuing subpoenas to witnesses and victims of crimes before scheduled court hearings to insure their availability to testify.

**ORGANIZATION
DETECTIVE RESPONSIBILITIES
VOL. II, CH. 16**

- B. Assists with crime scenes when called to investigate, and preserves evidence that needs to be processed.
 - 1. Records crime scenes in notes.
 - 2. Photographs crime scenes and evidence when necessary.
 - a. When photographs are not taken, or where physical evidence is not recovered from the scene of a serious crime against person or property, the Detective assigned will prepare a written report giving the reasons why. This report will be forwarded to the Detective Division Commander.
 - b. When BCI has responded, he/she will assist and document actions taken, evidence seized, BCI case number, investigators etc.
 - 3. Diagrams serious crime scenes.
 - 4. Detectives who have been sufficiently trained, collect physical evidence and marks, labels, tags and packages as needed.
 - a. Logs evidence on departmental forms. Prepares lab requests and evidence for examination by proper laboratories.
 - b. Forwards evidence to Identification Bureau.
 - c. Always protects the chain of evidence.
 - d. Transports evidence to the proper laboratory if needed.
 - e. Returns evidence to owners when no longer needed and upon the consent of the Bergen County Prosecutors Office.
 - 5. Requests the Bergen County Prosecutors Office and/or the Bergen County Sheriffs Department Bureau of Criminal Identification to respond when the preservation or collection of evidence cannot properly be accomplished by our own personnel, or where special equipment is needed.
 - 6. During and after investigations are completed, prepares NLETS and/or NJLETS messages for the Communications Center to advise other departments of our crimes, stolen property, and wanted persons, and to seek their aid.
- C. Prepares search warrant applications if needed.
- D. Reviews and updates active case files regularly, and closes out cases when appropriate.

ORGANIZATION
DETECTIVE RESPONSIBILITIES
VOL. II, CH. 16

- II.** Investigates non-assigned cases that may have leads available, or where likelihood of solving cases is seen; or those that may need follow-up for various other reasons.
 - A. Cultivates street contacts and informants to aid in the investigation of known crimes, and the investigation of crimes not yet committed or being planned.
 - B. Maintains " Police Intelligence " exchanges with area departments to aid in investigations and keep abreast of criminal activity, crime trends, and helpful investigative techniques.

- III.** Treats suspects properly.
 - A. Apprehends and subdues suspects and reads them their Constitutional Rights according to Miranda.
 - 1. Searches the body and clothing of suspects for possible weapons and contraband, in accordance with the New Jersey Attorney General's guidelines, using physical and visual means in order to insure the safety of the officer and others.
 - 2. Transports arrested persons to Headquarters, or detention facilities, using handcuffs and other security measures necessary in order to process them according to proper procedures.
 - B. Interrogates suspects properly.
 - 1. Completes reports necessary to substantiate an arrest, on appropriate forms in order to document and arrest.
 - 2. Fingerprints and/or photographs violators, or suspects, using equipment in the booking room, in order to process a standard arrest.
 - C. Takes formal statements of suspect, if possible, when necessary.
 - 1. Reads Constitutional Rights to suspect and obtains signature from suspect on the written statement of the rights, in order to take a lawful statement.
 - 2. In coordination with the Tour Commander ensures that the appropriate Municipal Court Judge is contacted by telephone to facilitate arraignment hearings in order to determine the amount of bail or bond required to release the accused.
 - 3. Transports arrested persons, when necessary, to appropriate detention facility (ie, Bergen County Jail or Bergen County Juvenile Detention Center).
 - D. Guards prisoners and arrested persons by appropriately positioning self in relation to prisoners, and by using handcuffs when necessary in order to prevent escape and to protect the prisoners from harm.

ORGANIZATION
DETECTIVE RESPONSIBILITIES
VOL. II, CH. 16

- E. Refers juvenile cases to the Juvenile Bureau Detective by submitting known details in order to have the case handled by appropriately trained personnel.
- F. Prepares to testify in court by collecting documents, reports and other evidence related to the case, reading all reports and notes, and talking with other officers, supervisors, solicitors, and witnesses, in order to insure the accuracy and effectiveness of testimony.
- G. Testifies in court by presenting facts and /or evidence related to the case and by answering attorney and magistrate's questions in order to help insure the proper disposition of the case.
 - 1. Transports prisoners to and from jail and court and remains with prisoners during court, when necessary. Returns prisoner to jail if serving time or held on detainer, when necessary.
 - 2. Picks up prisoners arrested in other jurisdictions on our warrants, when needed, and processes as in other arrests.
- IV. Assists other Detectives where aid is needed.
 - A. Knows what cases other Detectives are involved in.
 - B. Calls on other Detectives and/or police personnel when needed to accomplish the police objective. Employs the proper chain of command when needed to secure the aid of such other personnel.
- V. Assists the other divisions in the department where aid is needed.
 - A. Augments the Patrol Division when called on for crowd control, disaster control, serious incidents or the need for additional manpower.
 - B. Liaison with Patrol Division, exchanges information between the General Investigation Division and the Patrol Division, with special emphasis on wanted persons, suspects active in our area, crime trends. Reports to Supervisor and other Detectives on any information that is of an important nature.
 - C. Assists the Patrol Division in making arrests, typing complaints and securing arrest warrants and search warrants, gathering evidence, determining proper charges, proper procedure and paperwork on arrests and for processing prisoners, interrogations, interviews, unknown persons, answering questions on criminal law and procedures, and photographing fatal/serious motor accident scenes.
 - D. Assisting other supervisors when needed.
- VI. Assists other agencies.
 - A. When mutual aid is requested and approved through supervisory personnel.

**ORGANIZATION
DETECTIVE RESPONSIBILITIES
VOL. II, CH. 16**

1. Directs requests for service to proper agencies when outside our jurisdiction.
 2. Alerts appropriate agencies to violations outside our scope or jurisdiction.
 3. Investigates information on suspected criminal activity that comes to our attention from citizens, known sources or anonymously.
 4. Reviews reports and teletypes daily to keep abreast of activities and crime in our town, and in others, to search for information pertinent to investigations.
- B. Provides information on suspects known to us or residing in our town.
- C. Helps when making arrests in our town or conducting investigations in our town.
- D. Assists when executing search warrants in our town.
- VII.** Properly care for and operate all equipment, vehicles and supplies, and advise supervisors when supplies are low or maintenance is required. Have vehicles washed, checked and add gas when needed.
- A. Maintain proficiency in operating vehicles.
- B. Upkeep and use of duty weapons.
- C. Maintain care in the use of other equipment assigned, such as bulletproof vests, radio, pagers etc.
- VII.** Check any suspicious activity noted while out of the confines of the General Investigation Division office.
- A. Take necessary actions when encountering emergency situations or crimes while out of the confines of the office. Notify Headquarters if needed.
- B. Notify Headquarters of miscellaneous conditions of a non-emergency nature that warrant Patrol Division or other Borough department attention.
- IX.** Maintain radio contact with Headquarters and/or General Investigation Division, or advise supervisor of his/her whereabouts and how to be contacted if needed.
- X.** Advise supervisor when leaving the building.
- A. Whenever leaving the building, the Detective will notify his/her immediate supervisor that he/she is leaving and what vehicle he/she will be in. Will also sign out on the in/out board located in the G.I. office When leaving the vehicle, he/she will call in his/her location or give some other form of communication that he/she may be contacted if

ORGANIZATION
DETECTIVE RESPONSIBILITIES
VOL. II, CH. 16

needed. When returning to his/her vehicle, he/she will advise that Communications Center that he/she is back in service.

- XI.** Conducts background investigations on police applicants.
- XII.** Prepares daily entries into investigative management documenting the work performed each day.
- XIII.** Maintains the uniform of the day and class "A" uniform and has them readily accessible.

**ADMINISTRATION
 EQUAL EMPLOYMENT OPPORTUNITY PLAN
 VOL. I, CH. 10**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-31-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 3					CHAPTER 10
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: EQUAL OPPORTUNITY PLAN						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

It is the policy of the Borough of Fort Lee Police Department to promote the realization of equal employment opportunity through a positive continuing program of specific practices designed to recruit, hire, train and promote persons in all job classifications without regard of race, color, religion, sex or national origin.

Base decisions on employment so as to further the principle of equal employment opportunity. Ensure the promotion decisions are in accord with principles of equal employment opportunity by imposing only valid requirements for promotional opportunities.

Ensure that all personnel actions, including but not limited to compensation, benefits, transfers, layoffs, return from layoffs, company sponsored training, education, tuition assistance, social and recreational program will be administered without regard to race, color, religion, sex or national origin.

Equal Employment Opportunity is not only the law, but it is a principle of the Borough of Fort Lee Police Department's operation. Each employee is expected to cooperate to achieve this goal.

**BOROUGH OF FORT LEE
POLICE DEPARTMENT
Borough of Fort Lee, New Jersey**

**EQUAL EMPLOYMENT OPPORTUNITY PLAN
STATEMENT OF MANAGEMENT COMMITMENT
(AFFIRMATIVE ACTION STATEMENT)**

POLICY STATEMENT

It is the policy of the Borough of Fort Lee Police Department to promote the realization of equal employment opportunity through a positive continuing program of specific practices designed to ensure without regard to race, color, religion, sex or national origin.

To implement these policies, the Borough of Fort Lee Police Department will continue to:

- A. Recruit, hire, train and promote persons in all job classifications without regard to race, color, religion, sex or national origin.
- B. Base decisions on employment so as to further the principle of equal employment opportunity, following valid Civil Service requirements.
- C. Ensure that promotion decisions are in accord with principles of equal employment opportunity by imposing only valid Civil Service requirements for promotional opportunities.
- D. Ensure that all personnel actions, including but not limited to compensation, benefits, transfers, layoffs, return from layoffs, Department sponsored training, education will be administered without regard to race, color, religion, sex or national origin.

Equal Employment Opportunity is not only the law, but it is a principle of the Borough of Fort Lee Police Department's operation. It is expected that each employee will cooperate in achieving this goal.

**ADMINISTRATION
EQUAL EMPLOYMENT OPPORTUNITY PLAN
VOL. I, CH. 10**

NARRATIVE OF AGENCY AND MISSION

New Jersey Statute 40A:14-118 states, "The governing body of any municipality, by ordinance, may create and establish a police department and force and provide for the maintenance, regulation and control thereof, and except as otherwise provided by law, appoint such members, officers and personnel as shall be deemed necessary, determine their terms of office, fix their compensation and promulgate rules and regulations for the government of the department and force and for the discipline of its members."

The Police Department is established by authority of the Borough of Fort Lee ordinance entitled, (Article 1-90) Police Department, of the Code of Borough of Fort Lee, in the County of Bergen, State of New Jersey, to establish, maintain, regulate and control a police department in and for Borough of Fort Lee in the County of Bergen.

RECRUITMENT

A recruitment program shall be designed to effectuate the Plan. The recruitment procedures shall include, but not be limited, to the following:

- A. Recruitment process will comply with Civil Service standards.

HIRING OF APPLICANTS

Hiring of applicants will follow background investigations and approval of the Chief of Police and the Mayor and Council, applicants will be taken from the New Jersey Department of Personnel Civil Service list.

STATUTORY REFERENCES

- A. The Civil Rights Act of 1964
- B. The Equal Employment Opportunity Act of 1972
- C. The New Jersey Law Against Discrimination (N.J.S.A. 10:5-1 et seq.)
- D. Age Discrimination Employment Act of 1967
- E. The Rehabilitation Act of 1973
- F. Proposed Affirmative Action Regulation, promulgated by the New Jersey Department of the Treasury, pursuant to P.L. 1975, c 127

**OPERATIONS
EQUIPMENT PORTABLE RADIOS
VOL. 4, CH. 16-1.2**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-15-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 3					CHAPTER 16-1.2
ACCREDITATION STANDARD(S):	REFERENCE: V4C16-1.2					
SUBJECT: EQUIPMENT: PORTABLE RADIOS						DISTRIBUTION ALL
ISSUING AUTHORITY: <hr/> CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
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REFERENCE: SOP 95-1 (rev.)						

PURPOSE

To outline the procedures for providing officers with effective communications through the issuance of portable radio.

POLICY

The Fort Lee Police Department shall issue a portable radio to all sworn officers as supplies warrant.

PROCEDURE

- I. Upon issue, every officer will:
 - A. Acknowledge on the Issued Equipment Sign Off sheet that the issued radio and equipment was received.
 - B. Ensure that the issued radio is always available whenever the officer is on duty, properly charged, and in working condition.
 - C. The officer will list their radio number on the car sheet on a daily basis.
 - D. The Tour Commander will enter each working officer's radio number in the blotter on every tour.

OPERATIONS

EQUIPMENT PORTABLE RADIOS

VOL. 4, CH. 16-1.2

II. Replacement Radios

- A. Spare radios will be deployed, in compliance with sections B & C below, if an assigned portable radio is:
 - 1. In communications for repairs,
 - 2. Reported lost or stolen, or
 - 3. An officer reports for duty without their portable. In such cases the officer's immediate supervisor should take the appropriate steps to ensure that the officer does not repeatedly report for work unprepared. If the problem persists, then the officer should receive discipline for failing to comply with this policy.

- B. Upon notification, the Tour Commander will allow an officer to utilize one of the spare radios. This radio must be bar-coded to the officer.
 - 1. The supervisor issuing the spare radio will ensure that the proper bar-coding procedures are completed.
 - 2. The officer receiving the spare radio will be held strictly accountable for it until such time that it is bar-coded back into HQ (office) by the supervisor receiving it at the end of the tour.
 - 3. Spare portables may only be used for the duration of the officer's daily tour and must be returned at the completion of said tour.

- C. If an officer who has not been issued a portable radio should need one in the performance of his duties:
 - 1. The officer must notify the Tour Commander.
 - 2. The Tour Commander will issue the portable and make proper entry in the barcode system.
 - 3. The officer to whom the radio was issued must return the radio at the completion of the tour, whereupon the receiving supervisor will barcode it back in and place it in the charger.

III. Battery Exchanges

- A. In the event that an officer's assigned radio battery should run down during the course of a tour, or during a double shift, that officer may request the Tour Commander to exchange their radio battery with the battery of a spare radio behind the police desk.

OPERATIONS

EQUIPMENT PORTABLE RADIOS

VOL. 4, CH. 16-1.2

- B. Spare portable radio batteries will be issued by the Tour Commander on an exchange basis only; the officer requesting a battery must turn in their battery upon receiving the fresh battery.
- C. A SPARE RADIO WILL NEVER BE LEFT BEHIND THE DESK WITHOUT A BATTERY.
- D. The Tour Commander will mount the exchanged battery on the spare portable and place it in the charger behind the desk.

IV. Radio Malfunctions and Repairs

- A. If an assigned portable radio is in need of repair, or fails to function properly, the assigned officer is to:
 - 1. Send an E-mail (copy interoffice) to Communications Repair, the immediate supervisor and the Administrative Division Commander, detailing the radio's malfunction as specifically as possible.
 - 2. Transport the faulty radio to the Communications Repair and turn it over for repair. If Communications Repair is closed, the officer may leave the radio in the Communications Center for the Communications Center Supervisor. If this is done the Communications Center Supervisor should be included in the E-mail.
 - 3. It shall be the assigned officer's responsibility to inquire as to the radio's status and to pick it up when the repair is completed.
 - 4. If a spare radio is malfunctioning, the Tour Commander will have it delivered to Radio Repair using the above procedure, make an entry in the barcode system as to the radio's status, and place a 3x5 card indicating the radio's status in its respective charger slot behind the desk.
 - a. When the radio returns to service, the entry in the barcode system will be completed by the receiving officer, and the radio will be returned to the charger or the officer it was issued to.

V. Lost or Stolen Radios

- A. If an assigned portable radio is either lost or stolen:
 - 1. An investigation report must be completed by the officer utilizing the radio.
 - 2. A detailed narrative report on the circumstances surrounding the loss of the radio will be prepared.
 - 3. The make, model and serial number must be entered into N.C.I.C.
 - 4. Copies of the above reports must be forwarded up the chain of command to the Chief.

OPERATIONS

EQUIPMENT: ISSUED / REQUIRED, USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16-1

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-31-2002	REVISION DATE: 1/16/03	PAGE #: 3 & 4	SECTION: II. B, 2	APPROVED	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 5					CHAPTER 16-1
ACCREDITATION STANDARD(S):	REFERENCE: V4C16-1					
SUBJECT: ISSUED / REQUIRED EQUIPMENT USE, ASSIGNMENT AND MAINTENANCE						DISTRIBUTION ALL
ISSUING AUTHORITY: <hr/> CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish guidelines for the issuance, use and care of departmental equipment to individual officers during their term of employment and or assignment.

POLICY:

The Administrative Division Commander is responsible for purchasing, supplying, repairing and maintaining equipment and supplies of the department. This includes vehicles, firearms, specialized equipment, and various other supplies.

The Administrative Division Commander is responsible for issuing supplies and equipment and for formulating maintenance and operating instructions for such equipment, if required.

Individual officers are responsible and accountable for proper care and maintenance of all equipment that is issued or otherwise assigned to them.

Individual employees are responsible and accountable for proper care and maintenance of all equipment that is issued or otherwise assigned to them.

OPERATIONS

EQUIPMENT: ISSUED / REQUIRED, USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16-1

Malfunctions discovered during the use of any equipment should be promptly reported and the use of the equipment should cease immediately when there is any reasonable cause to believe that further use may damage the equipment itself; result in accidental damage or injury; and/or tend to produce evidence which would be detrimental to any criminal or civil defendant.

I. RULE:

- A. The altering, exchange, removal or remodeling of any issued equipment or parts thereof (except that which occurs through normal use) from the way it was issued is prohibited, unless approved and ordered by the Administrative Division Commander.
- B. Employees shall not use department-owned equipment or supplies for their personal use.
- C. Department-owned equipment or supplies must be available for inspection by a supervisor at all reasonable times.
- D. All employees shall be held responsible for all department-owned equipment or property issued to them or placed in their care. Any such equipment or property lost, stolen, damaged or destroyed through negligence or by intention may have to be replaced by employees at their own expense.

II. PROCEDURE

- A. The following procedures should be observed pertaining to issued equipment.
 - 1. The Administrative Division Commander (or designee) should issue department equipment to officers in accordance with their assignment as designated below.
 - a. An Issued Equipment Signoff Sheet should be completed by the person issuing the equipment, with the officer signing their name in the appropriate space.
 - 2. The Administrative Division Commander should maintain a record of all equipment issued to a member of the department.
 - 3. The individual officer should
 - a. Maintain the equipment in a safe condition.
 - b. Routinely checked for proper operation.
 - 4. All Supervisors are responsible for inspection of department equipment available to officers and insure the proper maintenance and use.

OPERATIONS

EQUIPMENT: ISSUED / REQUIRED, USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16-1

5. All personnel are required to submit a written report in reference to the following:
 - a. Lost/missing issued equipment
 - b. Damaged issued equipment
 - c. Defective issued equipment
 - d. Outdated issued equipment
 - e. Unsafe issued equipment
6. The report should be forwarded to the Administrative Division Commander for appropriate action.

B. Issued Equipment

1. Probationary members of the department should be issued the following equipment in preparation for attending a Police Training Commission certified Police Academy.
 - a. Uniform & Hat badges as per the Credential Policy (v4-c16-1.1)
 - b. Department Firearm, Holster and Magazine Holder
 - c. Gun Trigger Safety Lock
 - d. Law Enforcement Handbook I & II
 - e. NJ 2C / Title 39 book
2. Members of the department should be issued the following equipment to assist them in the proper performance of their duties after meeting the Police Training Commission's requirements (Police Academy Training).
 - a. Portable Police Radio as per the Radio Policy (v4-c16-1.2)
 - b. Ballistic Vest
 - c. Traffic Safety Vest as per the Traffic Safety Vest Policy (v4-c16-1.4)
 - d. Bloodborne Pathogen Kit as per the Communicable Disease Policy (v6-c3)

OPERATIONS

EQUIPMENT: ISSUED / REQUIRED, USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16-1

- e. PR-24 and Holder, when qualified
- f. Tactical Patrol Helmet with Face Shield
- g. Automobile Lock Out Tool
- h. Borough of Fort Lee Map
- i. White dress cloth gloves
- j. Black leather gloves
- k. Pocket MV Law Book
- l. S&W 911 Knife
- m. Traffic Gloves

B. Required Equipment

1. Probationary Officers will purchase equipment as mandated by the Police Academy that they will be attending for the first day of school. The equipment may include:
 - a. Athletic gear (shorts, sweatsuits, sneakers, watch cap, gear bag)
 - b. Academy Uniforms (dress uniform, BDU uniform, jacket)
2. Members of the department should purchase the following equipment to assist them in the proper performance of their duties after meeting the Police Training Commission's requirements (Police Academy Training).
 - a. A complete department uniform as required in the Uniform Policy (v1c17).
 - b. Leather Duty belt
 - c. Leather Garrison Belt
 - d. Off duty badge and holders.
 - e. Minimum of 2 pairs of handcuffs w/ key, off-duty pair optional.
 - f. Whistle and chain

OPERATIONS

EQUIPMENT: ISSUED / REQUIRED, USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16-1

- g. Police Flashlights: large (i.e. Streamlight SL-20) and belt size (i.e. Streamlight Stinger)
- h. Black shoes

C. Optional Equipment

- 1. Members of the department may purchase the following equipment to assist them in the proper performance of their duties:
 - a. A watch w/ night sight
 - b. A multi purpose knife tool
 - c. A handcuff key keeper
 - d. A set of work keys
 - e. A set of compact binoculars
 - f. Pens
 - g. A police note pad
 - h. A clip board
 - i. A summons clip board
 - j. Black boots
 - k. Black winter boots
 - l. Thermal pants & shirts
 - m. Pocket Size Drug ID Book
 - n. Chalk / Carpenter Marking Crayon
 - o. Antibacterial hand cleanser
 - p. Small tape measure (12 / 25 ft)

Fort Lee Police Department

Courtesy – Professionalism – Respect



Field Training Guide

Standardized Evaluation Guidelines

Thomas O. Ripoli
Chief of Police

FORT LEE POLICE DEPARTMENT
FTO WEEKLY
EVALUATION REPORT
PROBATIONARY OFFICERS
FIELD TRAINING GUIDE

STANDARDIZED EVALUATION GUIDELINES

Attitude/Relations/Appearance

Attitude Toward Police Work – Do the trainee’s comments and behavior demonstrate a positive attitude toward police work? How does the trainee view their career in terms of personal motivation, goals, and acceptance of the responsibilities of the job?

Below Average – Trainee considers police work only as a job, making no attempt to improve skills or knowledge; resists training; uses position to boost self-esteem; uses authority for personal gain or abuses authority; demonstrates little dedication to the principles of law enforcement.

Average– Trainee expresses an active interest in law enforcement; uses down-time during the tour to improve skills, knowledge and abilities; projects a positive professional image to the public through good behavior.

Above Average– Trainee utilizes off duty time to further professional knowledge through study; maintains high ideals toward professional responsibilities, remembering that the enforcement of the law should be fair and equitable; works to improve the professional image of the department.

Acceptance of Feedback – Are feedback and correction accepted in a positive manner? Is there resentment as a result of feedback? Does the trainee’s performance improve following the feedback?

Below Average – Trainee rationalizes mistakes; denies that errors were made; becomes argumentative; fails to make corrections; considers feedback as negative or as a personal attack.

Average – Trainee accepts feedback in a positive manner. Performance improves following suggestions from FTOs and Supervisors.

Above Average– Trainee actively seeks feedback in order to improve performance and knowledge; demonstrates consistent improvement in performance following feedback from FTOs; does not blame others for mistakes.

Relationship with Public/ Ethnic Groups/Department Members - Is the trainee able to relate to citizens in a positive manner? Does the trainee have difficulty interacting with anyone of an

ethnic or racial group different than their own? Are the trainee's relationships with other departmental members courteous, professional and productive?

Below Average – Trainee exhibits inappropriate behavior; is abrupt, belligerent, overbearing, arrogant, uncommunicative, or insensitive; avoids service aspect of the profession; body language communicates uncaring, uninterested officer. Trainee evidences hostility, prejudice, bias, or subjectivity towards members of groups other than their own; treats members in these groups different than they treat members' of their own ethnic or racial background. Trainee fails to follow instruction from supervisors or FTOs; rationalizes mistakes; resists training; is argumentative; patronizes other members; is sarcastic, impatient, or selfish; fails to compromise or cooperate; considers themselves Above Average to other departmental members; fails to consider others' needs; is not a team player.

Average – Trainee is courteous, friendly, and empathetic; communicates in a professional and unbiased manner; is service- oriented; non-verbal skills indicate a caring, interested officer. Trainee is not biased, hostile, prejudice or subjective; has confidence when dealing with people who are not in their own ethnic or racial group; treats everyone equally. Trainee maintains a good working relationship with other departmental members; works as a team member; accepts others' point of view; adheres to the chain of command and accepts role in organization; considerate and helpful to others.

Above Average – Trainee quickly establishes a good rapport with citizens; is objective and empathetic; appears to be at ease in any person-to-person situation; citizens appear comfortable and compliment their performance; excellent non-verbal skills. The trainee understands and accepts cultural, lifestyle and/or value differences; respects points of view different from their own; decisions are objective and not based upon differences; communicates in a manner that fosters mutual understanding. Trainee has excellent rapport with all departmental members; makes a sincere effort to fully understand others' point of view; compromises to achieve a common goal; is a peer group leader.

General Appearance – Does the trainee's physical appearance, dress, and demeanor, uphold the image of constructive presence and professionalism?

Below Average – Trainee has dirty shoes and/or wrinkled uniform; uniform fits poorly or is improperly worn; hair is not groomed and/or in violation of departmental guidelines; dirty weapon or equipment; equipment missing or inoperative; offensive body odor or breath.

Average – The trainee is fit, shoes are shined, and uniform is neat and clean. Uniform fits and is worn properly. Weapon and equipment are clean, operative and in order. Appearance is within departmental guidelines. Trainee is attentive to personal hygiene.

Above Average – Uniform is neat, clean and tailored. Shoes are highly shined. Trainee takes pride in their appearance and hygiene. Trainee displays command bearing.

Verbal skills– Is the trainee able to gain and maintain control of situations by utilizing proper verbal skills including voice commands and instructions

Below Average – The trainee speaks too softly or timidly; does not use proper words or tone of voice; confuses or angers listeners by what is said and/or how it is said; escalates the confrontation or needlessly intimidates people.

Average – Trainee speaks with authority using the proper words and tone of voice; does not confuse or anger listeners; knows the proper word selection to use so they do not escalate the situation.

Above Average – Trainee consistently is able to control selection of words and voice tone, word selection, and voice inflection; has the proper bearing that accompanies what is said; displays confidence without being perceived as overbearing or intimidating.

Physical Skill – In conflict situations, does the trainee use the appropriate defensive actions, restraining holds, or issued equipment to physically control individuals?

Below Average – Trainee uses too little or too much force for the situation; is unable to maintain control over violent/resisting persons; fails to use proper restraints/equipment or uses restraints/equipment improperly.

Average – Trainee obtains and maintains physical control through the use of proper restraining holds, defensive actions, or issued equipment; uses no more force than needed to affect an arrest.

Above Average – Trainee is proficient in the use of restraining holds, defensive actions, and issued equipment; selects the correct amount of force for the given situation; prevents the situation from deteriorating by properly restraining/controlling individuals; is able to control violent individuals with little assistance from fellow officers.

Report writing:

Organization/Details – How acceptable is the trainee’s ability to organize the events of an investigation for the report? Can they include details in the report required for a complete follow up investigation?

Below Average – The trainee is unable to organize information and events in a chronological order; leaves out pertinent details in the report; report is inaccurate, and does not provide enough information for a follow up investigation.

Average – Trainee completes reports in an organized and logical manner; reports contain the proper information needed for further investigation.

Above Average – Reports are prepared giving a complete and detailed accounting of the incident and investigation as it occurred; information flows in a logical sequence so that the reader understands what occurred; the report is written and organized so that all details are included for a complete follow up investigation.

Level of Grammar Usage – Is the trainee able to prepare a written report which is neat, free of spelling errors and grammatically correct in usage and mechanics?

Below Average – Reports are illegible, containing misspelled words, poor syntax and incomplete sentence structure; the report confuses any reader and must be read several times to understand it's meaning due to grammar/spelling/neatness errors.

Average – Level of usage of grammar, spelling and neatness are satisfactory; errors in this area are rare and do not impair understanding.

Above Average – Reports and forms are very neat and legible, containing no spelling or grammatical errors; message is communicated clearly and concisely to any reader.

Proper Spelling - Is the trainee able to prepare a written report free of spelling errors?

Below Average – Reports are illegible, containing misspelled words, the report confuses any reader and must be read several times to understand it's meaning due to spelling errors. The trainee fails to use Spell Check or a dictionary.

Average – Level of spelling accuracy is satisfactory; errors in this area are rare and do not impair understanding. The trainee routinely uses Spell Check; the trainee uses a dictionary to make corrections when needed.

Above Average – Reports and forms are completed containing no spelling errors. The trainee routinely uses Spell Check; the trainee rarely needs to use a dictionary to make corrections, but does so when needed.

Content/Accuracy/Completeness/Neatness/Time Used – Is the trainee capable of selecting the proper forms for the investigations? Are the contents of these forms complete, accurate, and properly used? Are these forms completed in a neat manner? Does the trainee use the appropriate amount of time to complete the report?

Below Average – Trainee is unaware that a form must be completed; does not select the proper form to complete the incident when needed; form is incomplete and/or inaccurate. The forms are not neat and disrupt the reader's ability to read the form. The trainee requires an excessive amount of time to complete a report; they take three or more times the amount of times a veteran officer would take to complete the same report.

Average – The trainee chooses the proper form to be used to complete the investigation; the form is complete and accurate. The forms are neat and do not disrupt the reader’s ability to read the form. The trainee completes reports within a reasonable amount of time.

Above Average – Trainee consistently makes accurate form selection; rapidly and accurately completes detailed forms without assistance. The forms are very neat and do not disrupt the reader’s ability to read the form. The trainee completes reports as quickly as or better than a skilled veteran officer.

Field performance:

Stressful Conditions – Is the trainee able to function under the daily stressful conditions experienced by a patrol officer?

Below Average – Performance deteriorates in stressful situations; becomes emotional, gets panic stricken, loses temper, can not function; does not control voice tone or word selection, allowing situation to deteriorate; displays cowardice or overreacts; makes improper decisions; requires assistance from others; cannot do multiple functions at the same time.

Average – Exhibits calm and controlled attitude in most stressful situations; is aware of surrounding activity; does not allow the situation to further deteriorate; is able to develop and implement a reasonable solution to the problem; can do multiple functions at the same time.

Above Average – The trainee remains calm and exercises self control, even in the most extreme situations; quickly restores order and takes control; is able to determine the best course of action and implement it to resolve the situation; is capable of doing multiple functions at the same time.

NOTE: FTOs should be alert to a trainee’s behavior following a stressful event. FTOs should be aware that stress could manifest itself in a variety of ways. Stressful encounters should be discussed in detail with the trainee.

Non-Stressful Conditions – Is the trainee able to perform routine, non-stress police activities?

Below Average - Seemingly confused and disoriented as to what action should be taken when confronted with routine investigations; avoids taking action; selects the wrong course of action; provides improper advice to citizens; relies upon others for continual assistance in resolving routine investigations; cannot do multiple tasks when required to do so.

Average – Properly assesses routine situations and determines the correct course of action to be taken; provides the proper advice to citizens; does not require assistance with routine investigations; can do multiple tasks at one time.

Above Average – Properly assesses routine, complex and unusual situations and applies prior knowledge and experiences to resolve the situation; does not require assistance from FTO; is an independent thinker; directs the actions of assisting officers; can perform multiple tasks well.

Problem Solving– Is the trainee able to use knowledge acquired through training and decision making skills to solve problems or resolve problems encountered in field situations? Can the trainee develop, implement or recommend a reasonable course of action that will resolve the situation?

Below Average – Trainee is indecisive; is unable to reason through a problem and develop, implement or recommend a reasonable course of action; cannot recall previous solutions and apply them in like situations.

Average - The trainee is able to analyze routine situations in a reasonable amount of time and develop, implement or recommend a reasonable course of action; is able to use past training and experiences to reason through similar situations.

Above Average – Trainee has excellent perception in foreseeing problems and developing, implementing or recommending a reasonable course of action even in the most complex situations; anticipates problems and develops solutions in advance of the problem; uses past training and experiences to reason through and develop responses to unique and/or complex field investigations.

Decision Making – Is the trainee able to use knowledge acquired through training to reason through field situations? Can the trainee analyze a field situation, form valid conclusions and develop a reasonable course of action that will resolve the situation?

Below Average – Trainee acts without thought or good reason; is indecisive; is unable to reason through a problem and come to a conclusion; cannot recall previous solutions and apply them in like situations.

Average - The trainee is able to analyze routine situations in a reasonable amount of time and arrive at an acceptable solution; is able to use past training and experiences to reason through similar situations.

Above Average – Trainee has excellent perception in foreseeing problems and arriving at advanced solutions even in the most complex situations; anticipates problems and develops solutions in advance of the problem; uses past training and experiences to reason through and develop responses to unique and/or complex field investigations.

Investigative skills – Is the trainee capable of applying their knowledge of investigative skills to situations occurring in the field? Does the trainee have the ability to use proper questioning techniques and to vary those techniques to fit the person being interviewed or interrogated?

Below Average – The trainee is unable to investigate common or complex crimes or offenses; disrupts evidence or does not guard evidence; fails to protect the crime scene; does not interview witnesses and suspects when appropriate. Trainee fails to use proper questioning techniques;

does not elicit information from individuals; does not establish appropriate rapport with actors and/or does not control interview/interrogation of actors.

Average – The trainee is able to investigate common or complex crimes or offenses; guards evidence properly; knows how to protect a crime scene; interviewing of witnesses and suspects is done in accordance with SOPs. Trainee generally uses proper questioning techniques; elicits information from individuals when necessary; is able to establish a rapport with actors and is able to control an interview/interrogation.

Above Average – The trainee can investigate common and complex crimes and offenses; can recognize evidence that is not readily apparent; protects a crime scene; follows proper investigation procedure. Trainee always uses proper questioning techniques; is able to establish a rapport with all victims and witnesses; controls the interview/interrogation, even in the most difficult situations.

Accident investigation skills skills – Is the trainee capable of applying their knowledge of accident investigative skills to situations occurring in the field? Does the trainee have the ability to use proper questioning techniques and to vary those techniques to obtain the required information and facts of a collision to properly complete the state’s Crash Report? Does the trainee know the criteria and recognize crash scenes where the department’s Accident Investigation Unit or county’s Fatal Accident Investigation Unit must be notified?

Below Average – The trainee is unable to investigate common collision scenes; disrupts evidence or does not guard evidence; fails to protect the collision scene; does not interview witnesses and drivers when appropriate. Trainee fails to use proper questioning techniques; does not elicit required information from witnesses and drivers; fails to notify a supervisor of a serious collision. The trainee fails to follow proper Accident Investigation SOPs

Average – The trainee is able to investigate common collision scenes; preserves and guards evidence; protects the collision scene; interviews witnesses and drivers appropriately. Trainee uses proper questioning techniques; elicits required information from witnesses and drivers; notifies a supervisor of a serious collision. The trainee follows proper Accident Investigation SOPs

Above Average – The trainee is able to investigate common collision scenes; preserves and guards evidence not readily apparent; protects the collision scene; interviews witnesses and drivers appropriately. Trainee uses proper questioning techniques; elicits required information from witnesses and drivers; notifies a supervisor of a serious collision. The trainee follows proper Accident Investigation SOPs, even in the most difficult situations.

Patrol operation skills:

Orientation Skill/ Street Recognition – Is the trainee aware of their present location while on patrol? Can the officer find locations in their sector? Can they arrive at a destination within an acceptable period of time?

Below Average – Trainee is unaware of location while on patrol; is unable to use the street guide/map; is unable to relate location to destination; is unfamiliar with sector and borough boundary lines; becomes lost; expends too much time getting to destination; becomes disoriented when responding to emergency assignments.

Average – Trainee is aware of location while on patrol; properly uses and understands the street map; can relate location to destination; knows their sector and borough boundary lines; demonstrates a good sense of direction; arrives within a reasonable amount of time; does not become disoriented when responding to emergency assignments.

Above Average – Trainee remembers location from prior assignments; does not need to refer to street map; is aware of shortcuts and utilizes them to save time; arrives at destination in shortest time possible.

Driving Skill: Normal Condition – Does the trainee operate the police vehicle in a safe and lawful manner during normal driving conditions?

Below Average – Trainee does not drive defensively; violates traffic laws, such as red lights, stop signs, signaling lane changes, etc., not setting the example for the motoring public; involved in preventable accidents; lacks dexterity and coordination during vehicle operation; cannot operate vehicle and police radio at the same time.

Average – Trainee drives defensively, maintaining control of the vehicle at all times; not involved in preventable accidents; shows coordination and dexterity while operating the police vehicle; can operate the vehicle and police radio at the same time.

Above Average – Trainee sets a good example for the motoring public; displays a high level of dexterity and coordination when operating the police vehicle; is capable of operating the police vehicle while recording information; observing surrounding activity and driving defensively without sacrificing the safety of themselves or others.

Driving Skill: Stressful Conditions – Is the trainee able to operate the police vehicle during stressful and/or emergency conditions in a safe and legal manner?

Below Average – Trainee misuses lights and sirens; drives too fast or too slow for the situation; fails to approach intersections or heavily populated areas with caution; loses control of the police vehicle; is involved in preventable accidents; does not operate vehicle according to law and policies & procedures.

Average – Trainee does not misuse lights and sirens; maintains control of the vehicle and is not involved in preventable accidents; adjusts driving style for the situation; approaches intersections and heavily populated areas with caution; operates the vehicle according to policies & procedures.

Above Average – Uses lights and sirens in accordance with departmental policy; drives defensively; has a high degree of reflex ability and competence in driving skills; anticipates other driver's actions and acts accordingly; is not involved in preventable accidents.

Productivity – Without direct instruction from the FTO, does the trainee initiate activity and/or follow up on reported incidents?

Below Average – Trainee does not observe suspicious activity or follow up on reported incidents or leads; rationalizes suspicious activity or circumstances; acts only when the FTO initiates the activity; cannot conduct a field interview; lacks standard of proof for conducting field interviews (reasonable suspicion-probable cause); lacks tact during street encounters.

Average – Trainee recognizes and investigates suspicious activity and law violations; displays inquisitiveness; follows up and investigates reported criminal incidents; conducts field interviews with tact and the appropriate standard of proof.

Above Average– Trainee seldom misses observable criminal activity; makes quality arrests from observed activity or reported incidents; catalogs, maintains and uses information given at roll call and/or briefings for reasonable suspicion in furthering investigations.

Officer Safety: General – Does the trainee practice basic officer safety concepts while performing routine daily activities?

Below Average – Trainee is paranoid, lacks confidence or is overconfident; lacks awareness of surrounding activity; fails to exercise basic officer safety procedures; for example:

- Fails to keep gun hand free during potentially dangerous situations;
- Fails to use illumination properly or when necessary;
- Fails to advise Com-Cen when leaving patrol vehicle;
- Does not anticipate potentially dangerous situations;
- Is careless or unsafe with handgun or other weapons;
- Is unaware if their sidearm faces a suspect during an encounter;
- Is unaware of their surroundings during certain incidents (examples include being in a kitchen during a domestic dispute, etc);
- Stands too close to vehicular traffic;
- Stands directly in front of violator's/suspect's car door;
- Stands in front of door when knocking;
- Fails to have weapon ready when appropriate;
- Fails to protect fellow officers;
- Fails to search police vehicle prior to duty or after transporting persons;
- Fails to check equipment before beginning duty;
- Fails to control a scene;
- Fails to request back up units when appropriate;
- Fails to take cover when necessary.

Average – Trainee understands the basic principles of officer safety and applies these accepted principles only.

Above Average – Realistically practices basic and advanced tactics in officer safety; never becomes overconfident with personal abilities; does not place himself/herself or fellow officers in poor officer safety positions; foresees dangerous situations and prepares for them; protects fellow officers.

Officer Safety: Suspects/Prisoners – Does the trainee use officer safety skills when confronting suspicious persons, suspects and dealing with prisoners?

Below Average – Trainee fails to maintain a tactical advantage when confronting potentially dangerous individuals; for example:

Fails to perform a protective frisk when appropriate;
Confronts suspicious persons/suspects while seated in police vehicle;
Fails to handcuff arrested persons or searches before handcuffing;
Fails to thoroughly search prisoners or their vehicles;
Fails to maintain position of advantage to prevent attack or escape;
Exposes weapon(s) to suspects/prisoners (O.C. spray, PR-24, flashlight, handgun);
Fails to control suspect's/violator's movements during investigation;
Fails to keep suspect/violator in sight during investigation;
Fails to maintain a tactical advantage when confronting multiple suspects;
Selects improper defensive weapon to defend self or fellow officers.

Average – Trainee practices basic officer safety concepts outlined above when dealing with potentially dangerous persons; maintains a position of advantage.

Above Average – Trainee foresees a potential danger and takes steps to eliminate or control it before a dangerous situation arises; constantly maintains a position of advantage; realistically practices basic and advanced tactics involving suspect confrontation.

Radio Procedures/Comprehension/ Articulation: – How well does the trainee know and use the radio correctly? Is the trainee able to listen to radio transmissions and comprehend their content? Are trainee's radio transmissions clear and understandable with only the necessary information broadcast?

Below Average – The Trainee does not understand or use proper codes/languages; fails to follow departmental radio procedure; does not understand the operation of the police radio. Trainee repeatedly misses their own calls; is not aware of radio traffic for other zones; requires dispatcher to frequently repeat radio transmissions by not accurately comprehending messages, or writing them down; is easily distracted. Trainee does not pre-plan transmission; transmissions are unclear or confusing; improper voice tone (too soft/too loud); cuts messages off through improper use of the radio; becomes excited when transmitting information or is unable to transmit information because of radio fright.

Average – The trainee follows departmental procedure regarding accepted radio usage in normal daily activities; has good working knowledge of the most often used codes/language. Trainee copies radio transmissions directed to them and is aware of major incidents occurring throughout the township; comprehends radio transmissions directed to them; rarely requires that information be repeated; writes the information down as needed. Transmissions are usually short, concise, clear and understandable to all officers.

Above Average – The Trainee follows proper radio procedure regardless of the field situation; has Above Average knowledge of all codes/language and applies knowledge when using the police radio. Trainee comprehends all radio transmissions; makes a written record when appropriate; Is aware of incidents occurring in adjoining zones; recalls with detail previously broadcast information; uses previously transmitted information to advantage; does not require that transmissions be repeated. Transmissions are well planned and understandable in all situations; only required information is broadcast; voice is consistently clear and calm.

Knowledge:

Policies & Procedures: Knowledge & Application – Does the trainee demonstrate an acceptable level of knowledge of Policies & Procedures?

Below Average – Trainee fails to display knowledge of policies and procedures when questioned by the FTO; cannot outline the appropriate policies and procedures to follow in routine investigations. The trainee does not follow proper policies and procedures in field situations; provides improper advice to citizens regarding policies and procedures; in routine field investigations repeatedly seeks advice from FTOs regarding correct policies and procedures to follow after being provided with initial and comprehensive explanation of the same policy or procedure.

Average– Trainee is familiar with most commonly applied Policies & Procedures; can outline the proper Policies & Procedures to follow in routine investigations and incidents. Trainee follows policies and procedures in routine situations; provides correct advice to citizens regarding policies and procedures.

Above Average– Trainee is familiar with commonly applied Policies & Procedures as well as those applicable to complex/unusual situations; can outline the proper Policies & Procedures to follow in routine, complex and unique field investigations without the FTOs' assistance. Trainee is able to follow correct policies and procedures in all routine and complex field investigations. The trainee has an excellent knowledge of the policies and procedures.

State Statutes/ Borough Ordinances – Does the trainee have an acceptable level of knowledge regarding the New Jersey Criminal Code and Fort Lee Borough Ordinances, specifically those statutes encountered on a regular basis, and current criminal procedure? Those statutes encountered on a regular basis include, but are not limited to, Simple Assault, Aggravated Assault, Burglary, Criminal Mischief, Harassment, Theft (all types especially Shoplifting), and Domestic Violence. Those ordinances encountered on a regular basis include, but are not limited

to Excessive Noise, Public Vendors, Park Restrictions, Commercial Vehicle Restrictions, and Parking Enforcement.

Below Average – Trainee does not know the elements of crimes or offenses; cannot recognize crimes or offenses when encountered or makes mistakes relative to whether or not crimes or offenses have been committed; does not understand the basic laws governing criminal procedure. Trainee does not recognize crimes or offenses in the field or incorrectly identifies lawful activity as being criminal; follows improper criminal procedure, such as lacking probable cause to make an arrest, search persons and/or vehicles; unable to differentiate common crimes and offenses.

Average – Trainee understands the basic elements of crimes or offenses; can recognize crimes or offenses when encountered; has an understanding of basic laws governing criminal procedure. Trainee recognizes commonly encountered crimes and offenses in the field; does not violate criminal procedure; understands the difference between criminal and non-criminal activity.

Above Average - Trainee has excellent knowledge of criminal statutes and can discuss in detail criminal procedure without using reference material. Trainee has an outstanding knowledge of the criminal statutes and applies that knowledge to criminal and non-criminal activity.

Motor Vehicle Code (NJSA Title 39) - Does the trainee have an acceptable level of knowledge of the New Jersey Motor Vehicle Code-NJSA-39, et. seq.?

Below Average – The trainee is unable to identify possible Title 39 violations when questioned by the FTOs; they are unable to use reference material properly to obtain the correct answer. The trainee is unable to recognize Title 39 violations.

Average – When questioned by an FTO, the trainee can identify Title 39 violations using reference material properly. The trainee is able to identify commonly used Title 39 violations and enforce them properly.

Above Average – The trainee can identify Title 39 violations when questioned by an FTO without using reference material. The trainee can identify common and uncommon title 39 violations and enforce them without using reference material.

Search and Seizure– Does the trainee have an acceptable level of knowledge regarding the New Jersey Court decisions regarding arrest, search and seizure, specifically relating to persons, property and vehicles.

Below Average – Trainee does not know the levels of proofs required to stop, detain, frisk, search or arrest a person, vehicle or property; does not understand the basic laws governing criminal procedure, such as arrest, search and seizure, stop and frisk and suspect identification. Trainee does not recognize crimes or offenses in the field or incorrectly identifies lawful activity as being criminal; follows improper criminal procedure, such as lacking probable cause to make an arrest, search persons and/or vehicles; unable to differentiate common crimes and offenses.

Average – Trainee understands the levels of proofs required to stop, detain, frisk, search or arrest a person, vehicle or property; understands the basic laws governing criminal procedure, such as arrest, search and seizure, stop and frisk and suspect identification. Trainee recognizes and correctly identifies unlawful activity as being criminal; follows proper criminal procedure, such as establishing probable cause/ reasonable articulable suspicion to make an arrest, search persons and/or vehicles.

Above Average - Trainee has excellent knowledge of criminal procedure and can discuss in detail criminal procedure without using reference material. Trainee has an outstanding knowledge of the criminal procedures and applies that knowledge to criminal and non-criminal activity.

Comments

The FTO or trainee should explain the trainee's performance in the space provided.

**OPERATIONS
FIELD TRAINING
VOL, VI, CH, 7.**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-25-2004	REVISION DATE: 1/22/09 5/15/09	PAGE #: 4 7 X 2 3 4 6 7 9	SECTION: C 4 E (1) X IV B1d C4a-h C7-8 IIIa2a-b C1a 3c IV B	APPROVED	VOLUME VI
VOLUME TITLE: OPERATIONS	# PAGES: 11	1/4/11	6	6a		CHAPTER 7
ACCREDITATION STANDARD(S): 33.4.3	REFERENCE: V6C7					
SUBJECT: FIELD TRAINING PROGRAM						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY

The Fort Lee Police Department has a Field Training Program which provides new police officers with practical field training while working with a variety of experienced officers.

PURPOSE

The ultimate goal of all training is to produce a change in desired behavior. The primary goal of the Field Training Program, is to specifically prepare a Probationary Officer to perform the duties and responsibilities of a uniformed patrol officer with confidence and ability.

DEFINITIONS

- I. Field Training Program (FTP) - A structured and closely-supervised program provided to recruit officers to facilitate the application of skills and knowledge obtained in the academy/classroom to actual performance in on-the-job situations.
- II. Field Training Coordinator (FTC) - Supervisor in charge of Training Division.

**OPERATIONS
FIELD TRAINING
VOL. VI, CH. 7**

- III. Field Training Officer (FTO) - A specially selected and trained officer who provides field training to recruit officers, and participates in the evaluation of the recruit officer.
- IV. Probationary Officer (Trainee) – A newly hired officer who has not completed the Field Training Program, pre-academy, during academy, or post academy graduation.

PROCEDURE

- I. The Borough of Fort Lee Police Department's Field Training Program is an objective evaluation to insure that the standards of a competent law enforcement officer are met. The goal of the Field Training Program is to improve the overall effectiveness and efficiency of law enforcement service delivery by:
 - A. Improving the overall applicant screening process: The Field Training Program is one phase of the department's overall applicant screening process designed to facilitate on-the-job observations and performance assessment.
 - B. Establishing a probationary police officer appraisal system: The program is designed to provide a valid, job related, post-Basic Training Academy evaluation of probationary law enforcement officer performance. The process utilizes a standardized and systematic approach to documenting a probationary law enforcement officer's performance.
 - C. Establishing a program review procedure: The program provides an appraisal system to measure the effectiveness of the department's selection and training processes by allowing feedback to the appropriate departments/ sections regarding probationary law enforcement officer strengths and weaknesses.
 - D. Improving the probationary law enforcement officer training process: The program provides post-Basic Academy training and on-the-job training to probationary law enforcement officers. Field Training Officers serve as role models for Probationary Officers in the development of the knowledge/skills/abilities that are needed to perform patrol duties and practical application of police academy materials.
 - E. Establishing career opportunities within the department: The Field Training Program is another career path within the police department. It provides incentive for the demonstration of proficiency in the knowledge/skills/abilities needed to perform patrol functions. While performing the duties of the Field Training Officer (FTO), the officer gains experience and knowledge that increases leadership, training/evaluation skills and may enhance career opportunities.

II. ORGANIZATION

- A. Administrative Division Commander
 - 1. The Administrative Division Commander shall be the highest ranking officer in

**OPERATIONS
FIELD TRAINING
VOL. VI, CH. 7**

charge of the Administrative Division as designated by the Chief of Police.

B. Field Training Coordinator

1. The Field Training Coordinator shall be the Training Division Supervisor, his responsibilities include the general administration and evaluation of the Field Training Program and the monitoring of all probationary officers for the duration of their probationary period.
 - a. The Coordinator shall monitor and evaluate the overall development of Probationary Officers during the probationary period for purposes of ascertaining any deficiencies and resolving them through training and retraining.
 - b. The Coordinator shall, be responsible for planning, directing and evaluating field training assignments and any changes in such assignments or variations in the length of the assignments.
 - c. The Coordinator shall work closely with the probationary officer's immediate squad supervisors during and after the completion of field training, make assignments to determine and correct any training deficiencies, and may recommend a recycling of a probationary officer for retraining.
 - d. FTOs are under the supervision of the Field Training Program Coordinator regarding their FTO function. The FTO and trainee are under the daily supervision of the Patrol Supervisors. Supervisors of all ranks shall closely supervise the entire field training process as the initial experience of trainees often shapes their future careers.
 - e. The Coordinator shall conduct a comprehensive evaluation of each Probationary Officer during the last month of the field training period, and prepare a statement of the probationary officer's development and submit it to the Operations Officer, with a recommendation to retain, recycle (extend training) or dismiss the officer. All other department supervisors and field training personnel will be offered the opportunity to provide input to assist in this final field training period evaluation.
 - f. The Coordinator shall keep the other shift supervisors/command personnel informed of the progress of Probationary Officers assigned to the shift. All patrol supervisors shall receive training in the supervision of the Field Training Process.
 - g. The Coordinator must insure that the training and evaluation process is properly administered. Various sources of information should be utilized to achieve these goals, including (but not limited to) weekly observation reports,

**OPERATIONS
FIELD TRAINING
VOL. VI, CH. 7**

oral communications with the Field Training Officers, and personal observations of Probationary Officer performance to assist in the summary of weekly progress.

- h. The Coordinator shall meet periodically with the FTO's and probationary officers, he may also meet periodically with patrol supervisors. These meeting will be for the review of progress in the training of the probationary officers.

C. Field Training Officer

1. The Field Training Officer is the essential means by which the goal of the program is achieved, specifically, the development of a Probationary Police Officer ability to work a solo assignment in a safe, skillful, productive and professional manner.
2. All Field Training Officers shall receive formal FTO training consistent with this program, either in-house or externally, depending upon the directions of the Chief of Police.
3. The Field Training Officer shall be responsible for the training and evaluation of the probationary officers when assigned to them, as directed by the Field Training Unit command staff.
4. The Field Training Officer Selection & Training:
 - a) The Chief of Police ultimately selects FTOs with input from the supervisors. FTOs must demonstrate traits that include, but are not limited to:
 - i. A commitment to organizational goals and objectives as evidenced by their attitude and overall performance;
 - ii. Interpersonal communications skills;
 - iii. Technical proficiency to include a good working knowledge of Title 2C, Title 39, Attorney General Guidelines, and Criminal Procedure.
 - iv. A willingness to instruct others;
 - v. A willingness to make critical observations;
 - vi. A willingness to recommend and implement improvement plans;
 - vii. A superior record of attendance.
 - viii. A willingness to undergo training as an FTO

**OPERATIONS
FIELD TRAINING
VOL. VI, CH. 7**

- b) Although not mandatory requirements, FTOs should:
 - i. Have a minimum of 2 years of service;
 - ii. Be certified in the operation of radar;
 - iii. Be certified in Methods of Instruction;
- c) Any patrol officer wishing to be considered as FTOs must submit a written request to their immediate supervisor. The immediate supervisor is to review the request, interview the candidate and recommend approval or denial based upon the above listed required traits. The immediate supervisor is to forward the request via their chain of command up to the patrol Captain for review and recommendation. The Training Bureau Supervisor should be consulted before the request is forwarded to the Chief of Police.
- d) A patrol officer may be selected as an FTO by the department based on the above requirements, with the approval of the Chief of Police.
- e) Field Training Officers shall undergo a basic training program to
 - i. Familiarize them to the skills and subjects that had been taught in the police academy to the trainees;
 - ii. Familiarize them with their duties and responsibilities as set forth in this directive;
 - iii. Familiarize them with the evaluation criteria established in Field Training Guide.
 - iv. Familiarize themselves with the various forms and documentation criteria used in the program
 - v. Enhance their critical evaluation skills
- f) FTOs are required to undergo refresher training in the above FTO Program protocols, prior to being utilized in a FTO training cycle. More frequent refresher training may be indicated if there are any substantial modifications to the program.
- g) An officer
- h) An officers status as an FTO should be considered and given the appropriate priority when reviewing In-Service Training Requests/

**OPERATIONS
FIELD TRAINING
VOL. VI, CH. 7**

5. The Probationary Officer has two primary roles to fulfill: that of police officer with full patrol responsibility and that of a trainer and evaluator of Probationary Officers.
6. The Probationary Officer may be released from field training duties as follows:
 - a. upon completion of the FTP as scheduled by the Field Training Coordinator, (a minimum of 4 weeks, maximum of Probationary Period), with approval of the Chief of Police.
7. The FTO is responsible for the weekly progress meeting with their immediate supervisor.
8. Reports written by the Probationary Officer also serve to identify deficiencies, especially ones of spelling, grammar, neatness, attention to detail and the general organization of thought. The FTO is responsible for the review of Report Forms along with the Recruit.

III. ASSIGNMENT OF PROBATIONARY OFFICERS

- A. Assignments will be decided by the Operations Commander.
 1. Probationary Officers shall be assigned to the Field Training Unit and scheduled with the Patrol Division unless otherwise ordered by the Chief of Police.
 2. **Chain of Command for Probationary Officers & FTO(s).** Each Probationary Officer who is assigned to the Patrol Division shall be placed in a field training assignment under the supervision of a Field Training Coordinator and Field Training Officer as defined in this policy.
 - a. Probationary officers will be assigned to the 8x4, 4x12, or traffic bureau, unless directed by the Chief of Police.
 - (1). Probationary officers will be rotated from their assignments every 30 days, unless directed by the Chief of Police.
 - b. The Operations Commander may continue the field training assignment of a Probationary Officer beyond the predetermined time should the need for further training and evaluation is apparent with the approval of the Chief of Police.
 - b. Prior to successful completion of the field training assignment, a Probationary Officer shall not be assigned to solo patrol responsibilities without the approval of the Chief of Police.

**OPERATIONS
FIELD TRAINING
VOL. VI, CH. 7**

- c. **Field Training Officers and their recruits shall be deemed a single officer unit for purposes of calls for service. They still count as regular numbers for minimum manpower.**

C. The Field Training Program shall consist of:

1. Orientation PTC Objectives

- a. The in-house PTC Objectives orientation should be conducted the four (4) business days for prior to the start of the academy and again prior to graduation, which will included an introduction to the Field Training Program and demonstrated proficiency of critical department policy.
- b. The Probationary Officer shall be issued the Probationary Officer Field Training Manual and complete a receipt of issuance.
- c. The Field Training Coordinator or their designee shall review with the Probationary Officer, the goals of the program, the department's expectations and the responsibilities of the Probationary Officer.
- d. Critical Department Policy Review.
 - (1) Fresh Pursuit
 - (2) Use of Force
 - (3) Domestic Violence
 - (4) Arrest, Search and Seizure
 - (5) Motor Vehicle Inventory
 - (6) Evidence
 - (7) Missing Persons
 - (8) Juvenile Procedures
 - (9) Cell Block Mgmt/Suicide Awareness
 - (10) Bloodborne/Airborne Pathogens
 - (11) Sick Policy

**OPERATIONS
FIELD TRAINING
VOL. VI, CH. 7**

2. Field Training
 - a. Working days.
 - (1) A working day shall be defined as: All training/ evaluation days during which the Probationary Officer is assigned to a Field Training Officer.
 - b. Training and Evaluation period.
 - c. On each working day, the Field Training Officer shall be responsible for the completion of the following:
 - (1) Training and observation of all areas covered on the weekly evaluation report.
 - (2) Ensure that the trainee follows all department Rules and Regulations and Standard Operating Procedures in the performance of his duties.
 - d. On each working day, the Probationary Officer shall be responsible for the completion of the following:
 - (1) Accident Reports, Investigation Reports and Motor Vehicle Summonses
 - (2) MV Inspection sheet
 - (1) Vacant House Checks
 - e. The Field Training Officer shall be responsible to complete all daily forms and submit same to his/her Supervisor, who will forward to applicable Patrol Captain, who will forward to Training. Training will then submit a report to the Operations Officer on a regular basis.
 - (1) Weekly Evaluation Report, according to the Field Training Guide.
 - (2) Reports by Probationary Officer
 - (3) Field Interview cards from Probationary Officer
 - (4) Motor Vehicle Violations.

**OPERATIONS
FIELD TRAINING
VOL. VI, CH. 7**

- f. The Probationary Officer biweekly, shall complete a Probationary Officer Self-Evaluation Report.
 - g. Patrol Squad Supervisors are required to complete a monthly evaluation report for probationary officers until their probationary status has ended.
3. Solo Field Patrol Assignment:
- a. Probationary Officer remains on Probationary status.
 - (1) Patrol Squad Supervisors complete the Monthly Evaluation Report. The monthly evaluation report is submitted it to the Training Division, Captains, Operations Commander and Chief of Police.
 - b. During the balance of the Probationary Patrol Period, the Probationary Officer may be periodically assigned to a Field Training Officer for the purpose of performance reviews.
 - c. End of the Field Training. Narrative Reports will be completed by Field Training Coordinator, FTO, and Squad Supervisor.
 - (1) Employment Status Report.
 - () Recommend end of Field Training Period
 - () Recommend extension Field Training Period
 - () Recommend Termination of Employee

IV. EXTENSION OF TRAINING - RECYCLE

- A. Recycle period may be recommended at the end of the training period if performance falls below minimum established performance guidelines.
- B. The Probationary Officer's Field Training Period may be extended (recycled) upon the recommendation of the Field Training Coordinator, FTO or Squad Supervisor with the recommendation of the Operations Commander and the approval of the Chief of Police.
- C. Each recycle period may last up to (20) working days
- D. The Probationary Officer shall be issued a Performance Improvement Plan that identifies performance deficiencies and outlines training methods to be utilized by the Field Training Officer..

**OPERATIONS
FIELD TRAINING
VOL. VI, CH. 7**

- E. The recycle period shall consist of training by the Field Training Officer, demonstration of competency by Probationary Officer and supplemental end of training report.
- F. Failure of the Probationary Officer to demonstrate improvement will result in an employment status hearing & possible termination.

V. EVALUATION PROCESS

A. Weekly Evaluation Report.

- 1. Completed by the designated Field Training Officer for each week of training and evaluation period. APPENDIX "A"
- 2. The above evaluation report will be completed monthly by each squad supervisor during and after the field training period, until the officers probationary period has ended.

C. Probationary Officer Self Evaluation.

- 1. Completed by the Probationary Officer at the completion of each 2 week training period. APPENDIX "B"

VI. EMPLOYMENT STATUS PROCESS

- A. At any time during the probationary period, if a Probationary Officer is not performing at a satisfactory level, a recommendation for termination may be initiated by the FTO, or squad supervisors.
- B. Memorandums and recommendations for termination are to be forwarded to the Patrol Captains, Operations Officer, Immediate Supervisor of the FTO and the Training Division..
 - 1. The Training Division shall gather all paperwork of and by the recruit officer and his/her FTO, and ensure that all supporting data is attached.
 - 2. The Training Division will prepare a detailed report and forward it to the Operations Officer and Chief of Police with recommendations.
- C. The Chief of Police will affect the administrative decision reference the requested dismissal.
 - 1. If the Chief of Police concurs with the recommendation, the Probationary Officer shall be administratively relieved of duty by the Chief of Police (or designee) and scheduled for an Employment Status Hearing within 72-hours of such notification.

**OPERATIONS
FIELD TRAINING
VOL. VI, CH. 7**

2. The Chief of Police shall preside over the Employment Status hearing at which time the Borough Administrator will be present and the Operations Officer, Training Division Supervisor and a Patrol Captain shall present the reasons for the termination recommendation. The Probationary Officer shall be afforded an opportunity to respond to the Field Training Unit's Report of Recommendation.
- D. The Chief of Police shall make the final decision reference dismissal within forty-eight (48) hours of the Employment Status hearing.
1. The recommendation will be forwarded to the Borough of Fort Lee Mayor & Council for final approval.

VII. DISPOSITION OF FIELD TRAINING EVALUATIONS

- A. Upon completion of the Probationary Officer's Field Training Program, reports will be filed as follows:
1. Department personnel file.
 - a. Field Training Program files are confidential and shall be reviewed only by persons in the Field Training Unit, Administrative Officers and IAD, upon approval of the Chief of Police.

**GENERAL
INTERNET ACCESS AND USE
VOL, 6, CH. 9**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 09-20-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VI
VOLUME TITLE: GENERAL	# PAGES: 3					CHAPTER 9
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: INTERNET ACCESS AND USE						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish guidelines for accessing the Internet so that this potentially valuable source of information can be utilized by officers in the performance of their duties, i.e., Training Division, Detective Division, Administrative Division and any other officers that have been approved to do so by the Chief of Police.

POLICY:

Although the Internet represents a potentially valuable resource, it also exposes the Fort Lee Police Department and it's personnel in an unprecedented and highly visible fashion. The Internet is a public forum, as opposed to a private or secure network. The Fort Lee Police Department may be held accountable for abusive, inappropriate, or unethical behavior of Police Department Personnel accessing the network from Department facilities. Therefore, all aspects of the Fort Lee Police Department's Internet presence must be carefully managed to ensure that the department's image is properly protected, its liability is limited, and that access and use of the Internet by this department is suitable.

PROCEDURES:

I. Internet Privilege

- A. Internet services are provided to support open communications and exchange of information, and the opportunity for collaborative department related work. Although access to information and information technology is essential to the mission of our agency, use of Internet services is a revocable privilege.

**GENERAL
INTERNET ACCESS AND USE
VOL, 6, CH. 9**

II. Compliance

- A. Police Department Personnel will make a reasonable effort to inform themselves of this procedure, and acceptable and unacceptable uses of the Internet in general. The burden of responsibility is on the user to inquire as to acceptable and unacceptable uses prior to use.

III. Ethical Behavior

- A. Users should remember that existing rules, regulations, and guidelines on ethical behavior of department personnel and appropriate use of department resources apply to the use of electronic communications systems.
- B. Specific acceptable uses include, but are not limited to:
1. Communication and information exchange directly related to the mission, charter, or work tasks of the Fort Lee Police Department.
 2. Communication and exchange for professional development, to maintain currency of training or education, or to discuss issues related to the user's Police Department activities.
 3. Use in applying for or administering grants, or contracts for research or programs.
 4. Uses for advice, standards, research, analysis and professional society activities related to the users work tasks and duties.
 5. Announcement of new laws, procedures, policies, rules, services, programs, information, or activities.
 6. Any other governmental administrative communications not requiring a high level of security.
- C. Specifically unacceptable uses, include but are not limited to:
1. Use of the Internet for any purposes, which violate federal or state law.
 2. Use for any profit activities unless specific to the charter, mission, or duties of the Fort Lee Police Department.
 3. Use for private businesses, including commercial advertising.
 4. Use for access and distribution of indecent or obscene material.
 5. Use of Internet services so as to interfere with or disrupt network users, services, or equipment.

**GENERAL
INTERNET ACCESS AND USE
VOL, 6, CH. 9**

6. Use to seek out information, distribute information, obtain copies of, or modify files and other data, which are private, confidential, or not open to public inspection or release.
 7. Users misrepresenting themselves as other persons on the Internet without express consent of the Chief of Police. Users will not circumvent established policies defining eligibility for access to information or systems.
 8. Intentionally developing programs designed to harass other users, or infiltrate computer system, and/or damage or alter software components of same.
 9. Use for fund raising or public relations activities not related to Police Department activities.
- D. Investigations on the Internet:
1. Any investigations using the Internet (posing as another person etc.) must be approved by the Chief of Police.
 2. Such investigations should be conducted on a stand-alone computer system, not one that is connected to the network of the Fort Lee Police Department.
 3. No officers should use their own personal computer system or Internet service provider for such investigations.

IV. Additional Guidelines

- A. Any software files downloaded should be virus checked prior to use.
- B. When setting up an account on a different information system that will be accessed using the Internet, use passwords not related to ones used on the Fort Lee Police Department computer system.
- C. Always make reasonable attempts to complete the log-off or other termination procedures when finished using a remote, Internet accessed system or resource. This will prevent potential breaches of security.
- D. Electronic mail sent or received on the Internet cannot be expected to be secure.

V. Non-Compliance

- A. The Chief of Police is responsible for his personnel's compliance with the provisions of this policy and for the investigating of non-compliance, in accordance with the department's rules and regulations.

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 08-11-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 2					CHAPTER 23
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: OFFICIAL COMMUNICATION SUBPOENA'S / DISCOVERY REQUESTS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE: 96-1						

PURPOSE:

To provide a positive and uniform method of notifying department personnel of various essential requirements, appearances, and responsibilities.

SCOPE:

This procedure shall be applicable to all employees of the Fort Lee Police Department as necessary.

DEFINITION:

"Official Notification" shall be defined as the serving of any documentation to an individual employee of this department, or a group of individual employees of this department that pertains to an essential responsibility or an assignment of an individual or individuals. This documentation shall include, but not be limited to such items as:

Court subpoenas, civil and criminal; Writs of Discovery for any reports, complaints or MV summonses, and other essential documents/notifications directed at an individual employee.

This policy specifically excludes the service of department wide official communications normally reviewed at briefings and directed to all personnel in the department, in a division, or in a squad. See Written Directive Policy Vol, I. Ch, 2.

AUTHORITY
OFFICIAL COMMUNICATIONS
VOL, VII. CH, 23

I. PROCEDURE:

- A. The officer responsible for serving the document shall, prior to serving same, make a photocopy of the document and place the following format on the copy in any space available:
 - 1. Served To:

Served by:

Date Served:

Time Served:
 - 2. The format may be handwritten, typed, or rubber stamped as necessary.
 - 3. The copy and the original will then be attached together until time of service.
- B. The officer will then serve the document directly to the employee if practical, and complete the format as outlined above.
 - 1. If the subject officer is not on duty or is unavailable at the time, the serving officer will forward the document to that officer's supervisor or commanding officer for service at the earliest possible time.
 - a. If the subject employee is a member of the Patrol Division, the serving officer shall place the document in the officer's tour 12x8, 8x4, or 4x12 mail slot at the Tour Commander's desk.
 - b. As part of the Tour Commander's daily routine, the mail slot for his respective tour will be checked for documents to be served, and any officers who are on duty at that time will be served by the Tour Commander or Road Supervisor.
 - 2. If an officer who is the subject of a subpoena or other document is on duty, the supervisor will serve the document and ensure that the above listed format is completed.
 - 3. The copy of the document with the completed confirmation of service will then be placed in the record room box.
 - 4. The Record Room Supervisor will then direct that any served and confirmed documents be filed in their proper place or forwarded to the appropriate division or authority.
- C. In cases where the officer is unable to be served due to vacation, illness, retirement etc, it should be noted on the document and forwarded back to the issuing authority or individual.
- D. **Officers that receive a subpoena via mail from any jurisdiction, will date and initial the subpoena and forward a copy to the records bureau for the court officers records.**

**ORGANIZATION
 OPERATIONS DIVISION RESPONSIBILITIES
 VOL. II, CH. 4**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-11-2005	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
VOLUME TITLE: ORGANIZATION	# PAGES: 4					CHAPTER 4
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: OPERATION COMMANDER						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure that Administrative personnel have procedures to follow for their various responsibilities in the Police Department.

POLICY:

There shall be a branch of the police department known as the Operations Division. The Operations Division shall be under the direct control of the Chief of Police. The Chief of Police will designate a Commander-in-Charge of the Operations Division.

I. OPERATIONS COMMANDER RESPONSIBILITIES

- A. The Operations Division Commander will be held responsible for the management and good order of all the delegated areas of responsibility under his/her command, the areas of command are the Patrol Division and the Detective Division.
 - 1. Patrol Division includes the Traffic Bureau and Community Policing.
 - 2. Detective Division includes Narcotics Bureau, Juvenile Bureau and ID/Evidence.
- B. The Operations Division Commander shall perform any other duties as required by the Chief of Police.

**ORGANIZATION
OPERATIONS DIVISION RESPONSIBILITIES
VOL. II, CH. 4**

II. PATROL AND INVESTIGATIVE DIVISION

- A. The Division Commander is held accountable for the administration and management of daily patrol operations.
- B. The Division Commander shall review monthly services performed by the patrol and report results to the Chief of Police.
- C. The Division Commander shall monitor and review the attendance of all personnel assigned to his command.
 - 1. He will prepare the bi-annual patrol work schedule.
 - 2. The Commander shall monitor the entire patrol work schedule, assignment of personnel to special details and ensure adequate manpower coverage.
 - 3. The Commander will coordinate scheduling of patrol personnel temporarily assigned to another division.
 - 4. Temporary assignments will be initiated when new criminal patterns and trends emerge.
- D. The Division Commander shall be charged with the proper and efficient enforcement of all laws and ordinances within his area of responsibility; and he shall have direct managerial responsibility for the personnel and equipment assigned to his command. He shall ensure that all investigations performed by members within his command have been properly conducted with thorough and complete reports submitted to Records for proper recording, filing and further action.
- E. The Division Commander shall make himself available to subordinates when they require guidance and technical assistance.
- F. The Division Commander must ensure that subordinates within his command adhere to the department Rules and Regulations.
- G. The Division Commander shall communicate and coordinate all activities with the Investigative Division Commander as may be received from time to time and ensure the smooth and efficient operation of the department.
- H. The Commander shall schedule and supervise staff meetings.

III. CRIME ANALYSIS

- A. Submit reports that depict the total number of incidents investigated by the police department to the Chief of Police.
- B. Prepare data, as follows:

**ORGANIZATION
OPERATIONS DIVISION RESPONSIBILITIES
VOL. II, CH. 4**

1. Total arrests by type.
2. Total juvenile arrests by type.
3. Total adult arrests by type.
4. Percentage comparison reports of the current year with previous years.

V. ANNUAL REPORTING

- A. The Division Commander is responsible for developing, preparing and submitting annual reports, as specified.
- B. A two-year crime comparison shall be prepared yearly.
 1. The report should reflect percent increases or decreases, for U.C.R. Offenses.
 2. The report should reflect a service call comparison, all other crime comparisons.
 3. A clearance rate comparison.
 4. An arrest comparison (Juvenile and Adult).
 5. Identification of high frequency crime locations.
- C. Patrol
 1. Yearly performance comparison.
 2. Yearly arrest comparison.
- D. Goals and Objectives
 1. This section shall include all planned goals and objectives for the following year.
 2. He shall also evaluate the progress that was made for the attainment of the prior year's goals and objectives.
- E. Budgeting

**ORGANIZATION
OPERATIONS DIVISION RESPONSIBILITIES
VOL. II, CH. 4**

1. The Division Commander shall be responsible for:
 - a. Preparing and submitting budget requests for personnel and operating expenses effecting his division.
 - b. Continuous monitoring of expenses pertaining to personnel and items in his division.
 - c. Providing requests for capital expenditures for the Operations Division.

FORT LEE POLICE DEPARTMENT
 FTO WEEKLY
 EVALUATION REPORT
PROBATIONARY OFFICERS

Date:

Subject officer:

Evaluating Officer:

	Below Average	Average	Above Average
<u>Attitude/relations/appearance</u>			
Attitude towards police work	()	()	()
Acceptance of feedback	()	()	()
Relationship with public	()	()	()
General appearance	()	()	()
Verbal skills	()	()	()
Physical skills	()	()	()
<u>Report writing :</u>			
Detail	()	()	()
Grammar	()	()	()
Spelling	()	()	()
Content	()	()	()
<u>Field performance:</u>			
Stressful conditions	()	()	()
Non-stressful	()	()	()
Problem solving	()	()	()
Decision making	()	()	()
Investigative skills	()	()	()
Accident investigation skills	()	()	()
Patrol operation skills	()	()	()
Radio procedures	()	()	()
<u>Knowledge:</u>			
Policies and procedures	()	()	()
State statutes	()	()	()
MV law	()	()	()
Search and seizure	()	()	()

Comments: _____

**GENERAL
PUBLIC/PRIVATE FORUM APPEARANCES
VOL, VI, CH 6-1**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-04-05	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VI
VOLUME TITLE: GENERAL	# PAGES: 2					CHAPTER 6-1
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: PUBLIC/PRIVATE FORUM APPEARANCES						DISTRIBUTION ALL
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CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE: To establish guidelines for officers to follow when they are asked to appear at a public or private forum to represent the Fort Lee Police Department for any of the following reasons.

Press interview

Civic organization meeting

Presentations

Award ceremonies

Grand openings

Public meetings

Federal, State or Local Government meeting

School functions

**GENERAL
PUBLIC/PRIVATE FORUM APPEARANCES
VOL, VI, CH 6-1**

POLICY: Officers of the Fort Lee Police Department will follow the procedures set-forth below whenever they are asked to appear at a public or private forum to represent the Fort Lee Police Department. An officers appearance in any of these forums reflects back on the department, they will conduct themselves in a Courteous, Professional and Respectful manner at all times.

PROCEDURES:

A. Notification of Command

1. Whenever an officer is asked to make an appearance in a public or private forum to represent the Fort Lee Police Department the Chief of Police or Deputy Chief of Police are to be notified.
 - a. If the Chief and Deputy Chief are not available, the duty Captain is to be notified.
2. The officer is to provide the time and date of the appearance, the location and the purpose.
3. The Chief, Deputy Chief or Captain will then decide whether it is appropriate for that officer to make the appearance.
 - a. If the determination is made for the officer to make the appearance, he/she will then be instructed to wear either a class "A" uniform, the uniform of the day, or a business suit.
 - b. Uniform policy guidelines will be followed regarding uniform and grooming. Volume I, Chapter 17 of the department SOP's.
4. On the officers next tour they will forward documentation of the outcome of the event to the Chief of Police, Deputy Chief of Police and Captains.
5. Should the decision be made not to have the officer appear, the officer will advise the individual(s) that made the request that they will not be permitted to do so.

B. P.B.A. Matters

1. When an officer is appearing at a P.B.A. forum, and wishes to wear the department uniform, they are representing the department and will follow the above procedures.

**GENERAL
 PROFILING AND DISCRIMINATORY PRACTICES
 VOL, VI, CH, 10**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-05-2004	REVISION DATE: 2/27/08 11/11/08	PAGE #: 3 3	SECTION: V,B,2, C-D IX and X VIII	APPROVED 12-02-2008	VOLUME VI
VOLUME TITLE: GENERAL	# PAGES: 4					CHAPTER 10
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REFERENCE: 2C:30-5, 2C:30-6, 2C:30-7						

I. PURPOSE

The purpose of this policy is to ensure that the race, ethnicity, age, gender or sexual orientation of an individual shall not be the basis for a detention, interdiction, or other disparate treatment of an individual by any member of the Fort Lee Police Department.

II DISCUSSION

As of March 14, 2003 the State of New Jersey made Racial Profiling a crime, which is covered under 2C:30-5, 2C:30-6 and 2C:30-7.

A fundamental right guaranteed by the constitution of the United States is equal protection under the law. Along with the right to equal protection is the right to be free from unreasonable searches and seizures by government agents. Citizens are free to walk and drive our streets, highways and other public places without police interference so long as they obey the law. They are also entitled to be free from crime, and from the depredations of criminals, and to drive and walk our public ways safe from actions of reckless and careless drivers.

Because of the nature of their business, law enforcement officers are required to be observant, to identify unusual occurrences and law violations, and to act upon them. Law enforcement officers must also routinely engage in consensual contacts with citizens and are encouraged to do so. It is these proactive actions that keep our citizens free from crime, our streets and highways safe to drive upon, and that detects and apprehends criminals.

**GENERAL
PROFILING AND DISCRIMINATORY PRACTICES
VOL, VI. CH, 10**

In accomplishing their mission however, law enforcement officers must utilize sound police practices and not take any actions based solely on an individuals race, ethnicity, gender or sexual orientation.

III. POLICY

It shall be the policy of the Fort Lee Police Department to prevent and prohibit the practice of discriminatory profiling or any other discriminatory practice by members of the department.

IV. DEFINITIONS

- A. Discriminatory profiling – the detention, interdiction, or other disparate treatment of an individual on the basis of their race, ethnicity, age, gender, or sexual orientation.
- B. Stop – the restraining of an individuals liberty by physical force or a show of authority.
- C. Detention – the act of stopping or detaining an individual’s freedom to walk away, approaching and questioning an individual outside the realm of the consensual encounter, or stopping an individual suspected of being personally involved in criminal activity.
- D. Citizen Contact – A consensual encounter between a police officer and a citizen, initiated by either party, wherein the citizen is free to terminate the encounter at any time.
- E. Search – looking for or seeking out that which is otherwise concealed from view.

V. PROCEDURE

- A. The Discriminatory Profiling of individuals by members of this department is strictly prohibited.
 - 1. Absent reasonable suspicion based upon articulable and specific facts, the race, ethnicity, age, gender or sexual orientation of an individual will not be a factor in determining the existence of probable cause to interdict, place in detention, custody or arrest an individual, or in constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigatory stop of a motor vehicle or person.
 - 2. In response to a specific report of criminal activity, race, ethnicity, age, gender, or sexual orientation will not be the sole factor in determining the existence of probable cause to place in custody or arrest an individual.
- B. Stops or detentions based solely on race, ethnicity, age, gender, or sexual orientation or any other prejudicial basis by any member of this department is prohibited.
 - 1. The detention of any individual or vehicle that is not based on factors related to the violation of, or the investigation of a violation of Federal Law, the New Jersey Criminal or Motor Vehicle Statutes, the Borough Ordinances of the Borough of Fort Lee, or any

**GENERAL
PROFILING AND DISCRIMINATORY PRACTICES
VOL, VI. CH, 10**

combination thereof, or that is not conducted utilizing lawful and acceptable police practices is prohibited.

2. No officer shall stop, detain, search any person or vehicle, or seize any property for forfeiture, when such action is motivated by race, ethnicity, age, gender, or sexual orientation as listed in
N.J.S.A. 10:5-1 Protected class.
- C. Following the stop of an individual that is not in a vehicle (suspicious person, mental subject etc), officers will fill out a field contact report.
- D. Following motor vehicle stops, officers will go to the Log screen in Enforsys and click on their stop, they will then click the Edit GC tab and open the COMSTAT tab, they will then enter information from the stop in the racial profiling information section, information must be filled out in all 4 tabs and changes must be saved. This procedure should only add about 20 seconds to their stop.
 1. Officers who do not have a laptop in their vehicles will make note of the race, gender and ethnic origin of the persons stopped and they will enter the information in Enforsys when they return to headquarters.

VI. AUTHORITY AND RESPONSIBILITY

- A. It is the responsibility of all supervisors to provide proper supervision and monitor the officers under their command to ensure compliance with this policy. Supervisors will seek out conduct among their subordinates, which is contrary to this policy and will take corrective action.
- B. It is the responsibility of any employee witnessing behavior contrary to this policy to take immediate action to end such behavior.
- C. It is the responsibility of any employee who believes there is, or is made aware of a violation of this policy to immediately report it in writing to their supervisor.

VII. COMMUNITY OUTREACH

- A. The Chief of Police will be the department's community liaison for discriminatory profiling issues.

VIII. TRAINING

- A. All police department personnel will receive periodic training every 3 years about the legal aspects and harms of discriminatory profiling practices as well as in sound police practice, including the review of this policy. This training will be intended to supplement the initial cultural diversity and awareness training officers receive in the basic recruit training academy.

**GENERAL
PROFILING AND DISCRIMINATORY PRACTICES
VOL, VI. CH, 10**

IX. DISCIPLINARY PROCEDURES

- A. Appropriate discipline shall be implemented for non-compliance of this policy, up to and including dismissal.
- B. Failure to report any observed or known violations of this SOP by any member of the Department shall result in disciplinary action.

X. ANNUAL REVIEW

An annual administrative review of agency practices including whether policy, training, equipment , or disciplinary issues should be addressed and citizen concerns. This will be undertaken by the Internal Affairs Unit and a report will be submitted to the Chief of Police upon completion of the review.

**ORGANIZATION
 RECEPTIONIST TO THE CHIEF OF POLICE RESPONSIBILITIES
 VOL. II, CH. 8**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 05-08-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
VOLUME TITLE: ORGANIZATION	# PAGES: 4					CHAPTER 8
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SUBJECT: CHIEF'S RECEPTIONIST'S RESPONSIBILITIES						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
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PURPOSE:

To establish a clear guide for civilian employee acting in the position as the Chief's Receptionist.

POLICY:

All persons acting in the capacity of the Chief's Receptionist shall have the following responsibilities as listed in this policy.

PROCEDURE:

I. RECEPTIONIST TO THE CHIEF OF POLICE RESPONSIBILITIES:

- A. The duties of the receptionist to the Chief of Police of the Borough of Fort Lee Police Department are various. The receptionist's main function is to be available for any and all work assignments requested by the Chief of Police. The Chief of Police will direct the receptionist as to what he wants done (i.e., dictation, special projects, etc.). All tasks should be completed as soon as possible. The distribution of correspondence, memoranda, Policies and Procedures, etc. as directed by the Chief. All telephone calls to the Chief of Police will go through the receptionist's office. If the Chief is not available, the receptionist will take all messages.
- B. Administrative Tasks

ORGANIZATION
RECEPTIONIST TO THE CHIEF OF POLICE RESPONSIBILITIES
VOL. II, CH. 8

1. The receptionist may, from time to time, be requested by Administrative Commanders to type letters, reports or memos as needed. At that time, the Commander should direct the receptionist as to what he wants done and it will be the receptionist's responsibility to complete the task, as directed.
2. If, for some reason, the receptionist is unable to assist the supervisor or officer, she will direct the officer to one of the clerks in the office that has the time to do the reports, letter, etc.

C. General Responsibilities

1. It will be the responsibility of the receptionist to distribute all incoming mail.
2. Any mail that has to go to Borough of Fort Lee Hall is to be placed in an Inter-Office envelope and kept in the receptionist's office until such time as General Services can deliver it.
3. It will be the responsibility of the receptionist to the Chief of Police to collate the monthly reports. Said reports are placed in the monthly book that is kept in the Police Chief's office. The reports will be received from the Division Commanders, Investigative, Operations and Support Services.
4. It will be the responsibility of the receptionist to the Chief of Police to collate the yearly report. The Chief of Police will direct the receptionist as to what reports he wants included in his annual report.
5. It will be the responsibility of the receptionist to have knowledge of the operation and use of office equipment, i.e. Computer, typewriters, Dictaphone machine, photocopier, etc.
6. The receptionist to the Chief of Police shall have the ability to work with high level officials, department heads, employees and to deal with the public by being courteous and tactful at all times.
7. It will be the responsibility of the Chief's receptionist to keep all personnel listings, personnel jackets etc. up to date and to notify Borough of Fort Lee Hall of any changes in addresses, telephone numbers, etc.
8. It will be the responsibility of the Chief's receptionist to keep the general file up to date by adding new folders and removing older material for storage.
9. The receptionist will be responsible for the Temporary Handicapped Placards.
10. Special Orders/ Memorandums may be typed by the receptionist for the Chief of Police. All Special Orders and Department Memorandums will be put in the appropriate file and forwarded to the Computer Division and placed on the computer network.

ORGANIZATION
RECEPTIONIST TO THE CHIEF OF POLICE RESPONSIBILITIES
VOL. II, CH. 8

11. When the Administrative Division Commander submits Traffic Surveys and they are approved by the Chief of Police, it will then be the responsibility of the receptionist to forward it to the department requesting the survey.
12. The receptionist to the Chief of Police is responsible for filing correspondence, memos, etc. in the full-time and part-time dispatchers personnel jackets/files and police matrons files and the administrative assistant's file.
13. The receptionist to the Chief of Police should have a working knowledge of the responsibilities of the other department clerks and receptionists.
14. Make appointments for the Chief. Keeping his calendar schedule
15. Answering phones for the Chief, Administration and other offices when vacant.
16. Phone messages for the Chief, Administration and other offices when vacant.
17. Contact Com-Cen and Tour Commander for personnel to report to the Chief's Office.
18. Distribute Memos & Correspondence to all personnel for further information.
19. Reception- Assisting people when they come in and direct to proper person or Bureau.
20. Assist with paperwork and typing during police applicant interviews.
21. Record keeping of time, date, daily sign-in sheets showing time earned, taken, VAC, of white-collar workers including part-time.
22. Responsible to make service call appointments and repair orders for copy machines, fax machines and typewriters.
23. Typewriters & copy machine supplies.
24. The Chief's Receptionist may be requested to type confidential memos, letters and reports. It is of the utmost importance that the nature of these assignments not be discussed.
25. Handicap Parking Permits, maintain a record book of all Handicap Parking Permits issued at police headquarters.
26. Special Orders
 - a. A Special Order Number can be obtained from the Chief 's Receptionist.
 - b. Prepare as requested by Administrative Division Commander.

ORGANIZATION
RECEPTIONIST TO THE CHIEF OF POLICE RESPONSIBILITIES
VOL. II, CH. 8

27. Department Personnel Orders
 - a. A Department Personnel Orders Number can be obtained from the Chief's receptionist.
 - b. Prepare orders as requested by Administrative Division Commander.
28. News Articles
 - a. Collect and maintain notebook for the current year.
29. Telephone Calls
 - a. Forward calls for the Division Commanders to their respective office or take a message.
 - b. Forward calls for respective units to their office.

**ORGANIZATION
RECORDS CLERK'S RESPONSIBILITIES
VOL. II, CH. 18**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-07-2005	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
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ISSUING AUTHORITY: CHIEF THOMAS RIPOLI						EVALUATION DATE:
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PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish areas of responsibilities for the Records Bureau Staff thereby reducing confusion and duplication of services.

POLICY:

The following Record Bureau Staff will be responsible to perform the tasks assigned to their unit as specified in the policy.

SPECIAL NOTE: The term "Record Clerk" as used in this policy is to denote all civilian clerical/data entry personnel regardless of actual Department of Personnel job title.

PROCEDURE:

I. RECORDS BUREAU SUPERVISOR

- A. The Records Bureau Supervisor shall have the responsibility to supervise the maintenance of the department's records keeping system.

ORGANIZATION
RECORDS CLERK'S RESPONSIBILITIES
VOL. II, CH. 18

- B. The Records Bureau Supervisor shall have the responsibility for all equipment assigned and received by the Record Bureau.

- C. The Records Bureau Supervisor should handle the following tasks:
 - 1. Records checks
 - 2. Reports for the Prosecutor's Office as requested.
 - 3. Writs of Discovery
 - 4. Send Accident Reports and finger print cards to state and county agencies.
 - 5. Sort Record's Bureau mailbox.
 - 6. Sort motor vehicle summonses
 - 7. Firearms Permits and Firearms as per the Firearms Application Policy (Vol. 8 Ch. 12).

II. Records Clerk and Staff

- A. The Records Bureau Clerks will be assigned as part of the Records Bureau staff within the Administration Division. The clerk will be responsible to complete all assignments in a timely fashion that meets the approval of the Administration Division Commander. In addition to the duties and responsibilities outlined within this Job Description, the records clerk must also possess the skills and knowledge to perform the duties and responsibilities of the Administration Division clerk.

- B. The clerk must demonstrate excellent typing skills, written and oral communications skills and have a basic knowledge of word processing and computer operation skills.

- C. Because of the sensitive and complex nature of this position, the clerk must maintain complete confidentiality for all matters involving active investigations, adult and juvenile arrests.

- D. The clerk is to maintain the department's records filing system, as outlined in the New Jersey Department of State Local Records Manual, which should include the following reports,
 - 1. Criminal Case Jackets
 - 2. Investigation Reports
 - 3. Property Reports
 - 4. Arrest Reports
 - 5. Juvenile Arrest Reports

**ORGANIZATION
RECORDS CLERK'S RESPONSIBILITIES
VOL. II, CH. 18**

6. Borough of Fort Lee Ordinance Incident Reports
 7. New Jersey State Deer Permit Forms
 8. Other non-computerized reports generated by the department.
- E. The Records Room must maintain all arrest files, investigation files, property files and the **department's master name index**.
- F. It will be the responsibility of the records clerk to respond to any requests for police reports from insurance companies, lawyers, prosecutor's office, attorney general's office or other local, county, state or federal agencies. Any questions should be brought to the Records Bureau Supervisor's attention.
- I. It will be the responsibility of the clerk to process the following forms when required and forward the forms to the appropriate agency:
- 1 Domestic Violence Offense Report
 - 2 State Arson Reports
 - 3 Bias Investigation Reports
 4. Supplementary Homicide Report, 1a Murder
 5. Supplementary Homicide Report, 1b Manslaughter
- J. It will be the responsibility of the clerk to prepare and distribute monthly activity reports as requested by the Chief or a Division Commander.
- K. The clerk should provide assistance to any officer when information is needed in preparing any type of activity, arrest or analysis report.
- K. The clerk may, from time to time, be requested by the Chief or a Division Commander to prepare reports and memos. At that time, the commander may ask the clerk to perform the task and it will be the clerk's responsibility to complete the assignment as directed. If, for some reason, the clerk is unable to assist the commander, they will advise the Records Bureau Supervisor.
- L. It will be the responsibility of the clerk to have knowledge of the operations and use of office equipment, i.e. computer terminal, typewriters, Dictaphone machine, photocopier, etc.
- M. The records clerk should prepare all fingerprint cards and forward the fingerprint cards to the appropriate agency and upon return to the police department, appropriately file the fingerprint cards with the respective cases.
1. Routing of fingerprint cards.
 2. F.B.I.

**ORGANIZATION
RECORDS CLERK'S RESPONSIBILITIES
VOL. II, CH. 18**

3. New Jersey State Police
 4. Bergen County Sheriff's Office
- N. Parking Permits, Maintain a Record Book of all Parking Permits issued at police headquarters.
- O. Provide all information needed by the Borough of Fort Lee Auditor at the end of each year.
- P. Money received will be secured by the clerk in the Records Bureau cash register.
- Q. The clerk should have a working knowledge of the responsibilities of the Chief's Receptionist. When the receptionist is absent or on vacation, the clerk may assume her responsibilities. See the Chief's Receptionist Policy (Vol. 2 Ch. 8).
- R. It will be the responsibility of the clerk to have a knowledge of the operation and use of office equipment, i.e. Computer, typewriters, photocopier, adding machine and any other equipment necessary to accomplish needed tasks.
- S. The secretary shall have the ability to work with high level officials, department heads, employees and to deal with the public by being courteous and tactful at all times.
- T. Maintain a ledger keeping the clothing allowance records of all sworn personnel.
- U. Payroll
1. Completion of the payroll sheets for each pay period.
 2. Submit hours worked for overtime, school crossing guards, special police, part-time clerical to Borough of Fort Lee Hall twice a month.
 3. Record the above hours in the Payroll Records files.
- V. Money Received
1. Receive, receipt and record money received at police headquarters for the following:
 - a. Copies of motor vehicle accident reports, incident reports and arrest records.
 - b. Alarm Permit Fees.
 - c. Firearms Applications.

**ORGANIZATION
RECORDS CLERK'S RESPONSIBILITIES
VOL. II, CH. 18**

- d. Bicycle Licenses.
- e. Taxi licenses
- f. Solicitors permits

W. Motor Vehicle Summonses

- 1. All summonses issued for 39:4-50 charges or 39:3-40 charges, requests are forwarded to Trenton for:
 - a. Abstract of Driver History Record
 - b. Certificate of Suspension
 - c. Insurance Surcharge Bill

X. Motor Vehicle Accident Reports

- 1. Maintain file of reportable and non-reportable accident reports.
- 2. Reportable motor vehicle accidents are forwarded to Trenton, two (2) copies are sent.
- 3. Request for copies of motor vehicle accidents.
 - a. Prepare copies upon request for accident reports for:
 - (1) Insurance Companies
 - (2) Involved parties
 - (3) Borough of Fort Lee Prosecutor
 - (4) Lawyers
 - b. Collect required fees.

Y. Telephone Calls

- 1. The clerk should provide assistance to people calling the Records Bureau.
- 2. If they are unable to assist the person or if there is a problem the caller should be forwarded to the Record Bureau Supervisor.
- 3. All calls regarding requests for copies of reports (Accident, Arrest, Crime, etc.) are to be given to the Records Bureau.

**ORGANIZATION
RECORDS CLERK'S RESPONSIBILITIES
VOL. II, CH. 18**

III. Maintenance of forms and records

- A. Maintain and update all forms utilized by the department.
- B. Prepare purchase requisitions and maintain a supply of department usable office supplies.
- C. Maintain a supply of finger print cards.
- D. Review all criminal case jackets, make up label and file holder then place in the file system.
- E. Maintain miscellaneous files (i.e. absentia, closed, Section 36, DOA, Fatal Accident).

III. COURT LIAISON

- A. Forward subpoenas to supervisor to serve upon officers under their command.
- B. Enter court case dispositions.
- C. Process expungement orders.
- D. Prepare all court cases for court.
- E. Disposition of court cases, Following court, if case is decided, file in closed file.
- F. Closed Motor Vehicle Summonses, remove when "closed out" and file.
- G. It will be the responsibility of the records clerk to prepare for court all cases that are on the agenda for a particular court, municipal, county or state. The management and tracking of all police reports released to anyone will be monitored by the records clerk.
- H. It will be the responsibility of the records clerk to record the disposition of all criminal cases and/or Borough of Fort Lee Ordinance cases after the case has been finalized by the court.
- I. Assist the Records Bureau Supervisor as needed.
- J. Perform the following functions as the Court Liaison:
 - 1. Receive the court session calendar from the court.
 - 2. Prepare the Court Calendar for the Administrative Division Commander's signature.

ORGANIZATION
RECORDS CLERK'S RESPONSIBILITIES
VOL. II, CH. 18

3. Once approved by the Administrative Division Commander, post the calendar for officer's initials.
4. Attend the court session and have the scheduled off-duty officers complete the Court Log Book and any required paperwork.
5. Develop a system which tracks the status of each Fort Lee case so that officers are available to appear in the Court Room as needed and may be released at the conclusion of their case.

**DEPARTMENT REPORTING AND RECORDS SYSTEM
REPORTING GUIDE
VOL. IV, CH. 7**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

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PURPOSE:

This guide is designed to provide members of the department with a concise set of instructions concerning the proper report forms to be used under a given set of circumstances as well as instructions as to the execution of each report form. The forms themselves and other material included herein including the descriptions of persons and property will serve as interviewing aids in many instances.

POLICY:

Officers of this department will be responsible for completing proper reports for incidents they are assigned to. Reports will be reviewed and approved by Supervisors before they are submitted.

PROCEDURE:

I. PURPOSE OF THE REPORTS

- A. It is important that completed assignment involving crimes, damage to property, injury, disputes, collisions, lost or found property, or any other incident in which a supervisor believes it is necessary, be documented or recorded in a formal report. This protects the department and the officer handling the investigation from unwarranted accusations that improper police action was taken or that nothing was done at all.

**DEPARTMENT REPORTING AND RECORDS SYSTEM
REPORTING GUIDE
VOL. IV, CH. 7**

- B. Reports are necessary to serve as the official record of the department, but beyond this they serve to insure that the report of an investigation is available for other members of the department or other agencies who may be called upon to investigate the matter further.
- C. Even more important, supervisors must give supervision and guidance to their subordinates in individual investigations. To accomplish this the action taken is recorded and approved by the supervisor on a report, which is reviewed. In addition to reviewing the propriety of actions taken in individual cases, supervisory personnel should use reports to evaluate the work performance of members under their command.
- D. Data compiled from individual reports provides a basis for analyzing crime, determining manpower needs and assignment and aids in budget preparations.

II. THE COMMUNICATIONS CENTER

- A. Information concerning all matters brought to the department's attention for police action is dispatched through the Communications Center. Each incident will be assigned a separate incident number also known as a case number. The purpose of this procedure is to insure that a record is made of every complaint and that necessary police action is taken in each case.
- B. If applicable due to the nature of the assignment from the Communications Center, the assigned officer(s) should not be considered available for calls until they have properly documented their actions either by a notation made in CAD if appropriate, or in a written report.
 - 1. Officers should complete the required reports in the field where possible.

III. REPORT FORMS

- A. For a better understanding of the reporting system, it may be observed that incidents brought to the attention of the department for investigation are ordinarily first answered by a uniformed patrol officer. It is the uniformed officer who conducts the preliminary investigation of the matter. This involves an interview with the complainant to obtain the full details as to what happened. The patrol officer then prepares the first report on the matter, if it is appropriate to do so.
- B. Many incidents, particularly those involving crimes, require subsequent investigation. For the most part, the investigating detective will perform this follow-up investigation.
- C. An officer responding to a complaint will use one or more of the following forms to make a record of the matter:
 - 1. Computer Aided Dispatch: Call Field Notes
 - 2. Investigation Report

**DEPARTMENT REPORTING AND RECORDS SYSTEM
REPORTING GUIDE
VOL. IV, CH. 7**

3. Property Report
 4. Vehicle Involvement Report
 5. Arrest Report
 6. Supplemental Investigation Report
 7. Motor Vehicle Accident Report
 8. Juvenile Arrest / Contact Report
 9. Other Special Reports or Forms as Required by Department Policy.
- D. Some offenses and incidents are directly observed by an officer or reported directly to them by a citizen. Under such circumstances, Com-Cen should be immediately notified of the action being taken. The officer is to then obtain a case number and complete the appropriate report.

IV. REPORTING AN OFFENSE/ARREST

- A. In many instances, combinations of offenses will be present in the same incident. When this occurs, the offense considered the most serious takes precedence. Only one Investigation Report should be completed in a multiple crime case as long as the incident occurred at one location, with one victim and at the same time. If there is more than one victim, location or time of occurrence then multiple reports are appropriate.
- B. One Arrest Report must be completed for each person arrested in an incident.
- C. At accident scenes where 2 vehicles are towed (and the owner is not aware of the location the vehicle is being towed to), two tow reports should be made out with the same case number.
- D. Tow reports should always be prepared for a police impound, if 2 vehicles are being impounded from the same incident, then the same case number can be used.

V. FIELD PROCESSING OF REPORTS

- A. The uniformed officer should complete the report in the field via the computer system where appropriate. The officer should do this as a part of their assignment. Thus, the report writing becomes a part of the elapsed time factor for the incident. In major incidents, the officer may go to headquarters to complete the report. This would happen in urgent matters where the report is needed at once. The officer then reports "back in service". There may be reasons why the officer should proceed on some other assignment before they complete the report. The report should be sent to Headquarters from the Laptop so that it can be reviewed by the Tour Commander.

**DEPARTMENT REPORTING AND RECORDS SYSTEM
REPORTING GUIDE
VOL. IV, CH. 7**

- B. The Tour Commander should review the reports of the officers on duty. The supervisor must know a bad report from a good report. The supervisor must know how to classify crimes. If a report lacks needed information, the supervisor shall advise the writer to correct it.
- C. All information on reports should be filled out if possible, victims should not be compelled to give information such as Social Security numbers if they are not comfortable doing so.

IV. COMPLETED REPORTS

- A. The investigation report filled out by the investigating officer and approved by the Tour Commander will be placed in the appropriate report box. Copies will be made and disseminated to the proper detective division involved (General Investigation, Narcotics or Juvenile), as well as copies for administration (reports that require investigation only) and the clipboards at the desk.
- B. This report, once it is submitted and approved will then become a permanent record of the police department.
- C. Under **no** circumstances will an officer keep an original report in his personal locker or in his briefcase.
- D. Under **no** circumstances will any information regarding a juvenile be given to **anyone** unless specified by statute. Questions concerning appropriateness of release of juvenile information will be directed to the Juvenile Bureau. If unavailable then a supervisor assigned the Detective Bureau.
 - 1. Juvenile arrest reports will be filed separately and not with adult arrest reports.
 - 2. Juvenile information should not be put in a report involving an adult, initials only can be used and the report may refer to the Juvenile contact form.
- E. Only the reporting officer shall modify or amend their report. Another officer may prepare a supplemental report as needed. The original officer should be advised that a supplemental report has been prepared and the reason it was filed.

VII. FIELD NOTE TAKING AND REPORTS

- A. When on regular patrol, each officer will carry with him copies of the Investigation Report, Vehicle Involvement Report, Property Report, Supplemental Investigation Report, Continuation Page and Motor Vehicle Accident Reports. When given an assignment requiring an Investigation Report or an accident report, the officer assigned will complete the report at the scene via lap-top if available, if not the report should be done on report copy and completed in the computer system at Headquarters.
- B. In order to get an accurate recording of the total time spent on an assignment, the time the call was received through to the time the report was completed must be included. To

**DEPARTMENT REPORTING AND RECORDS SYSTEM
REPORTING GUIDE
VOL. IV, CH. 7**

accomplish this, the majority of reports will be written in the field. When the report has been completed, the dispatcher will be so advised that the officer is then clear on that call.

- C. When there are extenuating circumstances such as the need to receive information from witnesses and arrests wherein the arrested person is transported to headquarters; or where there is an overabundance of report information, the officer will immediately return to headquarters to complete the reports. Approval should be first obtained from Tour Commander. Only the officer on assignment is to return to headquarters to complete reports. When completing the report necessitates coming to headquarters, the incident will not be closed until you have completed the report pertaining to that particular assignment.
- D. In the event more than one officer is required to return to headquarters for reasons such as an arrest, the officers assisting the arresting officers will return to regular patrol as soon as proper security has been made pertaining to the arrested individual or individuals.
- E. Approximately an hour before the end of each shift, the Tour Commander should check with the officers under their direct supervision to verify that all reports have been complete.
- F. Any report that can not be completed should have a statement in the narrative, that the report is “incomplete” and should be placed in the incomplete report slot at the desk. Any collision report that is incomplete should be printed out in duplicate, marked incomplete and one copy should be placed in the records box, and one in the incomplete report slot.

**OPERATIONS
SCHEDULING
VOL. IV, CH. 9**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-27-2004	REVISION DATE: 12-02-2009	PAGE #: 1	SECTION: Issuing Authority	APPROVED 12-02-2009	VOLUME #IV
VOLUME TITLE: OPERATIONS	# PAGES: 3					CHAPTER 9
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CHIEF THOMAS O. RIPOLI						
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PURPOSE:

To establish guidelines for assignment of personnel to various shifts, as needed to accomplish the goals of the Police Department.

POLICY:

To facilitate the assigning of personnel within the Borough of Fort Lee Police Department, the following procedure will be adhered to by all personnel wherever or whenever the procedure affects their area of assignment.

I. DIVISION COMMANDERS

- A. Will work a schedule prepared by the Chief of Police.
 - 1. A master schedule will be established within the personnel computer reporting system.
 - 2. In addition to the fixed schedule, each division commander will be available for his division responsibilities in case of emergency.

II. PATROL PERSONNEL

- A. Will work a schedule prepared by the Chief of Police

**OPERATIONS
SCHEDULING
VOL. IV, CH. 9**

1. A master schedule will be established within the personnel computer reporting system.
- B. Vacations should be approved and assigned by the Shift Captains.
 1. All personnel should submit their choice of summer vacation days off prior to May 15th of each year. Approval will be based on seniority and manpower.
 2. After May 15th, any scheduling of vacation days within 30 days of the requested day will be at the approval of the Shift Captain, based on seniority and manpower. All other days may be approved on a first come first serve bases.
 3. All vacation time off will be submitted on the same request form unless, the requested days are not consecutive days, Example: July 1, 2004 and July 6, 2004 should be on a separate sheet. A Holiday will not be charged if taken as part of a three or more day vacation request.
- C. All Holiday time off will be approved by the Shift Captain.
 1. Holiday time off will only be granted on a seniority bases if submitted 21 days before each holiday, providing that manpower can be obtained to replace minimum number of officers or supervisors needed. Requests submitted within 21 days may be approved on a first come first served bases. Any exception must be approved by the Chief.
- D. All time due days off will be approved by the Shift Captain.
 1. Time due days off will only be granted after the time has been earned.
- E. Sick time off will be reported 3 hours prior to a scheduled shift, to a supervisor.
- F. A personal day off will be approved by the Shift Captain. Generally they should be granted unless there are extenuating circumstances (Holiday, ongoing emergency situation etc.).
- G. Funeral time off will be approved by the Shift Captain. In cases of emergency, the supervisor at the desk may approve them and make out a time off sheet to be forwarded to the Shift Captain.
- H. Time due and overtime worked will be submitted on the overtime sheet, the overtime sheet must be signed by an authorizing supervisor.
 1. Officers may not accumulate more than 480 hours time due.

NOTE: All requests for time off should be submitted 5 days prior to the requested day.

III. DETECTIVE DIVISION

- A. Will work a schedule prepared by the Chief of Police

**OPERATIONS
SCHEDULING
VOL. IV, CH. 9**

1. A master schedule will be established within the personnel computer reporting system.
2. In addition to the fixed schedule, each investigator may be subject to call as assigned by the Chief or Investigative Division Commander.

IV. ADMINISTRATION - SWORN OFFICERS

- A. Will be required to adhere to Section I Division Commanders

V. CIVILIAN PERSONNEL

- A. Will be required to adhere to section I, Division Commanders.

VI SHIFT BIDS

- A. All Patrol Division shift changes will commence on or about the first day of April and October, unless otherwise directed by the Chief of Police.
- B. Generally in February and August of each year an operations order will be put out advising officers that shift bid requests should be submitted by a certain date.
- C. Each officer will request bids for three different shifts, in the order that they would prefer to work them.
- D. While seniority will be considered in the shift bid process, the Chief of Police reserves the authority to assign all officers and supervisors to various shifts and assignments according to the departments staffing requirements and general welfare. The Chief of Police will continue to exercise his power of assignment and managerial prerogative when assigning all officers and supervisors to various shifts and assignments.
- E. Any officer currently training in their respective positions will not be included in the bid process.
- F. Officer and supervisors who fail to submit a shift bid by the required date will be assigned various shifts as required.
- G. Assigned shifts will be for a six-month period, unless the Chief of Police has determined that an officer's shift should be changed.
- H. Officers may submit a mutual change/change of tour request for a certain day or time period, this request will then be reviewed and approved by each shift supervisor and be forwarded to a Shift Captain for approval. Officers will not assume that their request has been approved, they will have to check with their Shift Captain for approval, prior to the dates submitted.

SPECIAL NOTE: IF ANY OF THE ABOVE PROVISIONS CONFLICT WITH A COLLECTIVE BARGAINING AGREEMENT, THE COLLECTIVE BARGAINING AGREEMENT PREVAILS.

Fort Lee Police Department
Field Training and Evaluation Program
Probationary Officer Self Evaluation Form
APPENDIX "B"

INSTRUCTIONS: You are to complete this self-evaluation at the direction of your Field Training Officer Biweekly. Consider your progress to date and respond to the areas noted below.

My significant strengths are:

My performance areas most in need of improvement are:

I believe I am: (check one)

Satisfactorily progressing through the Field Training and Evaluation Program.

Experiencing difficulty meeting the responsibilities of the Filed Training and Evaluation Program.

Probationary Officer: _____

Date: _____

**TRAFFIC
SPECIAL POLICE OFFICER
VOL, IX. CH, 2**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 10-10-05	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 8					CHAPTER 2
ACCREDITATION STANDARD(S):	REFERENCE: V9C2					
SUBJECT: SPECIAL LAW ENFORCEMENT OFFICERS						DISTRIBUTION ALL
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CHIEF THOMAS O. RIPOLI						
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PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To provide procedures to follow regarding the utilization of Special Police Officers, to outline the responsibilities of the Special Law Enforcement Officers and integrate them into the policies and procedures of the police department in regard to traffic/pedestrian control, crowd control and the enforcement of parking and motor vehicle violations. As part of the Borough’s reorganization of the Emergency Services the Class One Part-time Special Law Enforcement Officers will assist with traffic control and crowd control as required. In addition they will be available to assist the Police Department during scheduled special events or emergencies.

POLICY:

The Fort Lee Special Law Enforcement Officer Program was established by the mayor and council of the borough of Fort Lee through the enactment of Borough Ordinance 2004-13. The Chief of the Fort Lee Police Department is the officer in charge of this unit and may issue such rules, regulations, orders and policies and procedures as necessary to maintain good order and discipline in the unit.

All Fort Lee Special Law Enforcement Officers will be trained and Police Training Commission certified as Class I Special Law Enforcement Officers in accordance with the provisions of N.J.S.A 40A:14-156.8 et seq. , and will be deployed in such a manner that complies with the provisions of those statutes.

Hereafter, all Fort Lee Special Law Enforcement Officer Unit members shall be referred to as “Fort Lee Special Law Enforcement Officers (SLEO)”.

**TRAFFIC
SPECIAL POLICE OFFICER
VOL, IX. CH, 2**

Special Law Enforcement Officers will follow the Fort Lee Special Law Enforcement Officer's rules and regulations pertaining to their assignment, uniform, appearance and equipment, as well as all of the rules, regulations, policies and procedures of the regular police department that may pertain to them.

Fort Lee Police Officers and Supervisors will follow the procedures set-forth in this policy, for the utilization of Fort Lee Special Law Enforcement Officers (SLEO). Special Law Enforcement Officers will follow the procedures in this policy in the performance of their duties.

Special Law Enforcement Officers will not be authorized to carry or use a firearm in the performance of their duty.

DEFINITIONS

TRAFFIC CONTROL:

The physical, mechanical or electronic control of vehicles operating on the roadways in the Borough of Fort Lee.

Physical- by use of hand signals within the intersection, crosswalk, or roadway.

Mechanical- by use of barricades/barriers, or traffic cones.

Electronic- by use of the traffic control box/control at intersections.

PEDESTRIAN CONTROL:

Where pedestrians are present, physical control of their actions by hand signals and verbal advisement are always to be used.

CROWD CONTROL:

Manning fixed or barricaded posts at special events to ensure the safety of individuals present and to supply information needed by those present.

I. SPECIAL LAW ENFORCEMENT OFFICER (SLEO) UNIT OFFICER-IN-CHARGE / LIAISON

- A. The SLEO Unit will be coordinated by a Fort Lee Police "Liaison Officer". The Liaison Officer will be the first step in the chain of command for all Special Law Enforcement Officers. The Liaison Officer then reports to the Traffic Bureau Supervisor, who reports to the Operations Officer and then to the Chief of Police.
- B. The Traffic Bureau Supervisor shall be the designated Officer-In-Charge for the SLEO Unit and is responsible for the supervision and command of the unit. The Traffic Bureau Supervisor may designate a member of the Traffic Bureau to handle the day-to-day tasks as the "Liaison Officer".

**TRAFFIC
SPECIAL POLICE OFFICER
VOL, IX. CH, 2**

- C. The Traffic Bureau Supervisor shall serve as the Officer-in-Charge of the SLEO Unit. He, or his designee, shall conduct periodic meetings if required, to disseminate information. He shall prepare or assign someone to prepare work schedules to be posted no less than three days before it's starting date.
- D. The Traffic Bureau Supervisor or Shift Supervisor may authorize SLEO to be recalled for emergency situations.
- E. He shall maintain all necessary records and conduct all necessary correspondence, or shall delegate such tasks to a competent individual. The Liaison Officer however, remains accountable for all such tasks delegated.

II. UTILIZATION OF SPECIAL LAW ENFORCEMENT OFFICERS

- A. Special Law Enforcement Officers (SLEO) will be utilized on traffic/pedestrian control posts, for crowd control at special events. At the discretion of the Chief of Police, SLEO's may be authorized events and to enforce local parking ordinances and motor vehicle laws they may encounter during their tour of duty whenever possible.
- B. Regular police officers are not to be utilized for posts or details that can be covered by a SLEO when a SLEO is available.
- C. The Shift Supervisor, Tour Commander, and Road Supervisor shall be responsible for the proper deployment and supervision of SLEO's at times and in situations where the Liaison Officer or other Traffic Supervisor is not working.
- D. SLEO post / detail assignments may be changed by the Liaison Officer or the Traffic Supervisor. If the Traffic Bureau Supervisor is off then the Patrol supervisors may change the SLEO's assignment during an emergency situation. Traffic should be advised via email of the assignment change.

III. SPECIAL LAW ENFORCEMENT OFFICER RESPONSIBILITIES

- A. Special Law Enforcement Officers (SLEO) will be assigned posts for traffic and pedestrian control throughout the Borough of Fort Lee as deemed necessary by the Chief of Police or the Chief's designee.
 - 1. While assigned to these posts, the SLEO will be in proper uniform and will have all required department issued equipment with them.
 - a. This equipment includes a reflective traffic vest and reflective gloves, which must be worn at all times while on these assignments.
 - b. Reflective rain gear is also provided for inclement weather.

**TRAFFIC
SPECIAL POLICE OFFICER
VOL, IX, CH, 2**

- c. If authorized by the Chief of Police, the issued summons books are required to be carried. See MV summons control policy Vol. IX, Ch, 8. See also Ordinance violations Vol, IX, Ch, 3.
- B. Part of the SLEO responsibilities, if authorized, will be to enforce borough ordinances and motor vehicle laws, as required to properly control traffic at their assigned posts.
 1. Should a SLEO see a violation of a borough parking ordinance, or motor vehicle parking statute, they may issue a summons for the violation.
 2. **Motor vehicle moving violations are enforceable by a SLEO, however, they must inform a supervisor of the violation and have a marked unit respond to the scene to assist. They are not to attempt to stop a moving vehicle while operating a department vehicle.**
 3. **When conducting a motor vehicle stop, SLEO will introduce themselves to the violator, stating that they are a Fort Lee Special Law Enforcement Officer, give their name and ID number. Ask for the drivers license, registration and insurance card and advise the driver of the violation committed. If the driver has an explanation for his actions, the officer will listen to the explanation prior to taking any action.**
 4. Notice to Appear (Summons) The issuance of a traffic summons (CPO 171C) is applicable in the majority of cases for those violators residing within the boundaries of the jurisdiction in which the case will be adjudicated. 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 operating unsafe and/or improperly equipped vehicles.
 5. Summons books will be available to a SLEO from the Court Administrator's Office.
 6. When a new supply is needed by any SLEO, they will be assigned a summons book'(s) by the Court Administrator's Office. The book number sequence, date, the officer's name shall be recorded on the summons sign-out sheet maintained by the Court Administrator's Office.
 7. Voided Summons
 - a. The SLEO must submit a request in writing (Appendix A v09c03a) describing the error made on the complaint. This form is not to be utilized if the information is correct and the complaint has been signed. Once the summons has been properly completed it must be issued and adjudicated by the court.
 - b. Submit the request and all four copies of the summons to the Tour Commander for review. The officer may retain a copy.
 - c. The Tour Commander will forward the request to the Records Bureau.

**TRAFFIC
SPECIAL POLICE OFFICER
VOL, IX. CH, 2**

- d. The Records Bureau will forward the request to Municipal Judge.
8. The SLEO will:
- a. Turn in the white and blue copies of the summonses to the Tour Commander, who should also review all summonses for accuracy and completeness, prior to the completion of his/her tour of duty.
 - b. Retain the yellow copy for their records.
 - c. Serve the hard copy to the defendant:
 - (1) A summons will normally be issued to a violator at the time of the motor vehicle stop.
 - (2) A summons must be issued within the statute of limitations as specified in 39:5-3.
 - (a) If a summons is to be mailed, the officer will complete the summons, address an unsealed envelope to the defendant and submit both items to the Tour Commander, who will forward the items to the Record Bureau to be sent as Certified Mail / Return Receipt.
9. **Verbal Warnings**
- 1. A verbal warning is appropriate when the violator commits an act, which may be due to ignorance of a local ordinance, which may be unique, or a violation of which the driver may not be aware. Examples of violations which warrant verbal warnings are a right turn on a red light, after a complete stop, when such movement is made with reasonable safety, and it is determined the driver is accustomed to driving in those jurisdictions where a right turn on red is permissible. Similarly, a verbal warning is appropriate for equipment failure (license plates not illuminated) of which the driver was unaware. Discretion may be used on other violations that are not of a serious nature.
 - a. Information on verbal warning will be entered in the Computer Aided Dispatch (CAD) System.
- C. Special Law Enforcement Officers will be utilized during special events for crowd control, or other emergency situations.
- 1. Responsibilities will be for the safe movement of individuals to certain areas during these special events.
 - 2. If a SLEO encounters any disorderly individual(s) during these events, they are report it to communications, so that a police officer can respond to handle the problem.

**TRAFFIC
SPECIAL POLICE OFFICER
VOL, IX. CH, 2**

- D. Special Law Enforcement Officers will follow the Fort Lee Special Law Enforcement Officers rules and regulations pertaining to their assignment, uniform, appearance and equipment, as well as all of the rules, regulations, policies and procedures of the regular police department that may pertain to them.
 - 1. Included in these rules and regulation is a list of special equipment such as a ballistic vests, baton, OC spray, handcuffs and a flashlight.
 - a. A SLEO must be trained and certified before they may carry a baton or OC Spray.
 - b. Comply with rectification requirements for the baton and OC spray.
 - c. Review and sign off on department use of force policy and procedures Vol, IV. Ch, 1.
 - d. Only department issued body armor may be worn by a SLEO.
- E. Any police activity within the bounds of the Class I Special Officer's Authority when directed by a supervisor or regular Police Officer of the Fort Lee Police Department in an emergency situation.

V. CHAIN OF COMMAND

Proper chain of command will be followed by a SLEO for communication and documentation of incidents to the Chief of Police.

- 1. During certain tours the SLEO unit liaison officer may not be working, this is when the SLEO would follow the department chain of command starting with either the road supervisor or tour commander.
 - a. Permission must be granted at that level to communicate with the next higher-ranking officer in the chain of command. This procedure is followed through the rank structure of the police department.

IV. REPORTING FOR DUTY

A. Schedule

- 1. The Liaison Officer shall develop a SLEO Schedule on a weekly (Sunday – Saturday) basis for the Traffic Bureau Supervisor to approve.
- 2. The SLEO Schedule will also serve as the Attendance Form, as there will be room next to the hours for the Tour Commander to write in actual times and hours the SLEO worked on a specific day.

NOTE: A SLEO can work a maximum of 19½ hours per week.

**TRAFFIC
SPECIAL POLICE OFFICER
VOL, IX. CH, 2**

3. The SLEO Schedule will be placed in the SLEO Binder behind the Tour Commander's Desk along with the Posts / Details/ Assignments printout by the Liaison Officer.
 4. Each SLEO will promptly report for duty as scheduled by the Liaison Officer under the authority of the Officer-In-Charge.
 5. When a SLEO reports to the Tour Commander's Desk, the Tour Commander will note the time on the Schedule Form. Likewise when the SLEO completes their shift they will check out with the Tour Commander.
 6. The SLEO will be entered into the blotter for the shift they are working, in the same manner as officers and civilians are entered.
 7. Sick Calls
 - a. SLEO officers that are unable to report as scheduled due to an illness or injury are to call the Tour Commander before their scheduled shift.
 - b. The Tour Commander will enter a Sick Call in the same manner as a civilian (no sick number). The sick call will be noted on the SLEO Schedule.
 - c. If working Liaison Officer or Traffic Supervisor will be notified.
 8. The SLEO may utilize the Classroom to form up as a group so that they may be driven to their assignments in the SLEO vehicle.
 9. The SLEO will request any needed equipment from the Tour Commander and it will be scanned out as required by the Daily Issued Equipment SOP Vol. 4 Chapter 19.
 10. Court Appearance
 - a. SLEO officer are to follow the applicable sections Court Appearance SOP Vol. 7 Chapter 3.
 - b. The Court Liaison should notify the Liaison Officer or the Traffic Supervisor if and when a SLEO is scheduled to appear in Court.
 - c. The Liaison Officer will notify the SLEO of the required Court appearance.
- B. Posts / Details / Assignments
1. The Liaison Officer or Traffic Bureau Supervisor will prepare a "Post / Detail / Assignment" list on a regular basis. This list will be available to the Desk Supervisors and in the SLEO Binder.

**TRAFFIC
SPECIAL POLICE OFFICER
VOL, IX. CH, 2**

2. The SLEO will complete their assigned post / detail as scheduled unless directly ordered by a member of their Chain of Command, or a Supervisor in the absence of a Traffic Supervisor.
3. If a SLEO has conflicting orders they are to advise the present supervisor of the previous order and the conflict. The SLEO will then take action as directed by the present supervisor. The SLEO will NOT disregard, question or debate a supervisor's order.

C. Vehicles

1. Specific vehicles have been designated for the Special Law Enforcement Officer Unit.
2. The keys will be available on the keyboard behind the Tour Commander's Desk. A spare key will be maintained in the Traffic Bureau.

D. Headquarters Access

1. SLEOs will have general access to HQ and they may enter the desk with permission of the Tour Commander.
2. SLEOs are not authorized to enter any restricted area, the locker rooms or the second floor of HQ without permission.
3. SLEOs are not to remain in HQ unless directed by the Liaison Officer or a supervisor.

V. EMERGENCY RECALL PROCEDURE

- A. SLEOs may be recalled with the authorization of the Traffic Bureau Supervisor, or if off-duty and not available, then by a Shift Supervisor.
- B. The Tour Commander may then contact any available SLEO to call them in for an emergency post (collision scene road closure, weather related road closure etc.) as needed. They may be utilized but they may not exceed the 19½-hour limit. The Liaison Officer or the Traffic Supervisor may adjust the SLEO schedule due to emergency recall after advising the SLEO.

**OPERATIONS
SIDE HANDLE BATON
VOL. IV, CH. 4**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-12-2007	REVISION DATE: 5/1/09 01-19-11	PAGE #: 2 1 2	SECTION: I.C.1.a & 4 IA 1-4 C 3	APPROVED 05-17-2009 01-19-11	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 2					CHAPTER 4
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: STRAIGHT/ASP AND SIDE HANDLE BATON						DISTRIBUTION ALL
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CHIEF THOMAS O. RIPOLI						
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PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

The authorization to carry and use a Straight/ASP and Side Handle Baton requires an officer to be aware of the limitations and responsibilities that go along with that authorization. All personnel must be thoroughly qualified and certified through Straight and Side Handle Baton training prior to being authorized to carry or use them.

The below procedures will be followed by all officers of the Fort Lee Police Department.

PROCEDURE:

I. STRAIGHT AND SIDE HANDLE BATON

A. The following batons authorized for the Borough of Fort Lee Police Department will be the only batons to be used; it may be either the expandable or the non-expandable type:

1. PR-24 Side Handle
2. PR-24S
3. PR-24 STS
4. Retractable Baton

**OPERATIONS
SIDE HANDLE BATON
VOL. IV, CH. 4**

B. Carrying of Baton

1. The baton will be carried on the certified uniformed officer's belt in a baton holder.
2. The baton may be carried by certified plain-clothes officers in either a belt holder or a shoulder holster.
3. The baton will be carried when a certified uniformed officer is on duty.
4. The baton may be carried by a certified officer off duty at the officer's discretion.

C. Training

1. All training must be provided by a certified Straight and Side Handle Baton instructor.
 - a. Instructors will inspect batons prior to training and deployment, improper or defective batons will be replaced.
2. The course of initial instruction will include a review of the department SOPs on Use of Force
3. Once an officer is trained, he/she will thereafter complete biennial training for re-authorization.
4. Remedial training will be conducted for any officer failing to qualify with their baton until they complete the qualification.

D. USE OF STRAIGHT AND SIDE HANDLE BATON

1. All personnel utilizing a Straight and Side Handle Baton must follow all areas outlined in the Borough of Fort Lee Police Department Use of Force Policy, Vol. III, Chap.1.
2. The baton will be used only as instructed and all personnel will adhere to those standards and techniques covered during the officers participation in the Straight and Side Handle Baton Course.
3. Any usage that would be contrary to proper instruction and technique will be a violation of this policy.
4. Whenever an officer uses his Straight and Side Handle Baton, he will complete all reports as specified in the Use of Force Policy, Vol. IV Chap. 1.

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-24-2003	REVISION DATE 2-9-03 4-12-07 12-4-08	PAGE #: 13 8 5 5 7,11 8	SECTION: IX IV-9. f IV-D II,B,6,e II,A,6,i IV,D,8 III, H IV,C,2	APPROVED 12-04-2008	VOLUME I	
			4, 6, 10	II,A,2, B,2 IV,D, 1a	02-10-2009		
			12/16/09 09-15-10 01-10-11	7 7-8 7-8- 12	III III-IV III,IV, V	12-17-2009 01-15-2011	
	VOLUME TITLE: ADMINISTRATION	# PAGES: 17					CHAPTER 17
	ACCREDITATION STANDARD(S):	REFERENCE:					
	SUBJECT: UNIFORM AND DRESS REGULATIONS						DISTRIBUTION ALL
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CHIEF THOMAS O. RIPOLI							
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POLICY:

In order to promote an atmosphere of professionalism, it is important for police officers, not only to be highly trained and proficient, but also to present a neat, well-groomed and uniform appearance. The purpose of this policy and procedure is to outline the uniform requirements for all uniformed personnel on the Borough of Fort Lee Police Department.

**I. CLASS "A" UNIFORMS
(Parades, ceremonies, funerals, federal court appearances and special occasions)**

A. Supervisors

1. Navy Blue Pershing Trooper Style Hat with:
 - a. Black Crossover Strap (Gold buckle)
 - b. Gold Nylon Braid Band on front
 - c. Appropriate Hat Badge

- d. Gold gilt spray design on visor (Chief, Deputy Chief & Inspector)
2. Navy Blue Departmental Blouse Coat, with:
- a. Departmental patch on left sleeve
 - b. American Flag patch on right sleeve (Blue field to the rear)
 - c. Proper rank insignias on both epaulets for Lieutenants and above. (Gold brushed finish)
 - d. Red piping on cuffs of both sleeves for military veterans (Optional)
 - e. Gold-Buttons.
 - f. Equipment worn on the outside of the Blouse Coat:
 - (1) Black Basket Weave Crossover Breakaway Strap
 - (2) Black Basket Weave 3 1/2" Sam Brown Belt with Holster, Cuff Case, Double Magazine Holder and Gold Buckle
 - (3) Uniform Badge above left pocket
 - (4) Name tag on black leather citation holder below badge. (Gold with black capital letters of last name only.)
 - (5) Departmental issued and other authorized ribbons and citations will be worn above the badge.
 - (6) Departmental service weapon
3. Navy blue trousers with black stripe.
- (1 1/2" stripe for Chief, Deputy Chief & Inspector)
 - (1" stripe for Captains and Lieutenants)
 - (1/2" stripe for Sergeants)
4. 1 1/2" Black Basket Weave garrison belt with gold buckle for trousers.
5. Black high gloss laced shoes (i.e. "Bates" type) and black socks.
6. Long sleeve white shirt with sewn in creases and gold buttons on pockets and epaulets for Lieutenants and above.
7. Long sleeve navy blue shirt with sewn in creases and gold buttons on pockets and epaulets for Sergeants.
8. Rank designation will be worn on collar of shirt. (Gold brushed finish)

**ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17**

9. Black tie, for Lieutenants and above, with gold tie clip. (PBA / Police insignia only) French Blue tie for Sergeants.
10. White cotton gloves

B. Police Officers and Detectives

1. Navy Blue Pershing Trooper Style Hat, with:
 - a. Black Crossover Strap (Silver buckle)
 - b. Silver Nylon Braid Band on front
 - c. Appropriate Hat Badge (Detectives will wear Silver)
2. Navy Blue Departmental Blouse Coat, with:
 - a. Departmental patch on left sleeve
 - b. American Flag patch on right sleeve. (Blue field to rear)
 - c. Red piping on cuffs of both sleeves for military veterans. (Optional)
 - d. Silver Buttons
 - e. Equipment worn on the outside of the Blouse Coat:
 - (1) Black Basket Weave Crossover Breakaway Strap
 - (2) Black Basket Weave 3 1/2" Sam Brown belt with holster, cuff case, double magazine holder and silver buckle
 - (3) Uniform Badge above left pocket
 - (4) Name tag on black leather citation holder below badge. (PO's/Silver & Detectives/Gold with black capital letters of last name only.)
 - (5) Departmental issued and other authorized ribbons and citations will be worn above the badge.
 - (6) Departmental service weapon
3. Navy blue trousers with French blue 1 1/2" stripe.
4. 1 1/2" Black Basket Weave garrison belt with silver buckle for trousers.
5. Black high gloss laced shoes (i.e. "Bates" type) and black socks.

**ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17**

6. Long sleeve navy blue shirt with sewn in creases and silver buttons on pockets and epaulets.
7. Silver "FL" insignia worn on each side of collar of shirt.
8. French blue tie with silver tie clip. (PBA / Police insignia only)
9. White cotton gloves

II. CLASS "B" UNIFORM (Duty Uniform)

A. Supervisors

1. Navy Blue Pershing Trooper Style Hat, with:
 - a. Black crossover strap
 - b. Gold Nylon Braid Band on front
 - c. Appropriate hat badge
 - d. Gold gilt spray design on visor (Chief, Deputy Chief & Inspector)
2. Black Leather and Fur pile cap with Uniform Badge or approved (Class "C") Knit pullover hat. (December 15 – March 31)
3. Black Leather Two Pocket 28" Zippered Jacket (Winter only), with:
 - a. Departmental patch on left sleeve
 - b. American Flag patch (Blue field to rear) or special unit patch on right sleeve.
 - c. Proper rank insignia on both epaulets. (Gold brushed finish)
 - d. Red piping on cuffs of both sleeves for military veterans. (Optional)
 - e. Uniform badge and black leather citation holder with authorized citations and gold nameplate above left pocket.
4. For officers that are equipped with the class "A" uniform Navy Blue Nylon Bomber type all weather jacket.
 - a. Departmental patch on left sleeve.
 - b. American Flag patch (Blue field to rear) or special unit patch on right sleeve.
 - c. Proper rank insignia on both epaulets.

**ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17**

- 5.. Black V-Neck Wool Blend Sweater. (i.e. "Military" type) (Winter only) with:
 - a. Departmental patch on left sleeve.
 - b. American Flag patch (Blue field to rear) or special unit patch on right sleeve.
 - c. Proper rank insignia on both epaulets. (Gold with black background)

6. Uniform shirt
 - a. Long sleeve white shirt with sewn in creases and gold buttons (pockets and epaulets) for Lieutenants and above. (Winter only)
 - b. Short sleeve white shirt with sewn in creases and gold buttons for Lieutenants and above. (Summer only)
 - c. Long sleeve navy blue shirt with sewn in creases and gold buttons (pockets and epaulets) for Sergeants. (Winter only)
 - d. Short sleeve navy blue shirt with sewn in creases and gold buttons for Sergeants. (Summer only)
 - e. Departmental patch on left sleeve
 - f. American Flag patch (Blue field to rear) or special unit patch on right sleeve.
 - g. Appropriate rank insignia for Lieutenants and above to be worn on shirt collars. (Gold brush finish) Sergeant chevrons are to be worn on both sleeves. (Gold)
 - h. Black tie with gold tie clip for Lieutenants and above (PBA/Police) (long sleeve only), French blue tie for Sergeants.
 - i. Uniform badge and black leather citation holder with authorized citations and gold nameplate above left pocket.
 - j. Name tag as outlined in Class "A" directive.

7. Navy blue trousers with black stripe.
(1 1/2" stripe for Chief, Deputy Chief & Inspector)
(1" stripe for Captains and Lieutenants)
(1/2" stripe for Sergeants)

**ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17**

8. 1 1/2" Black Leather Basket Weave garrison belt with gold buckle for trousers.
9. 3½" Black Leather Basket Weave gun belt, departmental holster, cuff case, double magazine holder, radio holder, and baton holder. (Sergeants and Lieutenants)
10. Black leather laced shoes or laced boots that will maintain a shine.
11. Black socks
12. Plain white crewneck T-shirt.
13. Authorized departmental service weapon.
14. Black leather gloves. (Departmental issued only)

B. Police Officers and Detectives

1. Navy Blue Pershing Trooper Style Hat, with:
 - a. Black Crossover Strap
 - b. Silver Nylon Braid Band on front
 - c. Appropriate hat badge (Detectives will wear Silver)
2. Black Leather and Fur pile cap with Uniform Badge or approved (Class "C") knit pullover hat. (December 15-March 31)
3. Black Leather Two Pocket 28" Zippered Jacket (Winter only), with:
 - a. Departmental patch on left sleeve
 - b. American flag patch (Blue field to rear) or special unit patch on right sleeve.
 - d. Red piping on cuffs of both sleeves for military veterans. (Optional)
4. For Officers that are equipped with the class "B" uniform Navy Blue Nylon Bomber type all weather jacket.
 - a. Departmental patch on left sleeve.
 - b. American Flag patch (Blue field to rear) or special unit patch on right sleeve.
5. Black V-Neck Wool Blend Sweater (i.e. "Military" type) (Winter only) with:
 - a. Departmental patch on left sleeve

**ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17**

- b. American Flag Patch (Blue field to rear) or special unit patch on right sleeve.
- 6. Uniform shirt
 - a. Long sleeve navy blue shirt with sewn in creases and silver buttons (pockets and epaulets only) (Winter only)
 - b. Short sleeve navy blue shirt with sewn in creases and silver buttons. (Summer only)
 - c. Silver "FL" insignia worn on each side of collar of shirt.
 - d. French blue tie with silver colored tie clip (PBA/ Police) (long sleeve only)
 - f. Uniform badge, black leather citation holder with authorized citations and silver nameplate above left pocket.
 - K. Name tag as outline in Class "A" directive.
- 7. Navy blue trousers with French blue 1 1/2" stripe.
- 8. 1 1/2" Black Basket Weave garrison belt with silver buckle for trousers.
- 9. 3 1/2" Black Leather Basket Weave gun belt, departmental holster, cuff case, double magazine holder, radio holder, and baton holder.
- 10. Black leather laced shoes or laced boots that will maintain a shine.
- 11. Black socks
- 12. Authorized departmental service weapon.
- 13. Black leather gloves. (Departmental issued)

III. CLASS "C" UNIFORM

This uniform may be worn by all officers on duty, it may also be worn for **municipal court appearances only. All other court appearances out of town, including Grand Jury and any public appearances or presentations will be in either class "B" uniform or a suit and tie.** The below style number are from 511 and will be the only ones authorized for the Class "C".

- A. Men's L/S B Class Twill Shirt Midnight Blue Style #73245 (S/S Style #71775).
- B. Men's B Class Twill Cargo Pants Midnight Blue Style #74326.
 - 1. Twill Cargo Pants may be bloused.

ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17

- C. Women's L/S B Class Twill Shirt Midnight Blue Style #62065 (S/S Style #61159).
- D. Women's B Class Twill Cargo Pants Midnight Blue Style #64306.
- E. Embroidered badge with Individual shield number, last name under badge and FL on collar tips. The embroidery will be in silver for Patrolmen and Detectives and gold for Supervisors.
- F. Department patch on the left and right of the shoulder. Specialty patch allowed on the right arm. US flag on right side of chest. Veteran stripes on left sleeve with gold trimming for Supervisors and silver for Patrol Officers/Detectives.
- G. Black baseball caps with shield number embroidered on back silver for Patrol Officers/Detectives and gold for Supervisors. A Black knit watch cap with silver embroidered patch and shield number on the back is an alternate head gear during seasonal winter uniform change for Patrol Officers / Detectives. Supervisors will maintain the current version of the knit watch cap in gold.
- H. 5.11 Duty Tactical Signature Duty Jacket Black Style #48103 with embroidered badge and individual shield number with last name under badge. Patrol Officers and Detectives will have silver embroidery and silver trimmed patches on both arms. Supervisors will have gold embroidery and gold trimmed patches on both arms. Specialty patches are authorized on the right arm. Supervisors will have gold embroidered rank on epaulets. The back ID pull out panel inscribed "FORT LEE POLICE" in reflective gold for Supervisors and silver for Patrol Officers and Detectives.
- I. The authorized optional 5.11 Tactical Winter Mock black style #4001215 (Polyester 88% / Spandex12%) may be used in lieu of the Winter Turtleneck during the winter seasonal uniform change. Patrol Officers/Detectives will have in silver "F.L.P.D." (Half inch fonts with periods) on the left side of the mock. Supervisors will have in gold "F.L.P.D." on the left side of mock. All mocks purchased from an outside vendor must be submitted to the Fort Lee Police Department Uniform Committee for approval by the Chief of Police to ensure compliance of specifications of this Departments SOP.
 - 1. Officers have the option in the winter months (at the direction of the Chief of Police) of wearing the approved Turtle Neck, Mock Turtleneck or Black T-shirt under their Class "C" shirts.
- J. The only authorized optional abrasive-resistant toe boots are the Following: The 5.11 HRT Urban Model #11001 and the 5.11 XPRT Tactical Boot Model #12201. These boots must be maintained and cleaned.
- K. The Leather Jacket and Military Wool V-neck Sweater will have patches on both sleeves. Patrol Officers and Detectives will have the grey patches and the Supervisors will have gold patched. Standard metal badge on the front left side of jacket and sweater.
- L. Basket weave duty gear with all department required equipment.

IV. SPECIAL DESIGNATED UNIFORMS

A. Motorcycle Officers

ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17

The motorcycle uniform may only be worn when an officer is assigned to a motorcycle. At all other times officers shall wear the Class "A" , "B" or Class "C" uniform, whichever is applicable to their assignment.

(Motorcycle officers will also maintain a proper Class "A" uniform)

1. Navy Blue Pershing Trooper Style Hat with:
 - a. Same as Class "A" and Class "B", whichever is applicable to rank.

2. DOT or ANSI approved half (1/2) white helmet, with:
 - a. Black outer band
 - b. Detachable black visor with "Winged Wheel" insignia on front
 - c. Silver adornments / Braid Band for Police Officers / Gold for Supervisors
 - d. Badge number on rear. (White for Police Officers / Gold for Supervisors)

3. Navy blue or black cloth scarf or face protector. (Winter only)

4. Glasses or goggles approved by the Chief of Police or his designee /.Unit Supervisor.

5. Navy Blue Departmental Blouse Coat, with:
 - a. Similar to Class "A" (A.2 or B.2)
 - a. Except unit patch may be worn on right sleeve
 - b. Winged Wheel on left cuff
 - c. Has lower front pockets
 - b. Equipment worn on the outside of the Blouse Coat:
 - (1) Same as Class "A" (A.2f or B.2e) whichever is applicable to rank.
 - (2) Plain Black Leather duty gear

6. Double Breasted Leather Motorcycle jacket (3/4 length only)
 - a. a.Except unit patch may be worn on right sleeve
b.Winged Wheel on left cuff
 - b. Equipment worn on the outside of the Blouse Coat:
 - (1) Same as Class "A" (A.2f or B.2e) whichever is applicable to rank.
 - (2) Plain Black Leather duty gear

7. Navy blue britches with stripe according to rank. (Class "A" (A.3 or B.3))

8. 1 1/2" Black Plain Leather garrison belt with finished buckle according to rank.

9. Black leather over-the-calf motorcycle boots with:

ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17

- a. Short set of laces on front
 - b. Short set of laces / buckle on top outside
 - c. Zipper on inseam (Optional)
 - d. Approved over the ankle boots may be worn with Class "C" Uniform
 - e. Sneakers or shoes are not be worn while operating a motorcycle on patrol
10. Long or short sleeve navy blue shirt for all ranks, with sewn in creases and with:
- a. Buttons the same as Class "B", whichever is applicable to rank.
 - b. "FL" insignia worn on left collar (Gold for Supervisor/Silver for P.O.)
 - c. "Winged Wheel" insignia worn on right collar (Gold for Supervisor/Silver for Police Officer/Detective)
 - d. Rank insignia on sleeves for Sergeants (Gold stripes)
 - e. Brushed Gold bars for lieutenant and above.
 - f. On certain occasions Lieutenants and above will wear white shirts, when designated by the Chief of Police or his designee.
11. French blue tie with tie clip, black for Lieutenants and above (Silver or gold according to rank) (PBA/Police only).
12. Plain white crew neck T-shirt.
13. Authorized departmental service weapon.
13. Black or Tan leather gloves

B. Bicycle Patrol Officers

The bicycle patrol uniform may only be worn when the officer is operating a bicycle. At all other times the officer shall wear a Class "A" , "B" or Class "C" Uniform, whichever is applicable to their assignment.

1. ANSI or SNELL approved black bicycle helmet with:
 - a. "POLICE" in white letters diplayed on both sides.
2. Black baseball cap (Class"C") with departmental patch.
3. Yellow short sleeve polo shirt (Summer only) with:

**ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17**

- a. Departmental patch on left sleeve
- b. American Flag patch on right sleeve (Blue field to rear)
- c. "POLICE" in black letters on the back.
- d. Sewn embroidered police badge on front over the left breast.
- e. Velcro attached nametag on right breast.
4. Navy blue and yellow windproof and waterproof bicycle jacket (Winter only), with:
 - a. "FORT LEE POLICE " in black letters on the back.
 - b. "POLICE" in black letters on right side on front of jacket.
 - c. Name tag worn above the word "POLICE"
 - d. Departmental patch on left sleeve.
 - e. American Flag patch on right sleeve (Blue field to rear)
 - f. Sewn embroidered police badge on front over the left breast.
 - g. Balaclavas (black in color) may be worn to keep the face and neck warm.
5. Navy blue bicycle shorts (Summer only)
6. Navy blue waterproof bicycle pants. (Winter only)
7. Black leather bicycle gloves.
8. Ankle length white socks
9. Eye protection approved by Chief of Police.
10. Black nylon duty gear to be worn instead of leather which will include all department required equipment.
11. Black sneakers or bicycle shoes.

C. Off-Duty Side Job Uniform

The Class "C" Uniform is to be worn with the option of wearing:

1. Black baseball cap with departmental patch

ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17

2. Lieutenants and above may wear a navy blue long or short sleeve departmental shirt.

D. Traffic Job Uniform

1. Black baseball cap with departmental patch.
 - a. Black leather fur pile hat with hat badge or approved (Class "C") knit pullover hat (December 15-March 31).
2. Yellow short/long sleeve polo shirt with:
 - a. Departmental patch on left sleeve
 - b. American Flag patch on right sleeve (Blue field to rear)
 - c. "POLICE" in black letters on the back.
 - d. Sewn embroidered police badge on front over the left breast.
 - e. Sewn embroidered last Name of Officer over right breast.
3. Dark Navy blue 6 pocket trousers.
 - a. The trousers will be bloused near the top of the boots.
4. Black nylon or leather duty gear which will include at a minimum; Departmental issued handgun and extra magazines, police radio and 1 set of handcuffs.
5. Black leather laced boots $\frac{3}{4}$ lengths or higher that will maintain a shine
6. Traffic job uniform will not be worn for any court appearances.
7. This is the only Uniform to be worn on traffic jobs.

NOTE: Special assignment/overtime details are not considered to be traffic jobs and uniform of the day will be worn.

V. DESIGNATED TIMES OF WEAR

- A.** Certain uniform parts will be of a seasonal nature and subject to change due to prevailing weather conditions, by approval of the Chief of Police. For example: when a Class B or C uniform is specified, the order must state winter or summer and delineate the proper uniform to be worn.
- B.** Inclement weather gear, certain uniform accessories may be worn in times of inclement weather.
 1. Black Raincoat / Orange (Lieutenant and below)
 2. Navy Blue Raincoat (Captain and above)

ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17

3. Yellow/Green ANSI Approved Blauer style jacket (Class "B" or Class "C")
 4. Black Rain Cap (Covering Trooper Hat)
 5. Black Rubber Boots / Black Combat
 6. Black Gloves
- B.** Special traffic vests / reversible jacket and gloves may be worn when an officer feels it is appropriate due to poor visibility at night, or weather conditions, or when directed by a supervisor.
- C.** When a specified uniform is to be worn for the day, all officers must comply, unless specifically designated otherwise by the Chief of Police. The tour commander shall inspect all patrol officers at briefing and ensure they wear the same type uniform and equipment.
- D.** Class "A" and Class "B" uniforms are required departmental uniforms and must be maintained in acceptable condition at all times. When the uniform is worn it must be clean, neat, complete and fit properly.
- F.** Class "A" uniforms will be worn for the following occasions:
1. Funerals (not routine escorts)
 2. Parades
 3. Promotional ceremonies
 4. Federal Court Appearances
 5. Special events designated by the Chief of Police
- G.** Class "B" or Class "C" uniforms will be worn for the following occasions:
1. Regular daily operations and assignments
 2. Municipal and County Court appearances
 3. Special Details, i.e.: working on Crime Prevention, Training, Records Room, Computer Division, etc.
- H.** Wearing of Blouse Coat
1. When the blouse coat is worn, it is to be buttoned

ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17

2. The only coat that may be worn over the blouse is the raincoat.
3. The only visible item of clothing to be worn under the blouse coat is the uniform shirt. A sweater shall not be worn under the blouse coat.
4. Traffic vests may be worn over the blouse coat by members of the Motorcycle Unit only.

I. Wearing of 28" Two Pocket Black Leather Zippered Jacket

1. The uniform sweater may be worn under the leather jacket.
2. The only coat that may be worn over the leather jacket is the raincoat.
3. Traffic vests may be worn over the leather jacket when applicable. The traffic vest may also be worn over the long or short sleeve shirt when applicable.

J. Rank Insignia and Description

The below ranks will wear the following insignias on the collars of their uniform shirts and on the epaulets of their uniform blouse and leather jacket.

1. Chief will wear two (2) gold-brushed metal stars.
2. Deputy Chief will wear one (1) gold-brushed metal star.
3. Inspector will wear one (1) gold-brushed metal eagle.
4. Captain will wear two (2) gold-brushed metal bars.
5. Lieutenant will wear one (1) gold brushed metal bar.
6. Sergeant will wear three gold metal chevrons. (Cloth chevrons with black background will be worn on the sleeves of the Class"B" uniform shirt)

Note- Rank insignias worn on the uniform sweater will be worn on the epaulets. They will be of the same design as above except they will be gold cloth with a black background.

VI. REPLACEMENT OF UNIFORMS and UNIFORM EQUIPMENT

- A. All officers are required to maintain all uniforms and uniform equipment in satisfactory condition. If any part of the uniform or uniform equipment is unacceptable, it will be the responsibility of the officer to purchase a new replacement article with the exception being a duty weapon and holster.
- B. All uniforms that are damaged during an officer's course of duty will be repaired or replaced by

**ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17**

the department. Any cost incurred will be paid by the town.

- C. All replacement requests must be accompanied by a report explaining the circumstances that caused the damage and the request must be approved by the Chief of Police.

VII. BODY ARMOR

- A. All officers assigned to uniform patrol duty will wear body armor.
- B. Any other requests regarding the wearing of body armor must be directed to the Chief of Police.

VIII. IN-SERVICE TRAINING

- A. Dress Code
 - 1. All personnel will report to scheduled class for in-service and specialized training in regular uniform, or slacks, jacket, dress shirt and tie. The only exception to this dress code would be through written authorization from the Chief's office.
- B. Rules and Procedures
 - 1. All personnel attending in-service or specialized training will follow the Rules and Procedures set down by the Training Instructor and will participate in the program and testing process.

IX. WEARING OF JEWELRY AND OTHER ADORNMENTS WHILE IN UNIFORM

Members on duty shall not wear jewelry which may be grasped during a struggle, catch on machinery, or cut another person, or which can inflict injury or retard the mobility of the Officer. This provision shall not prohibit non-uniformed Officers on duty from wearing jewelry appropriate for the conditions of their current assignment in accordance with Department Policy. The wearing of ear, eye, nose, lip or other body jewelry or adornment, on duty, is prohibited.

- A. The wearing of ornamental facial jewelry, such as earrings, studs, nose jewelry, etc. is prohibited.
- B. Jewelry which detracts from the professional appearance of sworn personnel or which constitutes a safety hazard is prohibited.
- C. No other jewelry besides a watch of conservative design may be worn on the wrist.
- D. Eyeglasses or sunglasses (prescription and non-prescription) must be conservative in design and not detract from the professional appearance of the officer.
- E. No more than two (2) rings shall be worn on each hand.
- F. The only authorized pins that may be worn other than authorized commendations, are American Flag pins at the top of the badge holder.

**ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17**

X. PERSONAL GROOMING

- A. When reporting for duty, or in uniform for any other purpose, male officers will follow the list below for grooming:
1. Shall be neat and clean.
 2. Male officers shall have their hair maintained in such a manner that is contoured to the shape of the head and not cover the ear, or collar of the uniformed shirt.
 3. Facial hair will only be permitted in the form of a mustache, it may not extend to the sides beyond ½” or below either corner of the mouth and shall be neatly trimmed.
 4. Side burns shall not be longer than the opening of the ear and shall not extend out past the width of the main portion.
 5. Other areas of the face shall be clean shaven.
 6. Any other body hair shall not protrude from the uniformed shirt collar.
 7. Hair color other than the officer’s natural shade, is subject to approval of the officer’s division commander.
 8. Wigs and hair pieces are authorized, provided they meet other requirements for hair.
 9. Fingernails will be neatly trimmed as not to interfere with the performance of duty. Any officer wearing nail polish will maintain a neutral color that does not distract from the uniform or skin tone of the wearer. No decals, ornamentation, or designs shall be applied to the fingernails.
- B. When reporting for duty, or in uniform for any other purpose, female officers will follow the list below for grooming:
1. Shall be neat and clean.
 2. On duty female officers shall have their hair arranged so that it does not extend below the bottom edge of the collar, nor interfere with the proper wearing of the uniform hat. The hair, when arranged, shall not interfere with the field of vision and shall not have a loose fall. Barrettes shall be dark in color, or the color of the wearer’s hair.
 3. Hair color other than the officer’s natural shade, is subject to approval of the officer’s division commander.
 4. Fingernails will be neatly trimmed as not to interfere with the performance of duty. Any officer wearing nail polish will maintain a neutral color that does not distract from the uniform or skin tone of the wearer. No decals, ornamentation, or designs shall be applied to the fingernails.

ADMINISTRATION
UNIFORMS AND DRESS REGULATIONS
VOL. I CH. 17

5. Wigs and hair pieces are authorized, provided they meet other requirements for hair.

The Chief of Police may grant deviation from the above policy. Deviations may be granted, when medical or operational requirements dictate. Non-Uniformed personnel will wear the attire dictated by their division commander.

**INVESTIGATION
ALCOHOLISM TREATMENT AND
REHABILITATION ACT (ATRA)
VOL. VII, CH. 6**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-23-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: INVESTIGATION	# PAGES: 11					CHAPTER 6
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: ALCOHOLISM TREATMENT AND REHABILITATION ACT (A.T.R.A.)						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

Alcoholism and intoxicated persons may no longer be criminally prosecuted solely because of their abuse of alcoholic beverages. In other words, public drunkenness is no longer a crime. Instead, alcoholism is recognized to be a disease, characterized by loss of control over the use of alcoholic beverages, or such use of alcoholic beverages which substantially injures a person's health, or which is to afford intoxicated persons and alcoholics the opportunity to receive treatment rather than punishment when no crime has been committed, or treatment in lieu of prosecution if they have committed a minor offense.

PROCEDURE:

The following procedures will be followed by the Borough of Fort Lee Police Department pertaining to intoxicated individuals.

**INVESTIGATION
ALCOHOLISM TREATMENT AND
REHABILITATION ACT (ATRA)
VOL. VII, CH. 6**

ALTERNATIVES AVAILABLE

As of May 9, 1977, a police officer no longer has the option to arrest a person for being drunk in a public place. N.J.S.A. 26:2B-26 and 26:2B-29 repeal all laws and ordinances creating an offense of public intoxication or any equivalent offense. These provisions **do not** affect any laws or ordinances against driving under the influence (DWI) or other similar offenses that involve the operation of motor vehicles, machinery or other hazardous equipment.

Instead of arresting a person for public drunkenness, police officers and other authorized persons will have the following choices for managing intoxicated or incapacitated persons:

- I. A person who appears intoxicated but not incapacitated in a public place, and to be in need of help....**
 - A. With the person's consent may be transported or sent:
 1. Home;
 2. To a licensed intoxication treatment facility designated in the annual list of the Division of Alcoholism;
 3. To a medical facility.
 - B. Without the intoxicated person's consent, no action should be taken unless it appears the person is incapacitated by alcohol.
- II. A person who is so intoxicated that he appears to be incapacitated by alcohol and obviously cannot consent or decide for himself if he needs treatment should be taken into protective custody and transported to a designated intoxication treatment center or emergency medical facility, depending upon the circumstances. It should be stressed that any person who is unconscious or injured should be taken directly and immediately to an emergency medical facility.**
- III. An intoxicated person arrested for a violation of a municipal ordinance or disorderly persons offense and is not also arrested for any crime of the 1st, 2nd, 3rd or 4th degree may be taken directly to an intoxication treatment center or other appropriate facility to be treated for up to 48 hours before processing on the criminal offense.**
- IV. If a person who has been drinking is neither intoxicated nor incapacitated, such person should be left alone unless criminal activity is observed or suspected.**

**INVESTIGATION
ALCOHOLISM TREATMENT AND
REHABILITATION ACT (ATRA)
VOL. VII, CH. 6**

A. Alcoholic Treatment and Rehabilitation Act:

1. The Act expresses a clear preference for voluntary over involuntary treatment. Voluntary treatment is more desirable from both a medical and legal point of view. Experience has shown that the vast majority of alcoholics are quite willing to accept adequate and appropriate treatment. Again, ATRA makes clear that involuntary treatment is permitted only in exceptional and very clearly prescribed circumstances. Nevertheless, if a person has repeatedly come to the attention of the police for intoxication incidents and related illegal behavior, and has been advised of treatment opportunities but has instead chosen to be taken home, then the police officer should exert more pressure on the individual to seek treatment.

For example, after repeated incidents the police officer might tell the person that he has the choice of entering a program or being charged with an appropriate offense if there has been related criminal behavior such as disorderly conduct. If the intoxicated person refuses treatment at that point and is charged with an offense, the court still has the discretion of ordering treatment in a diversionary program or as part of probation. An arrest in the circumstances described clearly should not be made for punitive or vindictive purposes. Rather, it should be viewed as a means, after all other suggestions and advice of the police have had no impact, of forcing an alcoholic to recognize his need for treatment in order to help preserve his life and health and to save him from more trouble in the future.

V. ASSESSMENT OF THE PERSON'S CONDITION

- A. When a police officer encounters a person who appears to be under the influence of alcohol in a public place, he must make an assessment of that person's condition. One of the biggest obstacles in handling a case of drunkenness is that it is often difficult to distinguish between effects produced by alcohol or drugs and those produced by injury or illness. For instance, a person may smell of alcohol, and he may stagger and seem drunk, or lie unconscious in an apparent drunken stupor. Yet he may have had only a drink, or two, or none at all, and blood or chemical tests would show that he is sober. For this reason it is important for a police officer to know something of other conditions which may produce symptoms mimicking alcohol intoxication. The most common of these are:

1. **Diabetes** - A person who is staggering and apparently drunk could be a diabetic suffering from low blood sugar - a condition that occurs in diabetics who have taken too much insulin or failed to eat enough to keep their blood sugar level up. Alternatively, the apparently unconscious "drunk" could be a diabetic in coma as a result of not having enough insulin. He may have alcohol on his breath, but there may also be present a peculiar sweetish odor - due to a substance called acetone, which has accumulated in his blood.
2. **Epilepsy** - Epileptics may sometimes wander about for hours in a confused state; some may even become violent for brief periods.

**INVESTIGATION
ALCOHOLISM TREATMENT AND
REHABILITATION ACT (ATRA)
VOL. VII, CH. 6**

3. **Head Injury** - A serious possibility is the case of an apparently uninjured, apparently alcohol-influenced, accident victim. Some slight bleeding under the covering of the brain may at first produce confused symptoms similar to intoxication, or unconsciousness. If bleeding continues, a clot forms, which may press on the brain. Without immediate treatment the victim will die.
 4. **High Blood Pressure** - The victim of this disease in an acute state may become temporarily irrational.
 5. **Mental Conditions, Brain Tumors, Brain Abscesses, Brain Infections** - These may give rise to unpredictable behavior and peculiar spells.
 6. **Stroke or Apoplexy** - Both conditions are due to disturbances of blood circulation in the brain, and either can cause dizziness, confusion, vomiting or unconsciousness.
 7. **Degenerative Diseases** - Various degenerative diseases of the brain and nervous system may cause a person to stagger, act silly, be forgetful, or wander aimlessly.
 8. **Uremia** - A form of kidney failure which can cause vomiting, convulsions and coma.
 9. **Wernicke's Syndrome** - A complication which may occur in alcoholism in which the victim -- even when not drinking -- is confused, has faulty muscular coordination, or may have paralysis of eye muscles.
 10. **Carbon Monoxide Poisoning** - This can cause dizziness, nausea, weakness, inability to walk, unconsciousness and, eventually, death. After the symptoms are well developed, the victim is usually colored a peculiar cherry-red.
 11. **Narcotic Intoxication** - Heroin users may appear drunken, drowsy or even in deep sleep but, unless in actual coma from overdose, are readily aroused to alertness by gentle prodding.
- B. All of these are conditions that must be considered when a person is seen behaving oddly or lying unconscious in the street. Instead of thinking, "there goes another drunken so-and-so," the police officer should think: "there is a sick man in an emergency state and I'll have to do something about it." This is the safest course to take.

**INVESTIGATION
ALCOHOLISM TREATMENT AND
REHABILITATION ACT (ATRA)
VOL. VII, CH. 6**

- C. If the person is believed to be under the influence of alcohol, the police officer must make a decision as to whether the individual is
 - 1. Intoxicated or
 - 2. Incapacitated, as these terms are defined in ATRA.

VI. DEFINITIONS

- A. The law defines an "intoxicated person" as one whose mental or physical functioning is substantially impaired as a result of the use of alcoholic beverages. "Incapacitated" means the condition of a person who is:
 - 1. As a result of the use of alcohol, unconscious or has his judgment so impaired that he is incapable of realizing and making a rational decision with respect to his need for treatment,
 - 2. In need of substantial medical attention, or
 - 3. Likely to suffer substantial physical harm.
- B. The difference between an intoxicated person and an incapacitated person is a matter of degree. "Intoxication" means that a person's use of alcohol has resulted in a large degree of impairment of his mental or physical functions such as reasoning, making decisions, speaking, walking, seeing and hearing. "Incapacitation" occurs in a small percentage of cases (10-15%). It is characterized by such a high degree of inebriation that the person is unconscious, incoherent, or has extreme difficulty reasoning, making decisions, speaking, etc.
- C. In order to determine whether a person is intoxicated or incapacitated, the police officer may lawfully request that the person submit to any reasonable test, including but not limited to, tests of his coordination, balance, coherency of speech and breath. The person, however, may lawfully refuse to comply with the officer's request.
- D. There is no single criterion for applying the statutory definitions of intoxication and incapacitation. Officers are, therefore, encouraged to refer to the exact wording of the definitions in the statute reproduced above and to use their best judgment in each situation.
- E. **Psychophysical Tests**

Psychophysical tests, such as those which assess general appearance, coordination, balance, judgment, mental awareness and concentration of a person who appears to be intoxicated, are an excellent method for determining the person's condition. It should be

**INVESTIGATION
ALCOHOLISM TREATMENT AND
REHABILITATION ACT (ATRA)
VOL. VII, CH. 6**

noted, however, that a seasoned drinker may have learned to compensate for physical actions and may pass these tests extremely well even when intoxicated.

F. Breath Tests

If a breath test is given, it should be administered in the same manner as prescribed for a drunk driving investigation, as governed by department regulations and methods approved by the Attorney General pursuant to N.J.S.A. 39:4-50.3.

G. How Drunk is Intoxicated or Incapacitated?

Experiments have shown that the occasional drinker with little drinking experience becomes very drunk at a blood-alcohol concentration (BAC) reading of .10. The seasoned drinker at the same level exhibits very few outward signs of intoxication. In a California study (1966) it was found that the moderate drinker (one or two cocktails before dinner) showed obvious manifestations of intoxication at a reading of .08. To reach this level the average person of average weight requires six to eight ounces of 86 proof liquor. On the other hand, an habitual drinker showed outward signs of obvious intoxication at BAC readings of .18 to .24, which usually require, in an average person of average weight, 16 to 24 ounces of 86 proof alcohol. The condition and degree of intoxication thus depends on a person's weight and his experience with drinking, both of which affect his tolerance.

VII. HANDLING THE INTOXICATED PERSON

Should the police decide that the person is intoxicated, the officer then may offer to take the person home or to a designated treatment facility. The Division of Alcoholism will publish and distribute an annual list of all services available for the detoxification and treatment of intoxicated and alcoholic persons, and the capacity of such centers and facilities. Should the person refuse the offer of help, the officer does not have the right to force this help upon the intoxicated person. It is recommended that if an intoxicated person is transported to his home, the officer should inform his immediate family that there is a "drinking problem," supply information and literature about the problem and specify the location and time when programs which assist in coping with the problem are available in the community

To ignore a drinking problem merely enables the person to continue his destructive course to the detriment of himself, his family and the community.

VIII. HANDLING THE INCAPACITATED PERSON

If the police officer has reason to believe that the person is incapacitated as defined in ATRA, then the officer must take the person into "protective custody" and arrange for his transportation to an intoxication treatment center or other facility capable of providing emergency medical services for incapacitated persons. When an intoxicated individual has threatened, attempted or inflicted, or is likely to inflict physical harm on himself or another unless restrained, then the

**INVESTIGATION
ALCOHOLISM TREATMENT AND
REHABILITATION ACT (ATRA)
VOL. VII, CH. 6**

officer is justified in taking the person into protective custody.

Recognizing the Danger Signs of Intoxication

In handling the "drunk" or alcoholic the police officer will encounter many different problems. Knowing how to handle these could, in many cases, mean the difference between life and death.

It is very important for the police officer to recognize some of the common danger signs and complications of severe intoxication.

- A. **Coma** - Initially the victim is drowsy, very sad, and sick. He may be aggressive when disturbed. Later he may develop some definite physical signs, such as skin pallor. Looking at him, you will see his eyes crossed or pointing out. He may complain of ringing in his ears, numbness "all over," and seeing double. His pulse becomes rapid, the eye pupils -- tiny in the first stage -- now become very large. Later he goes into increasing stupor from which it is difficult to arouse him.
- B. **Shock** - signs are paleness, sweating, clammy skin, fainting and weak pulse;
- C. **Total anesthesia of the brain** - this could happen within two or three hours of first seeing a drunken person.
- D. **Convulsions** - These are a possibly frightening, possibly dangerous, development of the hangover stage. The immediate dangers are that the victim may fall and hurt himself or that his airway may become blocked, so-called swallowing of the tongue. The general danger is that the convulsion may indicate a very serious medical condition. The best treatment is to lay the convulsive patient on his back, if possible, loosen any tight clothing and put something soft, such as a rolled-up shirt tail, in the corner of his mouth. This will prevent him from biting his tongue and will give him an airway. After administering first aid, transportation should be made to the closest medical facility.
- E. **Alcoholic Hallucinosi**s - This lasts from minutes to days. The victim sees and hears things that are not really there. He is convinced that they are there, and they may be vivid, frightening and terrifying.. Sometimes he may have delusions (feeling perhaps that someone is after his life). Apart from these abnormalities, however, he is rational, can talk, knows who you are and what time of day it is. He doesn't usually have a fast pulse, fever, or tremor and is not sweating, pale or flushed. In fact, he looks all right, but "sees things."
- F. **Delirium Tremens** - This is a serious possible complication of the hangover stage. The person suffering from delirium tremens is out of contact with his surroundings and does not know what is going on though there may be clear periods. You may wear a uniform, but he will not necessarily recognize this or realize what it means. He may not know where he is, what time of day or what month it is, or even what nationality he is. He doesn't "know" anything! He often has some fever, is flushed, has a rapid pulse, and

**INVESTIGATION
ALCOHOLISM TREATMENT AND
REHABILITATION ACT (ATRA)
VOL. VII, CH. 6**

intense tremor. In addition, he has the typical disturbing hallucinations, and suffers from insomnia and great exhaustion. Usually the condition lasts from two to seven days. Fortunately it is rare, but it is very serious and requires urgent medical attention.

In any of the above circumstances after administering first aid, if indicated, the person should be taken to the nearest medical facility.

IX. TRANSPORTATION

- A. As discussed, the police and other authorized persons are authorized by ATRA to transport intoxicated and incapacitated persons.
- B. Professional judgment should be used in transporting persons to detoxification treatment centers and other medical facilities in accordance with the law. The following are some examples:
 - 1. A person who is unconscious, bleeding or otherwise injured should be taken directly to the emergency room of a general hospital.
 - 2. If the officer must utilize force and handcuffs to subdue a belligerent person who appears to be intoxicated, the person should be considered under arrest and discretion should be exercised in determining whether to take the person to an intoxication facility or to detain him until calm.
 - 3. It may be more appropriate for the police to contact the person's immediate family, or to have the person transported home in a taxi instead of a police car.

X. PROTECTIVE CUSTODY-NOT ARREST

An intoxicated or incapacitated person who is simply assisted by an officer to an intoxication treatment facility must not be considered to have been arrested for a criminal offense, and no entry or other record is permitted to be made to indicate that the person has been arrested. Instead, it is suggested that a field contact card system be utilized for retention by the department, and that any additional record made be limited to the case number and the Daily Police Report (Investigation Report) to account for any activity. The name of the individual or any other information about him must not be made public.

XI. COMMUNICATION WITH PERSON'S FAMILY

- A. ATRA directs treatment facilities to notify the person's family. However, federal regulations promulgated by the Department of Health, Education and Welfare pursuant to federal statutes govern the confidentiality of records relating to both drug and alcohol abusers and restrict the dissemination of information concerning a person's entry into an intoxication treatment program.

**INVESTIGATION
ALCOHOLISM TREATMENT AND
REHABILITATION ACT (ATRA)
VOL. VII, CH. 6**

- B. Virtually every organization offering any kind of service to the alcoholic is bound by these regulations. Because the regulations are complex, it is recommended that one person in each organization assume responsibility for the storage of records and for the dissemination of information in order to assure that the requirements of the law are met.
- C. In general, information concerning an alcohol abuser can be released only with that person's written consent. Information can be released without consent if:
 - 1. There is a medical emergency;
 - 2. For research, audit and evaluation; or
 - 3. By Court order.

The scope of the information to be released is limited by the purpose or need for the disclosure and the regulations do not consider as valid a general consent form of unlimited duration.

- D. The police should ordinarily refrain from communicating with the person's family unless requested to do so by the person. If the family should contact the police concerning the whereabouts of the person, it is recommended that the police contact the treatment facility where they have taken the person and have the treatment agency handle the request. However, if the person was taken to a general hospital, the police can disclose the name of the hospital, but any mention of the person's intoxicated condition must be avoided. If a person is **arrested** and in a county or municipal jail, people who call looking for someone can be informed of his whereabouts but not informed of any alcoholic problem.

XII. SECURITY - STOP AND FRISK AND SEARCH AND SEIZURE

If the police officer reasonably believes that his/her safety or the safety of other persons present so requires, he/she is authorized by ATRA to conduct a protective search of an intoxicated or incapacitated person and his/her immediate surroundings, but only to the extent necessary to discover and seize any dangerous weapon, which may on that occasion be used against the officer or other person present.

The repeal of the crime of public intoxication does not affect the officer's authority to stop and "frisk" a person whom he/she suspects is engaging in criminal activities and whom he/she believes is armed and dangerous.

With respect to the law of search and seizure, the officer has no authority to generally search an incapacitated person he/she has taken into protective custody under the provisions of this statute unless a lawful basis for the search exists. It must be stressed that **protective custody** of an incapacitated person, by itself, does not justify a complete search.

**INVESTIGATION
ALCOHOLISM TREATMENT AND
REHABILITATION ACT (ATRA)
VOL. VII, CH. 6**

XII. USE OF FORCE

According to ATRA, when a police officer encounters an intoxicated person who has not committed a crime, he/she may use such force, other than that which is likely to inflict physical injury, as is reasonably necessary to carry out his/her authorized responsibilities and to protect himself. This may be interpreted as authorizing the use of temporary restraints (handcuffs) if they are deemed necessary. If the intoxicated person, however, begins to put up such a struggle that he/she is likely to injure the officer, the person is committing an assault that justifies the officer in using such reasonably necessary force to subdue and secure the individual.

If such force is exercised, the person should be considered under arrest for an appropriate offense or in protective custody.

XIV. LIABILITY OF THE POLICE OFFICER

According to ATRA, all persons including police officers and other authorized persons acting under the provisions of the law shall be considered as acting in the conduct of their official duties and shall not be held criminally or civilly liable for such acts. Thus, as long as the officer can show that he/she acted reasonably in the performance of his/her authority as provided by the law, he/she has no cause to fear civil or criminal liability. For example, he/she must not use excessive force beyond that necessary to accomplish the purpose of assisting the intoxicated person to a facility.

XV. PERSONS ARRESTED FOR DISORDERLY AND MUNICIPAL OFFENSES

Effective May 9, 1976, ATRA provides that any person who is arrested for a violation of a municipal ordinance, or for a disorderly persons offense and who is not also arrested for a crime of the 1st, 2nd, 3rd or 4th degree and who the arresting officer has reasonable cause to believe is intoxicated, may be taken by the officer directly to a detoxification treatment center or other appropriate facility. In other words, such a person may be taken directly to a treatment facility, or he/she may alternatively be first processed on the criminal charge and then taken to a facility.

Again, to determine whether or not such person is intoxicated, the police officer may request the person to submit to any reasonable test, including, but not limited to, tests of his/her coordination, coherency of speech and breath.

The intoxication treatment facility is authorized to detain the arrested person until no longer intoxicated, but not for a period exceeding 48 hours. During this period the law requires the police to maintain such security conditions as may be necessary for the well-being of all involved. Such function should be assumed by the officer transporting the arrested person to the facility, but presence of the officer at the facility ordinarily should be of short duration. If it is determined by the facility administrator and the officer that the person's conduct will disrupt the facility unreasonably, the officer should reassume custody and transport the arrested person to the police station for proceedings in the case. If the officer is assaulted during the transportation or at the facility and he is outside his/her jurisdiction, he should be considered as acting in the

**INVESTIGATION
ALCOHOLISM TREATMENT AND
REHABILITATION ACT (ATRA)
VOL. VII, CH. 6**

conduct of his/her official duties and the statute should be interpreted as extending his/her jurisdiction for a limited purpose. In other words, even though he is outside his/her jurisdiction he should be able to bring a complaint in his/her official capacity and not just as a civilian. Non-indictable complaints, however, should be brought in the jurisdiction where the assault occurs. At the conclusion of detoxification and examination and prior to releasing the arrested person from the center, the administrator is required to notify the police to reassume custody and transport the arrested person for proceedings in the case.

Following court proceedings, if the arrested person is committed for treatment in lieu of prosecution, the law directs the police to cooperate with the Department of Health in providing temporary security if necessary at facilities to which the person is taken. Again, the presence of the officer at the facility should be of short duration until it is determined by the facility administrator that the defendant is not unreasonably disruptive.

XVI. PERSONS ARRESTED FOR A CRIME OF THE 1st, 2nd, 3rd, 4th OR DRIVING OFFENSE

When a crime of the 1st, 2nd, 3rd or 4th degree is committed by an intoxicated or incapacitated person, public drunkenness is not an issue, and regular police procedures for apprehending felons would apply. This also applies to motor vehicle offenses such as Driving Under the Influence. (D.W.I.) See also Vol 9, Ch 5.

**SERVICE
ALCOHOLIC BEVERAGE CONTROL INSPECTION & ENFORCEMENT
VOL. X, CH. 15**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-08-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME X
VOLUME TITLE: SERVICE	# PAGES: 4					CHAPTER 15
ACCREDITATION STANDARD(S):	REFERENCE: V10C15					
SUBJECT: ALCOHOLIC BEVERAGE CONTROL INSPECTION & ENFORCEMENT						DISTRIBUTION ALL
ISSUING AUTHORITY: <hr/> CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE: A - 32						
REFERENCE: NJAC Title 13, NJSA Title 33, Borough Ordinance Chapter 130						

PURPOSE:

The purpose of this policy is to set forth guidelines for officers who are conducting inspections or investigations and who are enforcing Administrative Code Title 13, and Borough Ordinance Chapter 130 at liquor licensed premises. This policy will establish uniform guidelines for the inspection and enforcement at the liquor licensed premises.

POLICY:

Officers are obligated to the enforcement of all laws, including the Administrative Code (Title 13) and Borough Ordinance (Chapter 130), as they relate to liquor licenses that are issued within Fort Lee boundaries.

Officers should follow the procedures set forth in this policy.

HANDBOOK resource information to assist the Fort Lee Police Department in ABC matters

I. INVESTIGATIONS AND INSPECTIONS

A. The Fort Lee Police Department is primarily responsible for enforcement of laws, the

**SERVICE
ALCOHOLIC BEVERAGE CONTROL INSPECTION & ENFORCEMENT
VOL. X, CH. 15**

administration of the Administrative Code (Title 13) and Borough Ordinance (Chapter 130), as the code relates to licenses that are issued within Fort Lee boundaries.

- B. Investigations for new licenses or license transfers shall be conducted to ensure the applicant is qualified to be licensed, in accordance with the standards established by Title 33 (NJSA 33-1 et seq.).
1. The Liquor License Background Applications shall be completed for all background checks.
 - (a) Background Applications are available through the Detective Bureau and should include:
 - (1) Liquor License Application Procedure Outline
 - (2) Release of Information Form
 - (3) Affidavit of Qualification
 - (4) Application Background Investigation Form
 - (b) The background application is in addition to the ABC Application Packet that is required and available through the Borough Clerk's office.
 2. The applicant is to be fingerprinted as part of a check for past criminal history.
 3. The background check shall include a review of the applicant's financial history.
 4. The background check shall be forwarded to the Chief of Police for review and approval.
 5. A recommendation in writing by the Chief of Police shall be submitted to Mayor and Council 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. Investigations shall be conducted by officers of the Fort Lee Police Department of liquor licensed premises in order to maintain compliance with all Rules and Regulations of Administrative Code Title 13.
1. The investigating officer or assigned Detective should check for compliance with Title 13. The following inspections may be conducted:
 - 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)

**SERVICE
ALCOHOLIC BEVERAGE CONTROL INSPECTION & ENFORCEMENT
VOL. X, CH. 15**

- 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 13:2-24.3
- 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. ADMINISTRATIVE CODE VIOLATIONS

- A. If an Administrative Code Violation is discovered, the on-scene officer will confiscate the liquor license and employee list, which will be photocopied and returned to the licensed premises. An incident report shall be completed and forwarded to the Detective Bureau along with the photocopies of the license and employee list for investigation.
- B. The investigating Detective will prepare an Investigation Report which shall contain the alleged violation(s). The report shall be forwarded to the Chief of Police for review.
- C. The Chief of Police will review the report and forward the report to the Mayor and Council for their review and / or possible action.
- D. The investigating Detective will forward the Investigation Report and comments to the Fort Lee Borough Clerk no later than two (2) weeks after the incident.
- E. The investigating Detective will also place copies of the entire investigation into the respective liquor license files located in the Detective Bureau
- F. If a criminal offense relating to an ABC violation occurs, or may have occurred in a location licensed by the ABC (even though the suspects were not apprehended at such location); or if the individual charged with the ABC related offense is the holder of a license issued by the ABC, the investigating officer or assigned Detective should immediately file a report with his supervisor. The report shall include a minimum of a one paragraph description that includes the date of arrest, name of the individual, the nexus to the ABC laws (e.g. information that the individual holds a license from the ABC), location of the licensed premises (if applicable) and a copy of the police report.

**SERVICE
ALCOHOLIC BEVERAGE CONTROL INSPECTION & ENFORCEMENT
VOL. X, CH. 15**

- G. The investigating Detective in charge will review the report and forward the report to the Chief of Police.
- H. The Chief of Police shall review the report and forward the report with his comments to the designated Assistant Prosecutor in the Bergen County Prosecutor's Office.
- I. The Bergen County detective and ABC liaison shall review the report and attachments and, if satisfied that the nexus with ABC law exists, shall forward such report to the designated representative at the Division of ABC.

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.
- B. **After receiving approval from a supervisor**, 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 warrantless 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. As per the Reporting Policy (Vol. 4 Ch. 7), the assigned officer will prepare a report for the following:
 - 1. Any call inside licensed premises involving an ABC violation or criminal activity.
 - 2. Any call on the licensed property or adjacent area, and the officer believes the offender, or victim, had recently been inside the licensed premise.

Receipt

Requestor Information

Richard Rivera
PO Box 2032
Secaucus, NJ 07096

info@richardrivera.com
201-600-1769

Request Date: December 14, 2010
Maximum Authorized Cost: \$20.00
Email

Request Number: W54882

Request Status: Filled Closed

Ready Date: December 21, 2010

Custodian Contact Information
Division of Criminal Justice

Records Custodian
PO Box 085
25 Market Street - 5th Floor West
Trenton, NJ 08625-0085

dcj.records@lps.state.nj.us
609-984-6500

By *Dale K. Perry*

Status of Your Request

Your request for government records (# W54882) from the Division of Criminal Justice has been reviewed and has been Filled Closed. Detailed information as to the availability of the documents you requested appear below and on following pages as necessary.

The cost and any balance due for this request is shown to the right. Any balance due must be paid in full prior to the release / mailing of the documents.

If you have any questions related to the disposition of this request please contact the Custodian of Records for the Division of Criminal Justice. The contact information is in the column to the right. Please reference your request number in any contact or correspondence.

Cost Information

Total Cost:	\$3.35
Deposit:	\$0.00
Total Amount Paid:	\$0.00
Balance Due:	\$3.35

Document Detail

Div	Doc #	Doc Name	Redaction Req	Pages	Legal Size	Electronic Media	Other Cost
CJ	0001	2005 CJ11A Reports	N	28	N	N	
CJ	0002	2006 CJ11A Reports	N	14	N	N	
CJ	0003	2007 CJ11A Reports	N	25	N	N	

December 21, 2010

Dear Mr. Rivera,

Enclosed are the CJ11A reports for 2005-2007.

Dale K. Perry
OPRA Custodian

State of New Jersey
Government Records Request
Receipt

Your request for government records (# W54882) is as follows:

I am seeking copies of annual CJ 11A reports forwarded to DCJ for the years 2005-2007. Thank you and happy holidays. Rich Rivera

CJ-11A ADDENDUM

OMB No 1121-0249 Approved

RETURN TO: State Deaths in Custody reporting coordinator (See form CJ-11 for a national listing, or call the Bureau of Justice Statistics at 202-307-0765.)

FORM CJ-11A (11-30-2006)

DEATHS IN CUSTODY, 2007 - LAW ENFORCEMENT CUSTODIAL DEATH REPORT

State New Jersey

Reporting Period (Mark only one.)
[X] Quarter 1 (January 1 - March 31)
[] Quarter 2 (April 1 - June 30)
[] Quarter 3 (July 1 - September 30)
[] Quarter 4 (October 1 - December 31)

Death number out of period total of as reported on form CJ-11

What was the name of the deceased? Last First Middle initial Podolsky Robert

What was the time and date of death? 12:20 AM 03 24 2007

Where did the event causing the death occur? Street address City State Zip 1321 Florence Ave Union Beach NJ

What law enforcement agency was involved? ORI Number Name NJ013500 Union Beach P.D.

What was the deceased's date of birth? Month Day Year 01 08 1961

What was the deceased's gender? [X] Male [] Female

What was the deceased's race/ethnic origin? [X] White, not of Hispanic origin [] Black, or African-American, not of Hispanic origin [] Hispanic or Latino [] American/Indian/Alaska Native, not of Hispanic origin [] Asian, not of Hispanic origin [] Native Hawaiian or Other Pacific Islander, not of Hispanic origin [] Additional racial category in your information system - Specify

Has a medical examiner or coroner conducted evaluation to determine cause of death? [X] Yes, results are available [] Yes, results pending - Skip to item 11 [] No, evaluation pending - Skip to item 11 [] No, evaluation not planned

What was the manner of death? [] Justifiable homicide [] Other homicide [] Suicide [] Accidental injury to self [] Accidental injury caused by others [] Alcohol/drug intoxication [] Illness/natural causes - Specify illness [X] Other - Specify Undetermined

What was the medical cause of death? Sudden Death during Divorcium

Had charges been filed against the deceased at the time of death? [] Yes [X] No - charges not filed, but intended [] No - probation/parole revocation

What were the most serious offenses with which the deceased was being charged at the time of death? Discardably Conduct Resisting Arrest Assaulting an Officer

Burden Statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. This collection is estimated to average 5 minutes per response, including reviewing instructions, searching existing data sources, gathering and reviewing the data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, N.W., Washington, DC 20535.

Name of deceased Podolsky Robert

3. What were the circumstances surrounding the death?

- 01 Death, or actions causing the death, occurred prior to booking — Complete Section A
- 02 Death occurred at time of booking or later — Complete Section B

A1. Did the deceased die from a medical condition or from injuries sustained at the crime/arrest scene?

- 01 Medical condition only (e.g., heart attack)
- 02 Injuries only
- 03 Both medical condition and injuries
- 08 Don't know

A2. If injured at the crime/arrest scene, how were these injuries sustained? — Mark (x) all that apply

- 01 Inflicted by law enforcement officers present
- 02 Inflicted by others at crime/arrest scene
- 03 Self-inflicted — Accidental
- 04 Self-inflicted — Suicide
- 08 Don't know
- 09 Not applicable

A3. Was the deceased under restraint in the time leading up to the death or the events causing the death?

- 01 Yes — Mark (x) if any restraint devices were used
 - 01 Handcuffs
 - 02 Leg shackles
 - 03 Conducted energy device (e.g., laser stun-gun)
 - 04 Other device — Specify Front Ad. gency - Belt Restraint
- 02 No
- 08 Don't know

A4. At any time during the arrest incident, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Threaten the officer(s) involved?
- 03 Resist being handcuffed or arrested?
- 04 Try to escape/let from custody?
- 05 Grab, hit or fight with the officer(s) involved?
- 06 Use a weapon to threaten or assault the officer(s) — Specify weapon used

- 07 Other — Specify Attempt to grab officers duty weapon
- 08 None of the above

A5. What type of weapon(s) caused the death? — Mark (x) all that apply

- 01 Handgun
- 02 Rifle/shotgun
- 03 Nightstick or baton
- 04 Other weapon — Specify
- 05 None

A6. Where did the deceased die?

- 01 At the crime/arrest scene
- 02 At medical facility
- 03 En route to medical facility
- 04 En route to booking center/police lockup
- 05 Elsewhere — Specify weapon used
- 08 Don't know

Form complete

Section B Death After Book

B1. What was the time and date of the deceased at the law enforcement facility where the death occurred?

AM PM Month Day

B2. At the time of entry into the facility, did the deceased exhibit any of the following? — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Exhibit any mental health problems?
- 03 Exhibit any medical problems?
- 04 None of the above

B3. If death was an accident or homicide, who caused the death?

- 01 Deceased
- 02 Other detainees
- 03 Law enforcement/correctional staff
- 04 Other persons — Specify
- 08 Don't know
- 09 Not applicable, cause of death was suicide or illness/natural causes

B4. If death was an accident, homicide or suicide, what was the means of death?

- 01 Firearm
- 02 Blunt instrument
- 03 Knife/cutting instrument
- 04 Hanging, strangulation
- 05 Drug overdose
- 06 Other — Specify
- 08 None of the above
- 09 Not applicable, cause of death was suicide or illness/natural causes

Form complete

CJ-11A ADDENDUM

OMB No. 1121-0249 Approval Expires 4/30/2006

RETURN TO: NJ Division of Criminal Justice
 Research & Development
 P.O. Box 085
 Trenton, NJ 08625
 Fax 609.984.7237
 (See form CJ-11 for a national listing, or call the
 Bureau of Justice Statistics at 202-307-0765.)

FORM CJ-11A
 (11-9-2004)

DEATHS IN CUSTODY, 2005
 — LAW ENFORCEMENT CUSTODIAL
 DEATH REPORT



State NJ

- Reporting Period (Mark only one.)
- Quarter 1 (January 1 — March 31)
 - Quarter 2 (April 1 — June 30)
 - Quarter 3 (July 1 — September 30)
 - Quarter 4 (October 1 — December 31)

Death Number 2
 out of period total of 2
 as reported on form CJ-11

1. What was the name of the deceased?
 Last First Middle Initial
Moore Rashell
2. What was the time and date of the death?
12:30 AM PM Month 1 Day 24 2005
3. Where did the event causing the death occur?
 Street address Springfield + 5014th St
 City Newark
4. What law enforcement agency was involved?
 ORI Number NJ 00714
 Name Newark Police Dept
5. What was the deceased's date of birth?
 Month 4 Day 23 Year 78
6. What was the deceased's gender?
 01 Male
 02 Female
7. What was the deceased's race/ethnic origin?
 01 White, not of Hispanic origin
 02 Black or African American, not of Hispanic origin
 03 Hispanic or Latino
 04 American Indian/Alaska Native
 05 Asian
 06 Native Hawaiian or Other Pacific Islander
 07 Additional racial category in your information system —
 Specify _____


8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?
 01 Yes, results are available
 02 Yes, results pending
 03 No, evaluation pending
 04 No, evaluation not planned
9. What was the manner of death?
 01 Justifiable homicide
 02 Other homicide
 03 Suicide
 04 Accidental injury to self
 05 Accidental injury caused by others
 06 Alcohol/drug intoxication
 07 Illness/natural causes — Specify illness/cause _____
 08 Other — Specify pending grand jury
no G.S. caused 7/14/06
10. What was the medical cause of death?
multiple gun shot wounds
11. Had charges been filed against the deceased at the time of death?
 01 Yes
 02 No — charges not filed, but intended
 03 No — probation/parole revocation
12. What were the most serious offenses with which the deceased was being charged at the time of death?
 a. 29-2 resist arrest
 b. 12-1 assault
 c. 39-4, 39-5 weapons poss.

Burden Statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 60 minutes per response, including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, N.W., Washington, DC 20531.

CJ-11A ADDENDUM

Form No. 11-11-04-10 Approval Expires 4/20/06

<p>RETURN TO</p>	<p>State of New Jersey Division of Criminal Justice Research & Evaluation PO Box 085 Trenton, NJ 08625 Fax Number: (609) 984-7237</p>	<p>FORM CJ-11A (4-11-2003)</p>	<p>DEATHS IN CUSTODY, 2005 — LAW ENFORCEMENT CUSTODIAL DEATH REPORT</p>	
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State NJ

Reporting Period (Mark only one)
 Quarter 1 (January 1 — March 31)
 Quarter 2 (April 1 — June 30)
 Quarter 3 (July 1 — September 30)
 Quarter 4 (October 1 — December 31)

Death Number 1
 out of period total of 1
 as reported on form CJ-11

1. What was the name of the deceased?

Last: Stillson First: James Middle Initial:

2. What was the time and date of the death?

1:05 AM PM Month 05 Day 08, 2005

Where did the event causing the death occur?

Street address: LaReine Avenue
 City: Bradley Beach

What law enforcement agency was involved?

Off Number: 1308
 Name: Bradley Beach Police

What was the deceased's date of birth?

Month 04 Day 13 Year 72

What was the deceased's gender?

01 Male
 02 Female

What was the deceased's race/ethnic origin?

01 White, not of Hispanic origin
 02 Black or African American, not of Hispanic origin
 03 Hispanic or Latino
 04 American Indian/Alaska Native
 05 Asian
 06 Native Hawaiian or Other Pacific Islander
 07 Additional racial category in your information system — Specify

8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?

01 Yes, results are available
 02 Yes, results pending
 03 No, evaluation pending
 04 No, evaluation not planned

9. What was the manner of death?

01 Justifiable homicide
 02 Other homicide
 03 Suicide
 04 Accidental injury to self
 05 Accidental injury caused by others
 06 Alcohol/drug intoxication
 07 Illness/natural causes — Specify illness/cause
 08 Other — Specify

10. What was the medical cause of death?

Multiple Gun Shot Wounds

11. Had charges been filed against the deceased at the time of death?

01 Yes
 02 No — charges not filed, but intended
 03 No — probation/parole revocation

12. What were the most serious offenses with which the deceased was being charged at the time of death?

a. Attempted Murder

b. Poss. of a weapon

Burden Statement

The Bureau of Prisons and the Bureau of Correction are required to collect information on all prisoners currently held in the State of New Jersey. The burden of this collection is shared by various agencies, including the Department of Corrections, the Department of Public Safety, and the Department of Health and Senior Services. The Bureau of Prisons and the Bureau of Correction are the primary agencies responsible for the collection of this information. The Bureau of Prisons and the Bureau of Correction are committed to providing the highest quality of service to the public and to ensuring the safety and security of the State of New Jersey.

13. What were the circumstances surrounding the death?

- 01 Death, or actions causing the death, occurred prior to booking — Complete Section A
 02 Death occurred at time of booking or later — Complete Section B

A1. Did the deceased die from a medical condition or from injuries sustained at the crime/arrest scene?

- 01 Medical condition only (e.g., heart attack)
 02 Injuries only
 03 Both medical condition and injuries
 04 Don't know

A2. If injured at the crime/arrest scene, how were these injuries sustained? — Mark (x) all that apply

- 01 Inflicted by law enforcement officers present
 02 Inflicted by others at crime/arrest scene
 03 Self-inflicted — Accidental
 04 Self-inflicted — Suicide
 05 Don't know
 06 Not applicable

A3. Was the deceased under restraint in the time leading up to the death or the events causing the death?

- 01 Yes — Mark (x) if any restraint devices were used
 01 Handcuffs
 02 Leg shackles
 03 Other device — Specify

- 02 No
 03 Don't know

A4. At any time during the arrest/incident, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
 02 Threaten the officer(s) involved?
 03 Resist being handcuffed or arrested?
 04 Try to escape/lie from custody?
 05 Grab, hit or fight with the officer(s) involved?
 06 Use a weapon to threaten or assault the officer(s)?

Specify weapon used

- 07 Other — Specify

- 08 None of the above

What type of weapon(s) caused the death? — Mark (x) all that apply

- 01 Handgun 03 Nightstick or baton
 02 Rifle/shotgun 04 Stun gun or tazer
 05 Other weapon — Specify

- 06 None

A6. Where did the deceased die?

- 01 At the crime/arrest scene
 02 At medical facility
 03 En route to medical facility
 04 En route to booking or in police lockup
 05 Elsewhere — Specify

- 06 Don't know

Form complete

Section B: Booking and Booking

B1. What was the time and date of the deceased's entry into the law enforcement facility where the death occurred?

AM PM Month Day 2003

B2. At the time of entry into the facility, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
 02 Exhibit any mental health problems?
 03 Exhibit any medical problems?
 04 None of the above

B3. If death was an accident or homicide, who caused the death?

- 01 Deceased
 02 Other detainees
 03 Law enforcement/correctional staff
 04 Other persons — Specify

- 05 Don't know
 06 Not applicable, cause of death was suicide, intoxication or lines/structural causes

B4. If death was an accident, homicide or suicide, what was the means of death?

- 01 Firearm
 02 Blunt instrument
 03 Knife, cutting instrument
 04 Hanging, strangulation
 05 Drug overdose
 06 Other — Specify

- 07 Don't know
 08 Not applicable, cause of death was intoxication or lines/structural causes

Form complete

535-03

CJ-11A ADDENDUM

OMB No.1121-0248 Approval Expires 4/30/2006

RETURN TO	New Jersey Division of Criminal Justice Research & Evaluation PO Box 085 Trenton, NJ 08625 Fax: (609) 984-7237	FORM CJ-11A (4-11-2003)	DEATHS IN CUSTODY, 2005 — LAW ENFORCEMENT CUSTODIAL DEATH REPORT
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State NJ

- Reporting Period (Mark only one.)**
- Quarter 1 (January 1 — March 31)
 - Quarter 2 (April 1 — June 30)
 - Quarter 3 (July 1 — September 30)
 - Quarter 4 (October 1 — December 31)

Death Number 2
out of period total of 4
as reported on form CJ-11

<p>1. What was the name of the deceased?</p> <p style="margin-left: 20px;">Last First Middle Initial</p> <p style="margin-left: 20px;"><u>Mmashan</u> <u>PATRICK</u> _____</p> <p>2. What was the time and date of the death?</p> <p style="margin-left: 20px;"><u>4</u>:<u>01</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM Month <u>5</u> Day <u>18</u> , 200<u>5</u></p> <p>3. Where did the event causing the death occur?</p> <p style="margin-left: 20px;">Street address <u>31 Green St</u></p> <p style="margin-left: 20px;">City <u>Newark</u></p> <p>4. What law enforcement agency was involved?</p> <p style="margin-left: 20px;">ORI Number <u>NJ 00714</u></p> <p style="margin-left: 20px;">Name <u>Newark Police Dept</u></p> <p>5. What was the deceased's date of birth?</p> <p style="margin-left: 20px;">Month <u>4</u> Day <u>5</u> Year <u>56</u></p> <p>6. What was the deceased's gender?</p> <p style="margin-left: 20px;">01 <input checked="" type="checkbox"/> Male</p> <p style="margin-left: 20px;">02 <input type="checkbox"/> Female</p> <p>7. What was the deceased's race/ethnic origin?</p> <p style="margin-left: 20px;">01 <input checked="" type="checkbox"/> White, not of Hispanic origin</p> <p style="margin-left: 20px;">02 <input type="checkbox"/> Black or African American, not of Hispanic origin</p> <p style="margin-left: 20px;">03 <input type="checkbox"/> Hispanic or Latino</p> <p style="margin-left: 20px;">04 <input type="checkbox"/> American Indian/Alaska Native</p> <p style="margin-left: 20px;">05 <input type="checkbox"/> Asian</p> <p style="margin-left: 20px;">06 <input type="checkbox"/> Native Hawaiian or Other Pacific Islander</p> <p style="margin-left: 20px;">07 <input type="checkbox"/> Additional racial category in your information system — Specify _____</p>	<p>8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?</p> <p style="margin-left: 20px;">01 <input checked="" type="checkbox"/> Yes, results are available</p> <p style="margin-left: 20px;">02 <input type="checkbox"/> Yes, results pending</p> <p style="margin-left: 20px;">03 <input type="checkbox"/> No, evaluation pending</p> <p style="margin-left: 20px;">04 <input type="checkbox"/> No, evaluation not planned</p> <p>9. What was the manner of death?</p> <p style="margin-left: 20px;">01 <input type="checkbox"/> Justifiable homicide</p> <p style="margin-left: 20px;">02 <input type="checkbox"/> Other homicide</p> <p style="margin-left: 20px;">03 <input type="checkbox"/> Suicide</p> <p style="margin-left: 20px;">04 <input type="checkbox"/> Accidental injury to self</p> <p style="margin-left: 20px;">05 <input type="checkbox"/> Accidental injury caused by others</p> <p style="margin-left: 20px;">06 <input type="checkbox"/> Alcohol/drug intoxication</p> <p style="margin-left: 20px;">07 <input checked="" type="checkbox"/> Illness/natural causes — Specify illness/cause _____</p> <p style="margin-left: 20px;">08 <input type="checkbox"/> Other — Specify _____</p> <p>10. What was the medical cause of death?</p> <p style="margin-left: 20px;"><u>Seizure disorder associated with chronic ethanolism</u></p> <p>11. Had charges been filed against the deceased at the time of death?</p> <p style="margin-left: 20px;">01 <input checked="" type="checkbox"/> Yes</p> <p style="margin-left: 20px;">02 <input type="checkbox"/> No — charges not filed, but intended</p> <p style="margin-left: 20px;">03 <input type="checkbox"/> No — probation/parole revocation</p> <p>12. What were the most serious offenses with which the deceased was being charged at the time of death?</p> <p style="margin-left: 20px;">a. <u>bail jumping</u></p> <p style="margin-left: 20px;">b. <u>shop lifting</u></p> <p style="margin-left: 20px;">c. _____</p>
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CJ-11A ADDENDUM

OMB No. 1121-0249 Approval Expires 4/30/2006

538-05



RETURN TO: NJ Division of Criminal Justice Research & Development P.O. Box 085 Trenton, NJ 08625 Fax 609.984.7237 (See form CJ-11 for a national listing, or call the Bureau of Justice Statistics at 202-307-0765.)

FORM CJ-11A (11-9-2004)

DEATHS IN CUSTODY, 2005 - LAW ENFORCEMENT CUSTODIAL DEATH REPORT

State NJ

- Reporting Period (Mark only one.)
Quarter 1 (January 1 - March 31)
Quarter 2 (April 1 - June 30)
Quarter 3 (July 1 - September 30)
Quarter 4 (October 1 - December 31)

Death Number 34 out of period total of 4 as reported on form CJ-11

1. What was the name of the deceased? Last First Middle Initial Jennings David

2. What was the time and date of the death? 12:50 AM Month 6 Day 10 2005

3. Where did the event causing the death occur? Street address 228 Chestnut St City Nutley

4. What law enforcement agency was involved? ORI Number NJ 00716 Name Nutley Police Dept

5. What was the deceased's date of birth? Month 3 Day 8 Year 59

6. What was the deceased's gender? 01 Male 02 Female

7. What was the deceased's race/ethnic origin? 01 White, not of Hispanic origin 02 Black or African American, not of Hispanic origin 03 Hispanic or Latino 04 American Indian/Alaska Native 05 Asian 06 Native Hawaiian or Other Pacific Islander 07 Additional racial category in your information system - Specify

8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death? 01 Yes, results are available 02 Yes, results pending 03 No, evaluation pending 04 No, evaluation not planned

9. What was the manner of death? 01 Justifiable homicide 02 Other homicide 03 Suicide 04 Accidental injury to self 05 Accidental injury caused by others 06 Alcohol/drug intoxication 07 Illness/natural causes - Specify illness/cause 08 Other - Specify

10. What was the medical cause of death? hanging

11. Had charges been filed against the deceased at the time of death? 01 Yes 02 No - charges not filed, but intended 03 No - probation/parole revocation

12. What were the most serious offenses with which the deceased was being charged at the time of death? a. ASSAULT on police officer b. Obstruction c. resisting

Burden Statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 60 minutes per response including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, N.W., Washington, DC 20531.

1463-05

CJ-11A ADDENDUM

OMB No. 1121-0249 Approval Expires 4/30/2006

RETURN TO	New Jersey Division of Criminal Justice Research & Evaluation PO Box 085 Trenton, NJ 08625 Fax: (609) 984-7237	FORM CJ-11A (4-11-2003)	DEATHS IN CUSTODY, 2003 — LAW ENFORCEMENT CUSTODIAL DEATH REPORT
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State NJ

Reporting Period (Mark only one.)

Quarter 1 (January 1 — March 31)

Quarter 2 (April 1 — June 30)

Quarter 3 (July 1 — September 30)

Quarter 4 (October 1 — December 31)

Death Number 44
out of period total of 4
as reported on form CJ-11

<p>1. What was the name of the deceased?</p> <p>Last <u>Chung</u> First <u>Andrew</u> Middle Initial _____</p> <p>2. What was the time and date of the death?</p> <p><u>5:50</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM Month <u>6</u> Day <u>17</u>, 200<u>8</u></p> <p>3. Where did the event causing the death occur?</p> <p>Street address <u>150 Bergen St</u></p> <p>City <u>NEWARK</u></p> <p>4. What law enforcement agency was involved?</p> <p>ORI Number <u>NJ00714</u></p> <p>Name <u>NEWARK Police Dept</u></p> <p>5. What was the deceased's date of birth?</p> <p>Month <u>2</u> Day <u>16</u> Year <u>77</u></p> <p>6. What was the deceased's gender?</p> <p>01 <input checked="" type="checkbox"/> Male</p> <p>02 <input type="checkbox"/> Female</p> <p>7. What was the deceased's race/ethnic origin?</p> <p>01 <input type="checkbox"/> White, not of Hispanic origin</p> <p>02 <input type="checkbox"/> Black or African American, not of Hispanic origin</p> <p>03 <input type="checkbox"/> Hispanic or Latino</p> <p>04 <input type="checkbox"/> American Indian/Alaska Native</p> <p>05 <input checked="" type="checkbox"/> Asian</p> <p>06 <input type="checkbox"/> Native Hawaiian or Other Pacific Islander</p> <p>07 <input type="checkbox"/> Additional racial category in your information system — Specify _____</p>	<p>8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?</p> <p>01 <input checked="" type="checkbox"/> Yes, results are available</p> <p>02 <input type="checkbox"/> Yes, results pending</p> <p>03 <input type="checkbox"/> No, evaluation pending</p> <p>04 <input type="checkbox"/> No, evaluation not planned</p> <p>9. What was the manner of death?</p> <p>01 <input checked="" type="checkbox"/> Justifiable homicide</p> <p>02 <input type="checkbox"/> Other homicide</p> <p>03 <input type="checkbox"/> Suicide</p> <p>04 <input type="checkbox"/> Accidental injury to self</p> <p>05 <input type="checkbox"/> Accidental injury caused by others</p> <p>06 <input type="checkbox"/> Alcohol/drug intoxication</p> <p>07 <input type="checkbox"/> Illness/natural causes — Specify illness/cause _____</p> <p>08 <input checked="" type="checkbox"/> Other — Specify <u>pending grand jury</u></p> <p>10. What was the medical cause of death?</p> <p><u>gunshot wounds of chest + abdomen</u></p> <p>11. Had charges been filed against the deceased at the time of death?</p> <p>01 <input checked="" type="checkbox"/> Yes</p> <p>02 <input type="checkbox"/> No — charges not filed, but intended</p> <p>03 <input type="checkbox"/> No — probation/parole revocation</p> <p>12. What were the most serious offenses with which the deceased was being charged at the time of death?</p> <p>a. <u>Kidnapping</u> <u>13-13C(1)</u></p> <p>b. <u>carjacking</u> <u>15-2</u></p> <p>c. <u>Receiving stolen property</u></p>
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one charge added

at hosp. tel
emerge. room
by prison poss. cut
mace + kerosene
for officers
for

MSB-15-1

PO
Brianna
Huggins

CJ-11A ADDENDUM

RETURN TO: NJ Division of Criminal Justice
Research & Development
P.O. Box 085
Trenton, NJ 08625
Fax 609.984.7237
(See form CJ-11 for a national listing, or call the Bureau of Justice Statistics at 202-307-0765.)

FORM CJ-11A
(11-9-2004)

DEATHS IN CUSTODY, 2005
LAW ENFORCEMENT CUSTODIAL
DEATH REPORT



State NEW JERSEY

- Reporting Period (Mark only one.)
Quarter 1 (January 1 - March 31)
Quarter 2 (April 1 - June 30)
Quarter 3 (July 1 - September 30)
Quarter 4 (October 1 - December 31)

Death Number 13
out of period total of 3
as reported on form CJ-11

1. What was the name of the deceased?
Last First Middle Initial

BARTOLETT JOHN

2. What was the time and date of the death?
5:36 AM PM Month 7 Day 13, 2005

3. Where did the event causing the death occur?
Street address 154 DUBOIS
City WEST DEPTFORD

4. What law enforcement agency was involved?
ORI Number NJ008013A
Name GLOUCESTER COUNTY

5. What was the deceased's date of birth?
Month 6 Day 23 Year 56

6. What was the deceased's gender?
01 Male
02 Female

7. What was the deceased's race/ethnic origin?
01 White, not of Hispanic origin
02 Black or African American, not of Hispanic origin
03 Hispanic or Latino
04 American Indian/Alaska Native
05 Asian
06 Native Hawaiian or Other Pacific Islander
07 Additional racial category in your information system - Specify

8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?

- 01 Yes, results are available
02 Yes, results pending
03 No, evaluation pending
04 No, evaluation not planned

9. What was the manner of death?

- 01 Justifiable homicide
02 Other homicide
03 Suicide
04 Accidental injury to self
05 Accidental injury caused by others
06 Alcohol/drug intoxication
07 Illness/natural causes - Specify illness/cause
08 Other - Specify

10. What was the medical cause of death?

GUNSHOT WOUND TO HEAD

11. Had charges been filed against the deceased at the time of death?

- 01 Yes
02 No - charges not filed, but intended
03 No - probation/parole revocation

12. What were the most serious offenses with which the deceased was being charged at the time of death?

- a. KIDNAPPING
b. AGGRAVATED ASSAULT
c. AGGRAVATED ASSAULT ON POLICE OFFICER WITH WEAPON (HANDGUN)

Burden Statement

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Name of deceased

JOHN BARTOLETT

13. What were the circumstances surrounding the death?

- 01 Death, or actions causing the death, occurred prior to booking — Complete Section A
- 02 Death occurred at time of booking or later — Complete Section B

Section A: Death Prior to Booking

A1. Did the deceased die from a medical condition or from injuries sustained at the crime/arrest scene?

- 01 Medical condition only (e.g., heart attack)
- 02 Injuries only
- 03 Both medical condition and injuries
- 04 Don't know

A2. If injured at the crime/arrest scene, how were these injuries sustained? — Mark (x) all that apply

- 01 Inflicted by law enforcement officers present
- 02 Inflicted by others at crime/arrest scene
- 03 Self-inflicted — Accidental
- 04 Self-inflicted — Suicide
- 08 Don't know
- 09 Not applicable

A3. Was the deceased under restraint in the time leading up to the death or the events causing the death?

- 01 Yes — Mark (x) if any restraint devices were used
 - 01 Handcuffs
 - 02 Leg shackles
 - 03 Other device — Specify

- 02 No
- 08 Don't know

A4. At any time during the arrest/incident, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Threaten the officer(s) involved?
- 03 Resist being handcuffed or arrested?
- 04 Try to escape/flee from custody?
- 05 Grab, hit or fight with the officer(s) involved?
- 06 Use a weapon to threaten or assault the officer(s)? — Specify weapon used

HANDBUN

- 07 Other — Specify

- 08 None of the above

A5. What type of weapon(s) caused the death? — Mark (x) all that apply

- 01 Handgun
- 02 Rifle/shotgun
- 03 Nightstick or baton
- 04 Stun gun or tazer
- 05 Other weapon — Specify

- 06 None

A6. Where did the deceased die?

- 01 At the crime/arrest scene
- 02 At medical facility
- 03 En route to medical facility
- 04 En route to booking center/police lockup
- 05 Elsewhere — Specify
- 08 Don't know

Form complete.

Section B: Death After Booking

B1. What was the time and date of the deceased's entry into the law enforcement facility where the death occurred?

..... AM PM Month _____ Day _____, 2005

B2. At the time of entry into the facility, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Exhibit any mental health problems?
- 03 Exhibit any medical problems?
- 04 None of the above

B3. If death was an accident or homicide, who caused the death?

- 01 Deceased
- 02 Other detainees
- 03 Law enforcement/correctional staff
- 04 Other persons — Specify

- 08 Don't know
- 09 Not applicable; cause of death was suicide, intoxication or illness/natural causes


B4. If death was an accident, homicide or suicide, what was the means of death?

- 01 Firearm
- 02 Blunt instrument
- 03 Knife, cutting instrument
- 04 Hanging, strangulation
- 05 Drug overdose
- 06 Other — Specify

- 08 Don't know
- 09 Not applicable; cause of death was intoxication or illness/natural causes

Form complete

CJ-11A ADDENDUM

RETURN TO	New Jersey Division of Criminal Justice Research & Evaluation PO Box 085 Trenton, NJ 08625 Fax: (609) 984-7237	FORM CJ-11A (4-11-2003)	DEATHS IN CUSTODY, 2003 — LAW ENFORCEMENT CUSTODIAL DEATH REPORT	
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State NJ

- Reporting Period (Mark only one.)**
- Quarter 1 (January 1 — March 31)
 - Quarter 2 (April 1 — June 30)
 - Quarter 3 (July 1 — September 30)
 - Quarter 4 (October 1 — December 31)

Death Number 3
 out of period total of 3
 as reported on form CJ-11

<p>1. What was the name of the deceased?</p> <p>Last First Middle Initial</p> <p><u>Berger</u> <u>Ibn</u> _____</p> <p>2. What was the time and date of the death?</p> <p><u>7:36</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM Month <u>8</u> Day <u>7</u>, 200<u>5</u></p> <p>3. Where did the event causing the death occur?</p> <p>Street address <u>126 Seth Boyden Terrace</u></p> <p>City <u>Newark</u></p> <p>4. What law enforcement agency was involved?</p> <p>ORI Number <u>NJ00714</u></p> <p>Name <u>Newark Police Dept</u></p> <p>5. What was the deceased's date of birth?</p> <p>Month <u>3</u> Day <u>22</u> Year <u>85</u></p> <p>6. What was the deceased's gender?</p> <p>01 <input checked="" type="checkbox"/> Male 02 <input type="checkbox"/> Female</p> <p>7. What was the deceased's race/ethnic origin?</p> <p>01 <input type="checkbox"/> White, not of Hispanic origin 02 <input checked="" type="checkbox"/> Black or African American, not of Hispanic origin 03 <input type="checkbox"/> Hispanic or Latino 04 <input type="checkbox"/> American Indian/Alaska Native 05 <input type="checkbox"/> Asian 06 <input type="checkbox"/> Native Hawaiian or Other Pacific Islander 07 <input type="checkbox"/> Additional racial category in your information system — Specify _____</p>	<p>8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?</p> <p>01 <input checked="" type="checkbox"/> Yes, results are available 02 <input checked="" type="checkbox"/> Yes, results pending 03 <input type="checkbox"/> No, evaluation pending 04 <input type="checkbox"/> No, evaluation not planned</p> <p>9. What was the manner of death?</p> <p>01 <input checked="" type="checkbox"/> Justifiable homicide 02 <input type="checkbox"/> Other homicide 03 <input type="checkbox"/> Suicide 04 <input type="checkbox"/> Accidental injury to self 05 <input type="checkbox"/> Accidental injury caused by others 06 <input type="checkbox"/> Alcohol/drug intoxication 07 <input type="checkbox"/> Illness/natural causes — Specify illness/cause _____</p> <p>08 <input checked="" type="checkbox"/> Other — Specify <u>pending grand jury</u></p> <p>10. What was the medical cause of death?</p> <p><u>gunshot wound to head</u></p> <p>11. Had charges been filed against the deceased at the time of death?</p> <p>01 <input type="checkbox"/> Yes 02 <input checked="" type="checkbox"/> No — charges not filed, but intended 03 <input type="checkbox"/> No — probation/parole revocation</p> <p>12. What were the most serious offenses with which the deceased was being charged at the time of death?</p> <p>a. <u>weapons</u></p> <p>b. <u>attempted murder</u></p> <p>c. <u>assault</u></p>
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*Shot 2 people
 opened fire on police
 high on "wet" - dipped
 marijuana - dipped
 in embalming
 fluid*

CJ-11A ADDENDUM

551-03

OMB No 1121-0249 Approval Expires 4/30/2006

RETURN TO: NJ Division of Criminal Justice Research & Development P.O. Box 085 Trenton, NJ 08625 Fax 609.984.7237 (See form CJ-11 for a national listing, or call the Bureau of Justice Statistics at 202-307-0765.)

FORM CJ-11A (11-9-2004)

DEATHS IN CUSTODY, 2005 - LAW ENFORCEMENT CUSTODIAL DEATH REPORT



State NJ

- Reporting Period (Mark only one.)
Quarter 1 (January 1 - March 31)
Quarter 2 (April 1 - June 30)
Quarter 3 (July 1 - September 30)
Quarter 4 (October 1 - December 31)

Death Number 2 out of period total of 3 as reported on form CJ-11

1. What was the name of the deceased? Last First Middle Initial MYTIA GROOMES

2. What was the time and date of the death? 2:10 AM PM Month 7 Day 30 2005

3. Where did the event causing the death occur? Street address 31 Green St City Newark

4. What law enforcement agency was involved? ORI Number NJ 00714 Name Newark Police Dept.

5. What was the deceased's date of birth? Month 12 Day 4 Year 70

6. What was the deceased's gender? 01 Male 02 Female

7. What was the deceased's race/ethnic origin? 01 White, not of Hispanic origin 02 Black or African American, not of Hispanic origin 03 Hispanic or Latino 04 American Indian/Alaska Native 05 Asian 06 Native Hawaiian or Other Pacific Islander 07 Additional racial category in your information system - Specify

8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death? 01 Yes, results are available 02 Yes, results pending 03 No, evaluation pending 04 No, evaluation not planned

9. What was the manner of death? 01 Justifiable homicide 02 Other homicide 03 Suicide 04 Accidental injury to self 05 Accidental injury caused by others 06 Alcohol/drug intoxication 07 Illness/natural causes - Specify illness/cause 08 Other - Specify see below

10. What was the medical cause of death? Acute cocaine & morphine intoxication

11. Had charges been filed against the deceased at the time of death? 01 Yes 02 No - charges not filed, but intended 03 No - probation/parole revocation

12. What were the most serious offenses with which the deceased was being charged at the time of death? a. loitering for purpose of prostitution b. c.

Burden Statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 60 minutes per response, including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, N.W., Washington, DC 20531

CJ-11A ADDENDUM

RETURN TO: State Deaths in Custody reporting coordinator

(See form CJ-11 for a national listing, or call the Bureau of Justice Statistics at 202-307-0765.)

FORM CJ-11A (11-0-2004)

DEATHS IN CUSTODY, 2005 - LAW ENFORCEMENT CUSTODIAL DEATH REPORT



State NEW JERSEY

Reporting Period (Mark only one.)

- Quarter 1 (January 1 — March 31)
- Quarter 2 (April 1 — June 30)
- Quarter 3 (July 1 — September 30)
- Quarter 4 (October 1 — December 31)

Death Number 1
out of period total of 8
as reported on form CJ-11

1. What was the name of the deceased?

Last	First	Middle Initial
<u>ANKWARD</u>	<u>TYRONE</u>	<u>P</u>

2. What was the time and date of the death?

08:52 AM PM Month 11 Day 6, 2005

3. Where did the event causing the death occur?

Street address 83 HARRINGTON CIRCLE
City WILLINGBORD NJ

4. What law enforcement agency was involved?

ORI Number NJ 0031700
Name WILLINGBORD PD

5. What was the deceased's date of birth?

Month 01 Day 10 Year 68

6. What was the deceased's gender?

- 01 Male
- 02 Female

7. What was the deceased's race/ethnic origin?

- 01 White, not of Hispanic origin
- 02 Black or African American, not of Hispanic origin
- 03 Hispanic or Latino
- 04 American Indian/Alaska Native
- 05 Asian
- 06 Native Hawaiian or Other Pacific Islander
- 07 Additional racial category in your information system —
Specify _____

8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?

- 01 Yes, results are available
- 02 Yes, results pending
- 03 No, evaluation pending
- 04 No, evaluation not planned

9. What was the manner of death?

- 01 Justifiable homicide
 - 02 Other homicide
 - 03 Suicide
 - 04 Accidental injury to self
 - 05 Accidental injury caused by others
 - 06 Alcohol/drug intoxication
 - 07 Illness/natural causes — Specify illness/cause
SEVERE HEART DISEASE
 - 08 Other — Specify _____
- problems breathing after hand cuffed died enroute to hospital*

10. What was the medical cause of death?

Cardiac death

11. Had charges been filed against the deceased at the time of death?

- 01 Yes
- 02 No — charges not filed, but intended
- 03 No — probation/parole revocation

12. What were the most serious offenses with which the deceased was being charged at the time of death?

- a. Misc arrest
- b. _____
- c. Being taken to hospital for mental health evaluation case worker + family request

Burden Statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 80 minutes per response, including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding the burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 910 Seventh Street, N.W., Washington, DC 20531.

Name of deceased Aukward

13. What were the circumstances surrounding the death?

- 01 Death, or actions causing the death, occurred prior to booking — Complete Section A
- 02 Death occurred at time of booking or later — Complete Section B

A1. Did the deceased die from a medical condition or from injuries sustained at the crime/arrest scene?

- 01 Medical condition only (e.g., heart attack)
- 02 Injuries only
- 03 Both medical condition and injuries
- 04 Don't know

A2. If injured at the crime/arrest scene, how were these injuries sustained? — Mark (x) all that apply

- 01 Inflicted by law enforcement officers present
- 02 Inflicted by others at crime/arrest scene
- 03 Self-inflicted — Accidental
- 04 Self-inflicted — Suicide
- 05 Don't know
- 06 Not applicable

A3. Was the deceased under restraint in the time leading up to the death or the events causing the death?

- 01 Yes — Mark (x) if any restraint devices were used
 - 01 Handcuffs
 - 02 Leg shackles
 - 03 Other device — Specify _____

- 02 No
- 04 Don't know

A4. At any time during the arrest/incident, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Threaten the officer(s) involved?
- 03 Resist being handcuffed or arrested?
- 04 Try to escape/tie from custody?
- 05 Grab, hit or fight with the officer(s) involved?
- 06 Use a weapon to threaten or assault the officer(s)? — Specify weapon used _____

07 Other — Specify _____

08 None of the above

A5. What type of weapon(s) caused the death? — Mark (x) all that apply

- 01 Handgun
- 02 Rifle/shotgun
- 03 Nightsuck or baton
- 04 Stun gun or tazer
- 05 Other weapon — Specify _____

06 None

A6. Where did the deceased die?

- 01 At the crime/arrest scene
- 02 At medical facility
- 03 En route to medical facility
- 04 En route to booking center/police lockup
- 05 Elsewhere — Specify _____
- 08 Don't know

Form complete.

B1. What was the time and date of the deceased's entry into the law enforcement facility where the death occurred?

___ : ___ AM/PM Month ___ Day ___, 2005

B2. At the time of entry into the facility, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Exhibit any mental health problems?
- 03 Exhibit any medical problems?
- 04 None of the above

B3. If death was an accident or homicide, who caused the death?

- 01 Deceased
- 02 Other detainees
- 03 Law enforcement/correctional staff
- 04 Other persons — Specify _____

08 Don't know

09 Not applicable; cause of death was suicide, intoxication or illness/natural causes

B4. If death was an accident, homicide or suicide, what was the means of death?

- 01 Firearm
- 02 Blunt instrument
- 03 Knife, cutting instrument
- 04 Hanging, strangulation
- 05 Drug overdose
- 06 Other — Specify _____

08 Don't know

09 Not applicable; cause of death was intoxication or illness/natural causes

Form complete

RETURN TO: State Deaths in Custody reporting coordinator

FORM CJ-11A (11-8-2004)

DEATHS IN CUSTODY, 2005 - LAW ENFORCEMENT CUSTODIAL DEATH REPORT



(See form CJ-11 for a national listing, or call the Bureau of Justice Statistics at 202-307-0765.)

State New Jersey

Reporting Period (Mark only one.)
[] Quarter 1 (January 1 - March 31)
[] Quarter 2 (April 1 - June 30)
[] Quarter 3 (July 1 - September 30)
[X] Quarter 4 (October 1 - December 31)

Death Number 7
out of period total of 8
as reported on form CJ-11

- 1. What was the name of the deceased?
Last First Middle Initial
GARCIA THOMAS J
2. What was the time and date of the death?
08 37 AM PM Month 12 Day 13 2005
3. Where did the event causing the death occur?
Street address 922 HIGHLAND AVENUE
City POLYNIA
4. What law enforcement agency was involved?
ORI Number NJ 0033200
Name RIVINGTON BORO PD
5. What was the deceased's date of birth?
Month 9 Day 30 Year 42
6. What was the deceased's gender?
01 [X] Male
02 [] Female
7. What was the deceased's race/ethnic origin?
01 [] White, not of Hispanic origin
02 [] Black or African American, not of Hispanic origin
03 [X] Hispanic or Latino
04 [] American Indian/Alaska Native
05 [] Asian
06 [] Native Hawaiian or Other Pacific Islander
07 [] Additional racial category in your information system - Specify

- 8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?
01 [X] Yes, results are available
02 [] Yes, results pending
03 [] No, evaluation pending
04 [] No, evaluation not planned
9. What was the manner of death?
01 [X] Justifiable homicide
02 [] Other homicide
03 [] Suicide
04 [] Accidental injury to self
05 [] Accidental injury caused by others
06 [] Alcohol/drug intoxication
07 [] Illness/natural causes - Specify illness/cause
08 [] Other - Specify
10. What was the medical cause of death?
GUNSHOT WOUNDS TO CHEST; ABDOMEN
11. Had charges been filed against the deceased at the time of death?
01 [] Yes
02 [X] No - charges not filed, but intended
03 [] No - probation/parole revocation
12. What were the most serious offenses with which the deceased was being charged at the time of death?
a. DOMESTIC ASSAULT ON WIFE
b. ATTEMPTED MURDER OF POLICE OFFICER
c. RESISTING ARREST

Burden Statement

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13. What were the circumstances surrounding the death?

- 01 Death, or actions causing the death, occurred prior to booking — Complete Section A
- 02 Death occurred at time of booking or later — Complete Section B

A1. Did the deceased die from a medical condition or from injuries sustained at the crime/arrest scene?

- 01 Medical condition only (e.g., heart attack)
- 02 Injuries only
- 03 Both medical condition and injuries
- 08 Don't know

A2. If injured at the crime/arrest scene, how were these injuries sustained? — Mark (x) all that apply

- 01 Inflicted by law enforcement officers present
- 02 Inflicted by others at crime/arrest scene
- 03 Self-inflicted — Accidental
- 04 Self-inflicted — Suicide
- 08 Don't know
- 09 Not applicable

A3. Was the deceased under restraint in the time leading up to the death or the events causing the death?

- 01 Yes — Mark (x) if any restraint devices were used
 - 01 Handcuffs
 - 02 Leg shackles
 - 03 Other device — Specify

- 02 No
- 08 Don't know

A4. At any time during the arrest/incident, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Threaten the officer(s) involved?
- 03 Resist being handcuffed or arrested?
- 04 Try to escape/flee from custody?
- 05 Grab, hit or fight with the officer(s) involved?
- 06 Use a weapon to threaten or assault the officer(s)? — Specify weapon used

KNIFE

07 Other — Specify

08 None of the above

5. What type of weapon(s) caused the death? — Mark (x) all that apply

- 01 Handgun
- 02 Rifle/shotgun
- 03 Nightstick or baton
- 04 Stun gun or tazer
- 05 Other weapon — Specify

06 None

A6. Where did the deceased die?

- 01 At the crime/arrest scene
- 02 At medical facility
- 03 En route to medical facility
- 04 En route to booking center/police lockup
- 05 Elsewhere — Specify
- 08 Don't know

Form complete.

B1. What was the time and date of the deceased's entry into the law enforcement facility where the death occurred?

_____ AM PM Month _____ Day _____ 2005

B2. At the time of entry into the facility, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Exhibit any mental health problems?
- 03 Exhibit any medical problems?
- 04 None of the above

B3. If death was an accident or homicide, who caused the death?

- 01 Deceased
- 02 Other detainees
- 03 Law enforcement/correctional staff
- 04 Other persons — Specify

- 08 Don't know
- 09 Not applicable; cause of death was suicide, intoxication or illness/natural causes

B4. If death was an accident, homicide or suicide, what was the means of death?

- 01 Firearm
- 02 Blunt instrument
- 03 Knife, cutting instrument
- 04 Hanging, strangulation
- 05 Drug overdose
- 06 Other — Specify

- 08 Don't know
- 09 Not applicable; cause of death was intoxication or illness/natural causes

Form complete

CJ-11A ADDENDUM

OMB No. 1121-0249 Approval Expires 4/30/2005

RETURN TO: State Deaths in Custody reporting coordinator

FORM CJ-11A (11-9-2004)

DEATHS IN CUSTODY, 2005 LAW ENFORCEMENT CUSTODIAL DEATH REPORT



(See form CJ-11 for a national listing, or call the Bureau of Justice Statistics at 202-307-0765.)

State New Jersey

- Reporting Period (Mark only one.)
- Quarter 1 (January 1 — March 31)
 - Quarter 2 (April 1 — June 30)
 - Quarter 3 (July 1 — September 30)
 - Quarter 4 (October 1 — December 31)

Death Number 2
out of period total of 8
as reported on form CJ-11

1. What was the name of the deceased?

Last First Middle Initial

SANABRIA FRANCIS N.

2. What was the time and date of the death?

6:50 AM PM Month NOV. Day 16, 2006

3. Where did the event causing the death occur?

Street address 19 SUMNER HILL ROAD
City WAYNE, NJ

4. What law enforcement agency was involved?

ORI Number 1614
Name WAYNE POLICE DEPARTMENT

5. What was the deceased's date of birth?

Month 10 Day 22 Year 62

6. What was the deceased's gender?

01 Male
02 Female

7. What was the deceased's race/ethnic origin?

- 01 White, not of Hispanic origin
- 02 Black or African American, not of Hispanic origin
- 03 Hispanic or Latino
- 04 American Indian/Alaska Native
- 05 Asian
- 06 Native Hawaiian or Other Pacific Islander
- 07 Additional racial category in your information system — Specify

8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?

- 01 Yes, results are available
- 02 Yes, results pending
- 03 No, evaluation pending
- 04 No, evaluation not planned

9. What was the manner of death?

- 01 Justifiable homicide
- 02 Other homicide
- 03 Suicide
- 04 Accidental injury to self
- 05 Accidental injury caused by others
- 06 Alcohol/drug intoxication
- 07 Illness/natural causes — Specify illness/cause
- 08 Other — Specify

10. What was the medical cause of death?

GUNSHOT WOUNDS TO HEAD & BODY

11. Had charges been filed against the deceased at the time of death?

- 01 Yes
- 02 No — charges not filed, but intended
- 03 No — probation/parole revocation

12. What were the most serious offenses with which the deceased was being charged at the time of death?

- a. WEAPON OFFENSE - KNIFE
- b. _____
- c. _____

o police responded to call that "husband was going nuts" struggling with daughter (15) on front lawn with a knife when police arrived

Burden Statement

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Name of deceased FRANCIS N. SANABRIA, JR.

13. What were the circumstances surrounding the death?

- 01 Death, or actions causing the death, occurred prior to booking — Complete Section A
- 02 Death occurred at time of booking or later — Complete Section B

A1. Did the deceased die from a medical condition or from injuries sustained at the crime/arrest scene?

- 01 Medical condition only (e.g., heart attack)
- 02 Injuries only
- 03 Both medical condition and injuries
- 08 Don't know

A2. If injured at the crime/arrest scene, how were these injuries sustained? — Mark (x) all that apply

- 01 Inflicted by law enforcement officers present
- 02 Inflicted by others at crime/arrest scene
- 03 Self-inflicted — ~~suicide~~ SUPERFICIAL CUTS
- 04 Self-inflicted — Suicide
- 08 Don't know
- 09 Not applicable

A3. Was the deceased under restraint in the time leading up to the death or the events causing the death?

- 01 Yes — Mark (x) if any restraint devices were used
 - 01 Handcuffs
 - 02 Leg shackles
 - 03 Other device — Specify

- 02 No
- 08 Don't know

A4. At any time during the arrest/incident, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Threaten the officer(s) involved?
- 03 Resist being handcuffed or arrested?
- 04 Try to escape/flee from custody?
- 05 Grab, hit or fight with the officer(s) involved?
- 06 Use a weapon to threaten or assault the officer(s)? — Specify weapon used KITCHEN KNIFE - 10" BLADE
- 07 Other — Specify

08 None of the above

A5. What type of weapon(s) caused the death? — Mark (x) all that apply

- 01 Handgun
- 02 Rifle/shotgun
- 03 Nightstick or baton
- 04 Stun gun or tazer
- 05 Other weapon — Specify

06 None

A6. Where did the deceased die?

- 01 At the crime/arrest scene
- 02 At medical facility
- 03 En route to medical facility
- 04 En route to booking center/police lookout
- 05 Elsewhere — Specify
- 08 Don't know

Form complete.

B1. What was the time and date of the deceased's entry into the law enforcement facility where the death occurred?

___:___ AM/PM Month ___ Day ___, 2005

B2. At the time of entry into the facility, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Exhibit any mental health problems?
- 03 Exhibit any medical problems?
- 04 None of the above

B3. If death was an accident or homicide, who caused the death?

- 01 Deceased
- 02 Other detainees
- 03 Law enforcement/correctional staff
- 04 Other persons — Specify

- 08 Don't know
- 09 Not applicable; cause of death was suicide, intoxication or illness/natural causes

B4. If death was an accident, homicide or suicide, what was the means of death?


- 01 Firearm
- 02 Blunt instrument
- 03 Knife, cutting instrument
- 04 Hanging, strangulation
- 05 Drug overdose
- 06 Other — Specify

- 08 Don't know
- 09 Not applicable; cause of death was intoxication or illness/natural causes

Form complete

CJ-11A ADDENDUM

OMB No.1121-0249 Approval Expires 4/30/2006

RETURN TO	New Jersey Division of Criminal Justice Research & Evaluation PO Box 085 Trenton, NJ 08625 Fax: (609) 984-7237	FORM CJ-11A (4-11-2003)	DEATHS IN CUSTODY, 2003 — LAW ENFORCEMENT CUSTODIAL DEATH REPORT 
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State NJ

Reporting Period (Mark only one.)

Quarter 1 (January 1 — March 31)

Quarter 2 (April 1 — June 30)

Quarter 3 (July 1 — September 30)

Quarter 4 (October 1 — December 31)

Death Number 6
 out of period total of 3
 as reported on form CJ-11

<p>1. What was the name of the deceased?</p> <p>Last First Middle Initial</p> <p><u>Kolden</u> <u>Deick</u> <u>L</u></p> <p>2. What was the time and date of the death?</p> <p><u>2:05</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM Month <u>12</u> Day <u>25</u>, 2005</p> <p>3. Where did the event causing the death occur?</p> <p>Street address <u>39 GIVARD PLACE</u></p> <p>City <u>NEWARK</u></p> <p>4. What law enforcement agency was involved?</p> <p>ORI Number <u>NJ 00714</u></p> <p>Name <u>NEWARK POLICE DEPT</u></p> <p>5. What was the deceased's date of birth?</p> <p>Month <u>2</u> Day <u>8</u> Year <u>85</u></p> <p>6. What was the deceased's gender?</p> <p>01 <input checked="" type="checkbox"/> Male</p> <p>02 <input type="checkbox"/> Female</p> <p>7. What was the deceased's race/ethnic origin?</p> <p>01 <input type="checkbox"/> White, not of Hispanic origin</p> <p>02 <input checked="" type="checkbox"/> Black or African American, not of Hispanic origin</p> <p>03 <input type="checkbox"/> Hispanic or Latino</p> <p>04 <input type="checkbox"/> American Indian/Alaska Native</p> <p>05 <input type="checkbox"/> Asian</p> <p>06 <input type="checkbox"/> Native Hawaiian or Other Pacific Islander</p> <p>07 <input type="checkbox"/> Additional racial category in your information system — Specify</p> <p>_____</p>	<p>8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?</p> <p>01 <input checked="" type="checkbox"/> Yes, results are available</p> <p>02 <input checked="" type="checkbox"/> Yes, results pending</p> <p>03 <input type="checkbox"/> No, evaluation pending</p> <p>04 <input type="checkbox"/> No, evaluation not planned</p> <p>9. What was the manner of death?</p> <p>01 <input checked="" type="checkbox"/> Justifiable homicide</p> <p>02 <input type="checkbox"/> Other homicide</p> <p>03 <input type="checkbox"/> Suicide</p> <p>04 <input type="checkbox"/> Accidental injury to self</p> <p>05 <input type="checkbox"/> Accidental injury caused by others</p> <p>06 <input type="checkbox"/> Alcohol/drug intoxication</p> <p>07 <input type="checkbox"/> Illness/natural causes — Specify illness/cause</p> <p>08 <input checked="" type="checkbox"/> Other — Specify</p> <p><u>pending grand jury</u></p> <p>10. What was the medical cause of death?</p> <p><u>gunshot wound</u></p> <p>11. Had charges been filed against the deceased at the time of death?</p> <p>01 <input type="checkbox"/> Yes</p> <p>02 <input checked="" type="checkbox"/> No — charges not filed, but intended</p> <p>03 <input type="checkbox"/> No — probation/parole revocation</p> <p>12. What were the most serious offenses with which the deceased was being charged at the time of death?</p> <p>a. _____</p> <p>b. <u>carjacking</u></p> <p>c. _____</p>
---	---

10/13/05
J

Shot by Willie Stroud

As per
files
Demeter

Name of deceased Kolden

13. What were the circumstances surrounding the death?

- 01 Death, or actions causing the death, occurred prior to booking — Complete Section A
- 02 Death occurred at time of booking or later — Complete Section B

Section A: Deaths Prior to Booking

A1. Did the deceased die from a medical condition or from injuries sustained at the crime/arrest scene?

- 01 Medical condition only (e.g., heart attack)
- 02 Injuries only
- 03 Both medical condition and injuries
- 08 Don't know

A2. If injured at the crime/arrest scene, how were these injuries sustained? — Mark (x) all that apply

- 01 Inflicted by law enforcement officers present
- 02 Inflicted by others at crime/arrest scene
- 03 Self-inflicted — Accidental
- 04 Self-inflicted — Suicide
- 08 Don't know
- 09 Not applicable

A3. Was the deceased under restraint in the time leading up to the death or the events causing the death?

- 01 Yes — Mark (x) if any restraint devices were used
 - 01 Handcuffs
 - 02 Leg shackles
 - 03 Other device — Specify

- 02 No
- 08 Don't know

A4. At any time during the arrest/incident, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Threaten the officer(s) involved?
- 03 Resist being handcuffed or arrested?
- 04 Try to escape/flee from custody?
- 05 Grab, hit or fight with the officer(s) involved?
- 06 Use a weapon to threaten or assault the officer(s)? — Specify weapon used

07 Other — Specify

08 None of the above

A5. What type of weapon(s) caused the death? — Mark (x) all that apply

- 01 Handgun
- 02 Rifle/shotgun
- 03 Nightstick or baton
- 04 Stun gun or tazer
- 05 Other weapon — Specify

06 None

A6. Where did the deceased die?

- 01 At the crime/arrest scene
- 02 At medical facility
- 03 En route to medical facility
- 04 En route to booking center/police lockup
- 05 Elsewhere — Specify

08 Don't know

Form complete.

Section B: Deaths After Booking

B1. What was the time and date of the deceased's entry into the law enforcement facility where the death occurred?

___:___ AM PM Month ___ Day ___, 2003

B2. At the time of entry into the facility, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Exhibit any mental health problems?
- 03 Exhibit any medical problems?
- 04 None of the above

B3. If death was an accident or homicide, who caused the death?

- 01 Deceased
- 02 Other detainees
- 03 Law enforcement/correctional staff
- 04 Other persons — Specify

08 Don't know

09 Not applicable; cause of death was suicide, intoxication or illness/natural causes

B4. If death was an accident, homicide or suicide, what was the means of death?

- 01 Firearm
- 02 Blunt instrument
- 03 Knife, cutting instrument
- 04 Hanging, strangulation
- 05 Drug overdose
- 06 Other — Specify

08 Don't know

09 Not applicable; cause of death was intoxication or illness/natural causes

Form complete

581-05

CJ-11A ADDENDUM

OMB No.1121-0249 Approval Expires 4/30/2006

RETURN TO	New Jersey Division of Criminal Justice Research & Evaluation PO Box 085 Trenton, NJ 08625 Fax: (609) 984-7237	FORM CJ-11A (4-11-2003)	DEATHS IN CUSTODY, 2003 — LAW ENFORCEMENT CUSTODIAL DEATH REPORT
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State NJ

Reporting Period (Mark only one.)

Quarter 1 (January 1 — March 31)

Quarter 2 (April 1 — June 30)

Quarter 3 (July 1 — September 30)

Quarter 4 (October 1 — December 31)

Death Number 3
out of period total of 8
as reported on form CJ-11

<p>1. What was the name of the deceased?</p> <p>Last First Middle Initial</p> <p><u>Jacobs</u> <u>Al Favig</u> _____</p> <p>2. What was the time and date of the death?</p> <p><u>11:15</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM Month <u>12</u> Day <u>16</u>, 2005</p> <p>3. Where did the event causing the death occur?</p> <p>Street address <u>43 Wilson Place</u></p> <p>City <u>Bellville</u></p> <p>4. What law enforcement agency was involved?</p> <p>ORI Number <u>NJ 00710</u></p> <p>Name <u>Bellville Police Dept.</u></p> <p>5. What was the deceased's date of birth?</p> <p>Month <u>5</u> Day <u>19</u> Year <u>1963</u></p> <p>6. What was the deceased's gender?</p> <p>01 <input checked="" type="checkbox"/> Male</p> <p>02 <input type="checkbox"/> Female</p> <p>7. What was the deceased's race/ethnic origin?</p> <p>01 <input type="checkbox"/> White, not of Hispanic origin</p> <p>02 <input checked="" type="checkbox"/> Black or African American, not of Hispanic origin</p> <p>03 <input type="checkbox"/> Hispanic or Latino</p> <p>04 <input type="checkbox"/> American Indian/Alaska Native</p> <p>05 <input type="checkbox"/> Asian</p> <p>06 <input type="checkbox"/> Native Hawaiian or Other Pacific Islander</p> <p>07 <input type="checkbox"/> Additional racial category in your information system — Specify _____</p>	<p>8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?</p> <p>01 <input type="checkbox"/> Yes, results are available</p> <p>02 <input checked="" type="checkbox"/> Yes, results pending</p> <p>03 <input type="checkbox"/> No, evaluation pending</p> <p>04 <input type="checkbox"/> No, evaluation not planned</p> <p>9. What was the manner of death?</p> <p>01 <input type="checkbox"/> Justifiable homicide</p> <p>02 <input type="checkbox"/> Other homicide</p> <p>03 <input type="checkbox"/> Suicide</p> <p>04 <input type="checkbox"/> Accidental injury to self</p> <p>05 <input type="checkbox"/> Accidental injury caused by others</p> <p>06 <input type="checkbox"/> Alcohol/drug intoxication</p> <p>07 <input type="checkbox"/> Illness/natural causes — Specify illness/cause _____</p> <p>08 <input checked="" type="checkbox"/> Other — Specify <u>pending Toxicology</u></p> <p>10. What was the medical cause of death?</p> <p><u>pending Toxicology</u></p> <p>11. Had charges been filed against the deceased at the time of death?</p> <p>01 <input type="checkbox"/> Yes</p> <p>02 <input checked="" type="checkbox"/> No — charges not filed, but intended</p> <p>03 <input type="checkbox"/> No — probation/parole revocation</p> <p>12. What were the most serious offenses with which the deceased was being charged at the time of death?</p> <p>a. <u>assault</u></p> <p>b. <u>attempted burglary</u></p> <p>c. _____</p>
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"arrested" for attacking his neighbor (assaulted 2-1 & trying to burglarize their apartment)

Name of deceased Jacobs

13. What were the circumstances surrounding the death?

- 01 Death, or actions causing the death, occurred prior to booking — Complete Section A
- 02 Death occurred at time of booking or later — Complete Section B

Section A: Deaths Prior to Booking

A1. Did the deceased die from a medical condition or from injuries sustained at the crime/arrest scene?

- 01 Medical condition only (e.g., heart attack)
- 02 Injuries only
- 03 Both medical condition and injuries
- 08 Don't know

A2. If injured at the crime/arrest scene, how were these injuries sustained? — Mark (x) all that apply

- 01 Inflicted by law enforcement officers present
- 02 Inflicted by others at crime/arrest scene
- 03 Self-inflicted — Accidental
- 04 Self-inflicted — Suicide
- 08 Don't know
- 09 Not applicable

A3. Was the deceased under restraint in the time leading up to the death or the events causing the death?

- 01 Yes — Mark (x) if any restraint devices were used
 - 01 Handcuffs
 - 02 Leg shackles
 - 03 Other device — Specify

- 02 No
- 08 Don't know

A4. At any time during the arrest/incident, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Threaten the officer(s) involved?
- 03 Resist being handcuffed or arrested?
- 04 Try to escape/flee from custody?
- 05 Grab, hit or fight with the officer(s) involved?
- 06 Use a weapon to threaten or assault the officer(s)? — Specify weapon used

IRM, five extinguisher

- 07 Other — Specify
- 08 None of the above

A5. What type of weapon(s) caused the death? — Mark (x) all that apply

- 01 Handgun
- 02 Rifle/shotgun
- 03 Nightstick or baton
- 04 Stun gun or tazer
- 05 Other weapon — Specify

- 06 None
- don't know

A6. Where did the deceased die?

- 01 At the crime/arrest scene
- 02 At medical facility
- 03 En route to medical facility
- 04 En route to booking center/police lockup
- 05 Elsewhere — Specify

- 08 Don't know

Form complete.

Section B: Deaths After Booking

B1. What was the time and date of the deceased's entry into the law enforcement facility where the death occurred?

___:___ AM PM Month ___ Day ___, 2003

B2. At the time of entry into the facility, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Exhibit any mental health problems?
- 03 Exhibit any medical problems?
- 04 None of the above

B3. If death was an accident or homicide, who caused the death?

- 01 Deceased
- 02 Other detainees
- 03 Law enforcement/correctional staff
- 04 Other persons — Specify

- 08 Don't know
- 09 Not applicable; cause of death was suicide, intoxication or illness/natural causes

B4. If death was an accident, homicide or suicide, what was the means of death?


- 01 Firearm
- 02 Blunt instrument
- 03 Knife, cutting instrument
- 04 Hanging, strangulation
- 05 Drug overdose
- 06 Other — Specify

- 08 Don't know
- 09 Not applicable; cause of death was intoxication or illness/natural causes

Form complete

CJ-11A ADDENDUM

OMB No. 1121-0249 Approval Expires 4/30/2006

RETURN TO	New Jersey Division of Criminal Justice Research & Evaluation PO Box 085 Trenton, NJ 08625 Fax: (609) 984-7237	FORM CJ-11A (4-11-2003)	DEATHS IN CUSTODY, 2003 — LAW ENFORCEMENT CUSTODIAL DEATH REPORT	
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State NJ

Reporting Period (Mark only one.)

Quarter 1 (January 1 — March 31)

Quarter 2 (April 1 — June 30)

Quarter 3 (July 1 — September 30)

Quarter 4 (October 1 — December 31)

Death Number 4
out of period total of 8
as reported on form CJ-11

<p>1. What was the name of the deceased?</p> <p>Last First Middle Initial <u>Rodriguez Irving J</u></p> <p>2. What was the time and date of the death?</p> <p><u>12:58</u> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM Month <u>12</u> Day <u>18</u>, 200<u>5</u></p> <p>3. Where did the event causing the death occur?</p> <p>Street address <u>N. 12th St + 6th Ave</u> City <u>NEWARK</u></p> <p>4. What law enforcement agency was involved?</p> <p>ORI Number <u>NJ 00714</u> Name <u>NEWARK Police Dept.</u></p> <p>5. What was the deceased's date of birth?</p> <p>Month <u>8</u> Day <u>22</u> Year <u>73</u></p> <p>6. What was the deceased's gender?</p> <p>01 <input checked="" type="checkbox"/> Male 02 <input type="checkbox"/> Female</p> <p>7. What was the deceased's race/ethnic origin?</p> <p>01 <input type="checkbox"/> White, not of Hispanic origin 02 <input type="checkbox"/> Black or African American, not of Hispanic origin 03 <input checked="" type="checkbox"/> Hispanic or Latino 04 <input type="checkbox"/> American Indian/Alaska Native 05 <input type="checkbox"/> Asian 06 <input type="checkbox"/> Native Hawaiian or Other Pacific Islander 07 <input type="checkbox"/> Additional racial category in your information system — Specify _____</p>	<p>8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?</p> <p>01 <input checked="" type="checkbox"/> Yes, results are available 02 <input type="checkbox"/> Yes, results pending 03 <input type="checkbox"/> No, evaluation pending 04 <input type="checkbox"/> No, evaluation not planned</p> <p>9. What was the manner of death?</p> <p>01 <input checked="" type="checkbox"/> Justifiable homicide 02 <input type="checkbox"/> Other homicide 03 <input type="checkbox"/> Suicide 04 <input type="checkbox"/> Accidental injury to self 05 <input type="checkbox"/> Accidental injury caused by others 06 <input type="checkbox"/> Alcohol/drug intoxication 07 <input type="checkbox"/> Illness/natural causes — Specify illness/cause _____ 08 <input checked="" type="checkbox"/> Other — Specify <u>pending grand jury</u></p> <p>10. What was the medical cause of death?</p> <p><u>multiple gun shot wounds</u></p> <p>11. Had charges been filed against the deceased at the time of death?</p> <p>01 <input type="checkbox"/> Yes 02 <input checked="" type="checkbox"/> No — charges not filed, but intended 03 <input type="checkbox"/> No — probation/parole revocation</p> <p>12. What were the most serious offenses with which the deceased was being charged at the time of death?</p> <p>a. <u>weapons offense</u> b. <u>robbery</u> c. _____</p>
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pulled gun on off-duty officer + attempted to rob

off Kevin Sanders

Name of deceased Rodriguez

13. What were the circumstances surrounding the death?

- 01 Death, or actions causing the death, occurred prior to booking — Complete Section A
- 02 Death occurred at time of booking or later — Complete Section B

Section A: Deaths Prior to Booking

A1. Did the deceased die from a medical condition or from injuries sustained at the crime/arrest scene?

- 01 Medical condition only (e.g., heart attack)
- 02 Injuries only
- 03 Both medical condition and injuries
- 08 Don't know

A2. If injured at the crime/arrest scene, how were these injuries sustained? — Mark (x) all that apply

- 01 Inflicted by law enforcement officers present
- 02 Inflicted by others at crime/arrest scene
- 03 Self-inflicted — Accidental
- 04 Self-inflicted — Suicide
- 08 Don't know
- 09 Not applicable

A3. Was the deceased under restraint in the time leading up to the death or the events causing the death?

- 01 Yes — Mark (x) if any restraint devices were used
 - 01 Handcuffs
 - 02 Leg shackles
 - 03 Other device — Specify

- 02 No
- 08 Don't know

A4. At any time during the arrest/incident, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Threaten the officer(s) involved?
- 03 Resist being handcuffed or arrested?
- 04 Try to escape/flee from custody?
- 05 Grab, hit or fight with the officer(s) involved?
- 06 Use a weapon to threaten or assault the officer(s)? — Specify weapon used

silver handgun

- 07 Other — Specify

- 08 None of the above

A5. What type of weapon(s) caused the death? — Mark (x) all that apply

- 01 Handgun
- 03 Nightstick or baton
- 02 Rifle/shotgun
- 04 Stun gun or tazer
- 05 Other weapon — Specify

- 06 None

A6. Where did the deceased die?

- 01 At the crime/arrest scene
- 02 At medical facility
- 03 En route to medical facility
- 04 En route to booking center/police lockup
- 05 Elsewhere — Specify

- 08 Don't know

Form complete.

Section B: Deaths After Booking

B1. What was the time and date of the deceased's entry into the law enforcement facility where the death occurred?

___:___ AM PM Month ___ Day ___, 2003

B2. At the time of entry into the facility, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Exhibit any mental health problems?
- 03 Exhibit any medical problems?
- 04 None of the above

B3. If death was an accident or homicide, who caused the death?

- 01 Deceased
- 02 Other detainees
- 03 Law enforcement/correctional staff
- 04 Other persons — Specify

- 08 Don't know

- 09 Not applicable; cause of death was suicide, intoxication or illness/natural causes

B4. If death was an accident, homicide or suicide, what was the means of death?

- 01 Firearm
- 02 Blunt instrument
- 03 Knife, cutting instrument
- 04 Hanging, strangulation
- 05 Drug overdose
- 06 Other — Specify

- 08 Don't know

- 09 Not applicable; cause of death was intoxication or illness/natural causes

Form complete

CJ-11A ADDENDUM

RETURN TO: NJ Division of Criminal Justice Research & Development P.O. Box 085 Trenton, NJ 08625 Fax 609.984.7237 (See form CJ-11 for a national listing, or call the Bureau of Justice Statistics at 202-307-0765.)

FORM CJ-11A (11-9-2004)

DEATHS IN CUSTODY, 2005 - LAW ENFORCEMENT CUSTODIAL DEATH REPORT



State NJ

- Reporting Period (Mark only one.)
Quarter 1 (January 1 - March 31)
Quarter 2 (April 1 - June 30)
Quarter 3 (July 1 - September 30)
Quarter 4 (October 1 - December 31)

Death Number 5 out of period total of 8 as reported on form CJ-11

1. What was the name of the deceased? Last: HOWN, First: FERRILL, Middle Initial:

2. What was the time and date of the death? 1:30 PM, Month 12, Day 8, 2005

3. Where did the event causing the death occur? Street address: 705 Frelighaven Ave, City: Newark

4. What law enforcement agency was involved? ORI Number: NJ 00714, Name: Newark Police Dept.

5. What was the deceased's date of birth? 5/30/45

6. What was the deceased's gender? 01 Male, 02 Female

7. What was the deceased's race/ethnic origin? 01 White, not of Hispanic origin; 02 Black or African American, not of Hispanic origin; 03 Hispanic or Latino; 04 American Indian/Alaska Native; 05 Asian; 06 Native Hawaiian or Other Pacific Islander; 07 Additional racial category in your information system - Specify

8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death? 01 Yes, results are available; 02 Yes, results pending; 03 No, evaluation pending; 04 No, evaluation not planned

9. What was the manner of death? 01 Justifiable homicide; 02 Other homicide; 03 Suicide; 04 Accidental injury to self; 05 Accidental injury caused by others; 06 Alcohol/drug intoxication; 07 Illness/natural causes - Specify illness/cause; 08 Other - Specify see below

10. What was the medical cause of death? CARDIAC ARREST following RESTRAINT for COCAINE induced acute delirium

11. Had charges been filed against the deceased at the time of death? 01 Yes; 02 No - charges not filed, but intended; 03 No - probation/parole revocation

12. What were the most serious offenses with which the deceased was being charged at the time of death? a. disorderly persons; b. screaming out at Market; c. acting irrational

Burden Statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 60 minutes per response including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, N.W., Washington, DC 20531.

Name of deceased HOOVER

13. What were the circumstances surrounding the death?

- 01 Death, or actions causing the death, occurred prior to booking — Complete Section A
- 02 Death occurred at time of booking or later — Complete Section B

A1. Did the deceased die from a medical condition or from injuries sustained at the crime/arrest scene?

- 01 Medical condition only (e.g., heart attack)
- 02 Injuries only
- 03 Both medical condition and injuries
- 04 Don't know

A2. If injured at the crime/arrest scene, how were these injuries sustained? — Mark (x) all that apply

- 01 Inflicted by law enforcement officers present
- 02 Inflicted by others at crime/arrest scene
- 03 Self-inflicted — Accidental
- 04 Self-inflicted — Suicide
- 08 Don't know
- 09 Not applicable

A3. Was the deceased under restraint in the time leading up to the death or the events causing the death?

- 01 Yes — Mark (x) if any restraint devices were used
 - 01 Handcuffs
 - 02 Leg shackles
 - 03 Other device — Specify

- 02 No
- 08 Don't know

A4. At any time during the arrest/incident, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Threaten the officer(s) involved?
- 03 Resist being handcuffed or arrested?
- 04 Try to escape/flee from custody?
- 05 Grab, hit or fight with the officer(s) involved?
- 06 Use a weapon to threaten or assault the officer(s)? — Specify weapon used

- 07 Other — Specify exhibit mental health problems
- 08 None of the above

A5. What type of weapon(s) caused the death? — Mark (x) all that apply

- 01 Handgun
- 02 Rifle/shotgun
- 03 Nightstick or baton
- 04 Stun gun or tazer
- 05 Other weapon — Specify
- 06 None

A6. Where did the deceased die?

- 01 At the crime/arrest scene
- 02 At medical facility
- 03 En route to medical facility
- 04 En route to booking center/police lockup
- 05 Elsewhere — Specify
- 08 Don't know

Form complete.

B1. What was the time and date of the deceased's entry into the law enforcement facility where the death occurred?

___:___ AM/PM Month ___ Day ___, 2005

B2. At the time of entry into the facility, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Exhibit any mental health problems?
- 03 Exhibit any medical problems?
- 04 None of the above

B3. If death was an accident or homicide, who caused the death?

- 01 Deceased
- 02 Other detainees
- 03 Law enforcement/correctional staff
- 04 Other persons — Specify

- 08 Don't know
- 09 Not applicable; cause of death was suicide, intoxication or illness/natural causes

B4. If death was an accident, homicide or suicide, what was the means of death?

- 01 Firearm
- 02 Blunt instrument
- 03 Knife, cutting instrument
- 04 Hanging, strangulation
- 05 Drug overdose
- 06 Other — Specify

- 08 Don't know
- 09 Not applicable; cause of death was intoxication or illness/natural causes

Form complete

RETURN TO: State Deaths in Custody reporting coordinator

(See form CJ-11 for a national listing, or call the Bureau of Justice Statistics at 202-307-0765.)

FORM CJ-11A (11-30-2006)

DEATHS IN CUSTODY, 2007

2005



LAW ENFORCEMENT CUSTODIAL DEATH REPORT

State NJ

Reporting Period (Mark only one.)

- Quarter 1 (January 1 - March 31)
Quarter 2 (April 1 - June 30)
Quarter 3 (July 1 - September 30)
Quarter 4 (October 1 - December 31)

Death number 8 out of period total of 9 as reported on form CJ-11

1. What was the name of the deceased?

Last Church First Kalice Middle initial

2. What was the time and date of death?

time estimate 18:30 AM PM Month 11 Day 12th 2005

3. Where did the event causing the death occur?

Street address Franklin Street City, State, Zip Trenton, NJ 08611

4. What law enforcement agency was involved?

ORI Number NJ 0110300 Name Hamilton Township

5. What was the deceased's date of birth?

Month 11 Day 26 Year 1973

6. What was the deceased's gender?

- 01 Male
02 Female

7. What was the deceased's race/ethnic origin?

- 01 White, not of Hispanic origin
02 Black, or African American, not of Hispanic origin
03 Hispanic or Latino
04 American/Indian/Alaska Native, not of Hispanic origin
05 Asian, not of Hispanic origin
06 Native Hawaiian or Other Pacific Islander, not of Hispanic origin
07 Additional racial category in your information system - Specify

8. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?

- 01 Yes, results are available
02 Yes, results pending - Skip to item 11.
03 No, evaluation pending - Skip to item 11.
04 No, evaluation not planned

9. What was the manner of death?

- 01 Justifiable homicide
02 Other homicide
03 Suicide
04 Accidental injury to self
05 Accidental injury caused by others
06 Alcohol/drug intoxication
07 Illness/natural causes - Specify illness/cause
08 Other - Specify

10. What was the medical cause of death?

gsw to head - fatal 3 other gsws

11. Had charges been filed against the deceased at the time of death?

- 01 Yes
02 No - charges not filed, but intended
03 No - probation/parole revocation

12. What were the most serious offenses with which the deceased was being charged at the time of death?

- a. theft - stolen mv
b. weapons
c. Double violation - pulled resisting arrest over file

Burden Statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 5 minutes per response, including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, N.W., Washington, DC 20531.

Name of deceased Church

13. What were the circumstances surrounding the death?

- 01 Death, or actions causing the death, occurred prior to booking — Complete Section A
- 02 Death occurred at time of booking or later — Complete Section B

A1. Did the deceased die from a medical condition or from injuries sustained at the crime/arrest scene?

- 01 Medical condition only (e.g., heart attack)
- 02 Injuries only
- 03 Both medical condition and injuries
- 08 Don't know

A2. If injured at the crime/arrest scene, how were these injuries sustained? — Mark (x) all that apply

- 01 Inflicted by law enforcement officers present
- 02 Inflicted by others at crime/arrest scene
- 03 Self-inflicted — Accidental
- 04 Self-inflicted — Suicide
- 08 Don't know
- 09 Not applicable

A3. Was the deceased under restraint in the time leading up to the death or the events causing the death?

- 01 Yes — Mark (x) if any restraint devices were used
 - 01 Handcuffs
 - 02 Leg shackles
 - 03 Conducted energy device (e.g., taser, stun-gun)
 - 04 Other device — Specify

- 02 No
- 08 Don't know

A4. At any time during the arrest/incident, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Threaten the officer(s) involved?
- 03 Resist being handcuffed or arrested?
- 04 Try to escape/flee from custody?
- 05 Grab, hit or fight with the officer(s) involved?
- 06 Use a weapon to threaten or assault the officer(s)? — Specify weapon used

07 Other — Specify gun - shot one officer

08 None of the above

A5. What type of weapon(s) caused the death? — Mark (x) all that apply

- 01 Handgun
- 02 Rifle/shotgun
- 03 Nightstick or baton
- 04 Other weapon — Specify

05 None

A6. Where did the deceased die?

- 01 At the crime/arrest scene
- 02 At medical facility
- 03 En route to medical facility
- 04 En route to booking center/police lockup
- 05 Elsewhere — Specify weapon used
- 08 Don't know

Form complete

B1. What was the time and date of the deceased's entry into the law enforcement facility where the death occurred?

: AM PM Month _____ Day _____, 2007

B2. At the time of entry into the facility, did the deceased — Mark (x) all that apply

- 01 Appear intoxicated (either alcohol or drugs)?
- 02 Exhibit any mental health problems?
- 03 Exhibit any medical problems?
- 04 None of the above

B3. If death was an accident or homicide, who caused the death?

- 01 Deceased
- 02 Other detainees
- 03 Law enforcement/correctional staff
- 04 Other persons — Specify

08 Don't know

09 Not applicable; cause of death was suicide, intoxication or illness/natural causes

B4. If death was an accident, homicide or suicide, what was the means of death?

- 01 Firearm
- 02 Blunt instrument
- 03 Knife, cutting instrument
- 04 Hanging, strangulation
- 05 Drug overdose
- 06 Other — Specify

08 None of the above

09 Not applicable; cause of death was suicide, intoxication or illness/natural causes

Form complete

**AUTHORITY
 ALTERNATE CARE FOR ARRESTEE'S DEPENDENTS
 VOL. VII, CH. 16**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 5/1/2001	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 3					CHAPTER 16
ACCREDITATION STANDARD(S):	REFERENCE: V7C16					
SUBJECT: ALTERNATE CARE FOR ARRESTEE'S DEPENDENTS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY

The purpose of this policy 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.

The Borough of Fort Lee Police 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 municipal, county and state agencies 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.

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.

AUTHORITY
ALTERNATE CARE FOR ARRESTEE'S DEPENDENTS
VOL. VII, CH. 16

PROCEDURE

I. CUSTODIAL ARRESTS

- A. 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:
1. 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.
 2. 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 or in a separate vehicle as required by the circumstances. Transportation of the dependent person will be conducted in accordance with department policy concerning the transportation of non-police personnel in department vehicles.
 3. 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 department shall be assigned to make the necessary notifications.
 4. If the arrestee is unable to arrange for the alternate care for the dependents, the shift supervisor or arresting officer shall notify the appropriate municipal, county or state agency 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.
 5. When the arrestee has dependents requiring their care, a record is to be made indicating the arrangements made for the care of those dependents. The record shall contain, at a minimum, the person or agency taking charge of the dependent, the name of the agency's representative and a phone number, and information as to how the arrestee can regain custody of the dependent child or person when released from custody.
 6. 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. 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.
1. 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

AUTHORITY
ALTERNATE CARE FOR ARRESTEE'S DEPENDENTS
VOL. VII, CH. 16

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 department shall be assigned to make the necessary notifications.

2. If the arrestee is unable to arrange for the alternate care for the dependents, the shift supervisor or arresting officer shall notify the appropriate municipal, county or state agency 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.
3. When the arrestee has dependents requiring their care, a record is to be made indicating the arrangements made for the care of those dependents. The record shall contain, at a minimum, the person or agency taking charge of the dependent, the name of the agency's representative and a telephone number, and information as to how the arrestee can regain custody of the dependent child or person when released from custody.
4. 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.

II. REPORTING

- A. The Alternate Care Form shall be completed in the following situations.
(See Appendix #1 Alternate Care Form)
 1. Detainment of arrestee for more than two hours.
 2. Confinement to a County Jail.
 3. This form is not to be completed if the arrestee makes custody care arrangements with a third party.
- B. A copy of the form shall be provided to the arrestee upon completion of post-arrest procedures.
 1. The officer providing the arrestee with a copy of their form shall sign and date the form.
 2. The arrestee shall be asked to sign and date the form. If they refuse it shall be noted in the space provided.

**SERVICE
ANIMAL CALLS AND SERVICES
VOL X CH 1**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-23-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME X
VOLUME TITLE: SERVICE	# PAGES: 4					CHAPTER 1
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: ANIMAL CALLS AND SERVICE						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
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PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

There are many situations when the police department must respond to wildlife complaints. Complaints of this nature are of a wide variety. It is important that the officer responding have a thorough understanding of the department's responsibility and what alternatives are available to resolve the situation at hand. Officer safety and the safety of the public are paramount. All complaints must be handled cautiously and expeditiously. This policy doesn't encompass dog control or dog calls. Refer to the dog control policy, **Vol. X, Ch. #2.**

PROCEDURE:

I. ANIMAL AND WILDLIFE CALLS

- A. Any requests for assistance shall be recorded on an investigation Report.
- B. When a call is received about an animal complaint the patrol officer will respond and render the necessary service.
 - 1. If it is necessary to destroy a wild animal, the patrol may do so, provided that it is accomplished in a safe manner.
 - 2. No domesticated animal shall be destroyed by the patrol officer, Unless the animal is seriously injured and needs to be put out of its misery.

**SERVICE
ANIMAL CALLS AND SERVICES
VOL X CH 1**

- a. Owner is responsible for injured animals, officers responding should:
 - (1). Attempt to contact the owner of the animal.
 - (2). If owner is contacted the animal may be destroyed by the officer if deemed necessary by the owner and the officer.
 - (3). Such destruction will be undertaken as efficiently and humanely as possible.
 - (4). Under no circumstances will the reckless or negligent police action in the destruction of the animal be tolerated.
 - (5). All actions taken will be documented.
 - (6). If owner cannot be contacted and it is necessary to destroy the animal, all proper documentation should be completed.

- C. Animal control will be responsible to pick up all dead dogs, cats and wildlife.
 - 1.. If an animal is on the roadway, the officer should, if possible, move it to the side of the roadway.
 - 2. Communications will notify the Animal control every morning of any animals to be picked up.

- D. All personnel should adhere to the procedures outlined in Title 23: Fish Game and Wildlife Laws of New Jersey and Title 4:22 SPCA regulations (Copy of title 23 and Title 4:22 are located at the Police Desk), where violations may exist.

If there are any questions as to jurisdiction on dead animals, or violations of Titles 23 and 4:22, one of the agencies listed below may be contacted.

- 1. On State Highways, State Department of Transportation will pick up all animals except deer.
 - a. Bergen County D.O.T. will not pick up any dead animals.
- 2. Department of Environmental Protection Agency
 - a. Wildlife Management Area (working hours)
1-908-735-8793 - **Dead deer pickup.**
 - b. D.E.P. ACTION LINE (evening hours - weekends and holidays)
1-609-292-9400. If there is a problem with an endangered species or a problem with any wild animal, then this agency may be called upon for assistance.

**SERVICE
ANIMAL CALLS AND SERVICES
VOL X CH 1**

3. Animal control
 - a. This agency should be notified of all cases of animal cruelty, injured animals, stray animals and dead animals. All laws governing cruelty can be found under N.J.S.A. Title 4, Section 22.
 - b. Will not pick up animals unless tied or under lock.
 - (1) If there is a bite involved they will assist in capturing the animal.
4. NEW JERSEY FISH AND GAME – **908-735-8793**
 - a. This agency may be notified for all hunting law violations and any injured wild animal complaints.
 - b. Any nuisance complaints may be directed to them.
5. HUNTING LAWS
 - a. All hunting laws can be found under N.J.S.A. Title 23.

II. ROAD KILLED DEER AND ENFORCEMENT OF N.J. HUNTING LAWS

- A. Effective immediately, all personnel will adhere to the procedures that are outlined.
 1. The Police Department is authorized by State Statute to grant removal of road killed deer to any person or agency that wishes to take possession of road killed deer provided:
 - a. The permit to possess accidentally killed deer is prepared by the investigating officer (Permit books are available at the Police Desk).
 - b. The permit must be signed by the person receiving the deer.
 - c. The permit is to be issued as follows:
 - (1) White copy: Must be issued to the person who has signed the permittee section of the permit.
 - (2) Yellow copy: Is to be forwarded to records and processed by the records clerk and sent to the New Jersey Department of Fish and Game every quarter.
 - (3) Pink copy: Is to be retained by the police department and filed in the Road Killed Deer Permit File. This file shall contain the following information:

**SERVICE
ANIMAL CALLS AND SERVICES
VOL X CH 1**

- (a. Copy of the Investigation Report Form.
 - (b. Pink copy of permit.
 - (c. Copy of all prepared reports, i.e. accident report, investigation report, etc.
2. If for some reason the person who has hit the deer doesn't wish to take possession, the deer may be released to a fire company, first aid squad, or to anyone who wishes to take possession, but the permit must be filed out at all times.

B. NEW JERSEY HUNTING LAWS

1. All officers should be aware that they have the power to enforce all Fish and Game Laws. If any violation is brought to their attention and a complaint is going to be assigned, they can either sign the complaint or contact the Game Warden and he will sign the complaint.

III. LEG HOLD TRAPS

- A. Effective October 27, 1985, leg hold traps are outlawed in New Jersey.
- B. No person shall:
 1. Manufacture steel jaw leg hold traps.
 2. Sell steel jaw leg hold traps.
 3. Offer for sale steel jaw leg hold traps.
 4. Possess steel jaw leg hold traps.
 5. Import or transport an animal trap of the steel jaw leg hold.
- C. Any person may avoid prosecution by surrendering steel hold traps to:
 1. Law enforcement officer.
 2. If a trap is surrendered, a property report is to be completed and a notation made in the narrative portion that states the person has voluntarily surrendered the trap to the police department for disposal.

**AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-08-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME #VII
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ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: ARREST OF FOREIGN NATIONALS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:			Special Instructions			
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REFERENCE:						

PURPOSE:

To provide a guideline for officers who may, in the performance of their official functions, have contact with a foreign national in a situation triggering a requirement to notify the foreign national's consular officials.

POLICY:

Officers of this department should follow the below set of procedures when dealing with foreign nationals.

This policy will include:

- Summary of Requirements Pertaining to Foreign Nationals
- Steps To Follow When a Foreign National Is Arrested or Detained
- Mandatory Notification Countries and Jurisdictions

**AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1**

I. Summary of Requirements Pertaining to Foreign Nationals

- A. When foreign nationals are arrested or detained, they must be advised of the right to have their consular officials notified.
 - 1. In some cases, the nearest consular officials *must* be notified of the arrest or detention of a foreign national, **regardless of the national's wishes**.
 - 2. Consular officials are entitled to access to their nationals in detention, and are entitled to provide consular assistance.
- B. When a government official becomes aware of the death of a foreign national, consular officials must be notified.
- C. When a guardianship or trusteeship is being considered with respect to a foreign national who is a minor or incompetent, consular officials must be notified.
- D. When a foreign ship or aircraft wrecks or crashes, consular officials must be notified.

These are mutual obligations that also pertain to American citizens abroad. In general, you should treat a foreign national as you would want an American citizen to be treated in a similar situation in a foreign country. This means prompt, courteous notification to the foreign national of the possibility of consular assistance, and prompt, courteous notification to the foreign national's nearest consular officials so that they can provide whatever consular services they deem appropriate.

II. Steps to Follow When a Foreign National is Arrested or Detained

- A. Determine the foreign national's country. In the absence of other information, assume this is the country on whose passport or other travel document the foreign national travels.
- B. If the foreign national's country is **not** on the mandatory notification list:
 - 1. Offer, without delay, to notify the foreign national's consular officials of the arrest/detention.
- C. If the foreign national asks that consular notification be given, notify the nearest consular officials of the foreign national's country without delay.
- D. If the foreign national's country is on the list of mandatory notification countries:

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

1. Notify that country's nearest consular officials, without delay, of the arrest/detention. Tell the foreign national that you are making this notification.

2. Keep a written record of the provision of notification and actions taken.

Mandatory Notification Countries and Jurisdictions

Antigua and Barbuda	Malta
Armenia	Mauritius
Azerbaijan	Moldova
Bahamas, The	Mongolia
Barbados	Nigeria
Belarus	Philippines
Belize	Poland (non-permanent residents only)
Brunei	Romania
Bulgaria	Russia
China ¹	Saint Kitts and Nevis
Costa Rica	Saint Lucia
Cyprus	Saint Vincent and the Grenadines
Czech Republic	Seychelles
Dominica	Sierra Leone
Fiji	Singapore
Gambia, The	Slovakia
Georgia	Tajikistan
Ghana	Tanzania
Grenada	Tonga
Guyana	Trinidad and Tobago
Hong Kong ²	Turkmenistan
Hungary	Tuvalu
Jamaica	Ukraine
Kazakhstan	United Kingdom ³
Kiribati	U.S.S.R. ⁴
Kuwait	Uzbekistan
Kyrgyzstan	Zambia
Malaysia	Zimbabwe

3. Notification is not mandatory in the case of persons who carry "Republic of China" passports issued by Taiwan.
 - a. Such persons should be informed without delay that the nearest office of the Taipei Economic and Cultural Representative Office ("TECRO"), the unofficial entity representing Taiwan's interests in the United States, can be notified at their request.

**AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-08-2002	REVISION DATE: 10-08-08	PAGE #: 5 12 20-21 2,3, 4,5,6, 9, 14,15	SECTION: I, I, 4 III, H, 11 VIII, A and B I.A.,1- 6.II.,D1,2,E, 2,G,3-4,I,4 III,V,D,3,F, 2 a,3 VI, A,3,c,C	APPROVED 01-14-2004 01-07-2009	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 23					CHAPTER 1
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SUBJECT: ARREST, SEARCH AND SEIZURE						DISTRIBUTION ALL
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CHIEF THOMAS O. RIPOLI						
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REFERENCE:						

PURPOSE:

To ensure that constitutional requirements are adhered to when arrests are made, warrants are applied for and searches are conducted. To assist police officers in effectively carrying out their duties in a manner consistent with the Constitution.

DISCUSSION:

The Constitution of the United States is of special importance to police officers because it directly regulates 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.

The Constitution, together with its amendments, is designed to strike a balance between the need 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 and property unless the government is able to show good reason for interfering with that privacy. Accordingly, the Fourth Amendment to the Constitution, which is applicable to the states by virtue of the Fourteenth Amendment, provides:

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

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.

POLICY:

It shall be this department's policy that arrests, searches and seizures conducted by officers adhere to constitutional requirements. Officers of this department should adhere to the procedures set forth in this policy when they are involved in arrests, searches and seizures.

PROCEDURE:

I. GENERAL

A. Arrests

1. An arrest may be defined as a substantial physical interference with the liberty of a person, resulting in apprehension and custodial detention. It is generally used for the purpose of preventing a person from committing a criminal offense, or calling upon a person to answer or account for an alleged completed crime or offense.
2. An actual arrest occurs when a law enforcement officer intentionally employs physical touching of a person and delivers a formal communication of a present intention to arrest.
3. A constructive arrest occurs without an intentional use of physical contact and without a formal statement indicating an intention to take a person into custody. The courts generally consider whether there has been a submission to the assertion of authority.
4. When an individual has been arrested they will be processed for that arrest and the appropriate documentation presented to the court without unnecessary delay. When appropriate, bail will be set and the individual provided a reasonable opportunity to arrange for the posting of bail.

Diplomatic and consular immunity from arrest is discussed in Volume XI, Chapter 9 and 9A.

5. Processing individuals under arrest will include fingerprinting and photographing, which are covered in Volume VII, Chapter 12 and Appendix A.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

6. Prisoner transportation procedures used will follow SOP: Volume VII, Chapter 9.

II. 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:
 1. The officer reasonably believes that person has committed a crime.
 2. The person committed, or attempted to commit any disorderly or petty disorderly offense in the officer's presence.
 3. The officer has a warrant for the person's arrest.
- B. A lawful arrest may be made with or without a warrant based on probable cause.
- C. A police officer may arrest without a warrant when he has "**probable cause**" to believe that the arrested person has committed a crime.
- D. A police officer may also arrest a person without a warrant when a disorderly persons offense or petty disorderly 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. Presence can also be defined when a person admits to committing the offense to the officer.
 2. Legislative exceptions to the "in-presence" requirement:
 - a. Drunk Driving, N.J.S. 39:5-25
 - b. Shoplifting, N.J.S. 2C:20-11e
 - c. Theft of Library Materials, N.J.S. 2C:20-14b
 - d. Domestic Violence, N.J.S. 2C:25-21
- E. 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 that can be articulated in the officer's report and/or testimony.
 3. One's experience as a police officer is a fact, which can be relied upon to support probable cause, provided it can be documented.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

4. The facts upon which the belief of guilt is based must have been known at the time of arrest.
 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.
- F. 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 to be arrested.
- G. 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 or citizen informants). Reports from citizen informants are differentiated from anonymous informants in that the citizen reports the information face to face with the officer. The citizen may be known to the police, but merely not identified. Citizen informants are considered more reliable than an anonymous informant (such as an untraceable telephone call.)
 4. Information received from anonymous sources is generally not sufficient cause to restrict a person's liberty without some corroboration of illegal activity. One exception is DWI where the Courts have ruled that a 9-1-1 call reporting an ongoing DWI vehicle can be treated in the same manner as the citizen informant.
 5. 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.
- H. As a general constitutional principle, a police officer must possess an arrest warrant if he is to make a legal arrest.
1. A warrant is based upon an affidavit or evidence presented stating sufficient facts to convince an impartial magistrate that "probable cause" exists.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

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 warrantless arrests is justified by the presence of exigent circumstances such as possible harm to others, or flight of the suspect.
- I. 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.

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 (see below), 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 open 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 premises 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 warrantless arrest, without knocking and announcing their presence.

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 commission of a crime. A forcible entry or subterfuge may be used to gain entry where it is refused.

A police officer while in "hot pursuit" of a person suspected of minor motor vehicle infractions or a disorderly persons or petty disorderly persons offense

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

may not make a warrantless entry into the suspect's home to effect an arrest. If an officer is in "hot pursuit" of a suspect who has a warrant issued for their arrest, but does not know the nature of the underlying charge may make the warrantless entry into the suspect's home.

"Hot Pursuit" alone is an **insufficient justification** for a warrantless entry into a person's home to effect an arrest absent exigent circumstances.

An officer may not make a custodial arrest for a routine Title 39 violation. Only a serious Title 39 violation, such as drunken driving or leaving the scene of an accident with serious injuries.

- J. Handcuffing a suspect during an investigative detention is acceptable in a limited number of cases.
1. Where the suspect is uncooperative or takes action at the scene that raises a reasonable probability of danger or flight.
 2. Where the police have information that, the suspect is currently armed.
 3. Where the stop closely follows a violent crime.
 4. Where the police have information that, a crime that may involve violence is about to occur.

In the absence of a continuing threat to officer or citizen safety, the handcuffs should be removed if the protective frisk uncovers no weapons.

Any incident where a suspect is handcuffed during an investigative detention should be documented.

III. REPORTING REQUIREMENTS

- A. All arrest incidents shall minimally require the following documentation:
1. Incident/investigation report (if required)
 2. Arrest Report
 3. Prisoner Property Report (if required)
 4. Strip Search Report (when performed)
 5. Evidence Report (if required)
 6. Any other documentation as listed on the required case jacket control sheet, which pertain to the arrest.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

IV. 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 person, property or other things in which he/she has a privacy 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 seizable items. (See Appendix 2).
- 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.
 - 2. It is insufficient if the place or person to be searched is specifically designated by the street address or the name of the person and/or the name of the occupants. More descriptive information is required.
 - 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.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

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, it is accepted police procedure to inspect the premises for the presence of anyone who may pose a danger both to the officers or to the integrity of the evidence to be seized.

- 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.
 1. The police shall knock and announce their presence before entering a dwelling to execute a search warrant.
 2. 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 search 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.
 - c. 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:
 - (1) If time permits, the police shall obtain judicial authorization for an unannounced entry; or
 - (2) If time does not permit to obtain judicial authorization, the ranking officer present shall make the decision and document the basis for

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

any unannounced entry in his/her police report which shall be made part of the case file.

3. The officer preparing the search warrant affidavit must submit his/her affidavit, including the basis for the unannounced entry to one of the designated Assistant Prosecutors for review before it is presented to the judge.

V. SEARCHES WITHOUT A WARRANT

- A. As a matter of constitutional law, searches without warrants are considered exceptions to the warrant requirement. Courts tend to be reluctant in sanctioning warrantless searches. Therefore, it is imperative that a police officer obtain a search warrant unless he is certain that one of the following exceptions exist.
- B. A search incident to an arrest immediately conducted after a valid arrest requires no additional justification. (For Search of Person, See **Vol. VII, Ch. 9**).
 1. Before placing an arrestee in the cell, he shall be searched.
 - a. Surgical gloves are to be worn as outlined in **Volume VII, Chapter 9**.
 - b. The cell should be checked for any contraband before placing the arrestee in the cell.

Note: This does not mean Strip Search, see **Volume VII, Chapter 21**.

- C. 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.
- D. 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 warrantless search of a suspect's house is not justified by the arrest of the defendant outside the house. This rule, however, has not been held applicable to situations where the suspect is arrested for a custodial offense in an automobile. (In this circumstance a search of the automobile is permitted)
 3. Once a suspect has been placed in custody and no longer has access to the motor vehicle, a search of that motor vehicle incident to arrest may not be conducted. This should not be misconstrued to mean that no search of the vehicle may be conducted. If the officer's on scene have developed probable cause to believe

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

there is evidence or contraband in the vehicle and there are exigent circumstances present, then the vehicle may be searched under that or another exception to the warrant requirement.

- E. 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.

- F. Searches Based on Exigent Circumstances
 - 1. A warrantless 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. Entries which do not contemplate searching 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.
 - a. This includes entering crime scenes to render aid to injured victims.

 - 3. Additionally, if an officer is in hot pursuit of a fleeing felon, the officer may enter a premises without a warrant. Upon entering a dwelling in fresh pursuit of an individual, a police officer has the right, for public and his/her own safety, to inspect the area to determine the presence of anyone who may pose a threat to the public, or his/her safety.

- G. Searches Based Upon Consent
 - 1. An officer may never make an arbitrary request of a person's consent to search.
 - a. Any request made of a citizen by an officer to search them or their premises must be based upon "reasonable suspicion" standards, in the same way that a "Terry" stop and frisk requires specific and articulable facts concerning the presence of possible criminal activity.

 - 2. Before a Consent Search is conducted, a supervisor must be called to the scene and the department's Consent Search Form should be completed and signed by the person authorized to give consent (See Appendix 1). An officer may also document the consent on the MVR system provided that there is clear audio and video to demonstrate that the consent procedure is legal and valid.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

3. A person who consents to a search by a police officer waives the right to be free from a search without a warrant. However, unless the officer informs the suspect that there is a right to refuse to accede to such a request, his assent to the search is not meaningful.
4. Defendant's consent must be clear, unequivocal, intelligent and voluntarily given. A written waiver is the preferred method of obtaining consent to search. The officer, though acting in good faith, must be careful to avoid not only the use but also the appearance of coercion.
5. 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.
6. 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.
7. In 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. The person should be informed that a consent to search may be revoked at any time prior to completion of the search.
8. 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 premises are jointly occupied by the suspect and another, 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.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

9. A parent may ordinarily consent to a search of premises occupied by a dependent child. A landlord cannot consent to a search of a tenant's premises unless the tenant has abandoned the premises or has been evicted.
10. An employer cannot consent to the search of premises used by an employee in his work.
11. 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.
12. Before any consent search is conducted, a supervisor will be contacted and will respond to the scene, after the supervisor reviews the reason for the consent request, the process may continue with the supervisor's permission.
13. Following any consent search, an investigation report will be completed and attached to the consent form, both will be forwarded to the tour commander for review.

H. Stop and Frisk

1. A "stop" occurs whenever a police officer utilizes his/her authority to detain an individual in a given place.
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 than 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.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

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 detention.
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 investigatory 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 which 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 Transportation Policy regarding females. **Volume VII, Chapter 9.**
 - b. A metal detector may also be used for such a frisk.
11. Handcuffing a suspect during an investigative detention is acceptable in a limited number of cases.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

- a. Where the suspect is uncooperative or takes action at the scene that raises a reasonable probability of danger or flight.
- b. Where the police have information that, the suspect is currently armed.
- c. Where the stop closely follows a violent crime.
- d. Where the police have information that, a crime that may involve violence is about to occur.

In the absence of a continuing threat to officer or citizen safety, the handcuffs should be removed if the protective frisk uncovers no weapons.

Any incident where a suspect is handcuffed during an investigative detention should be documented.

- I. There are to be no further seizures of garbage as an investigative tool without the **prior** authorization of the Bergen County Prosecutor's Office. This authorization will be handled by the same assistant prosecutors who are assigned to review search warrants.

VI. VEHICLE SEARCHES

There are five (5) instances in which a warrantless search of a vehicle will be permitted:

- A. Following a Stop for a Motor Vehicle Violation
 1. An officer may stop a car for a suspected motor vehicle violation.
 2. The driver may be asked to exit in every instance for officer's protection. Passengers may be asked to exit only where the officer can point to specific and articulable facts that would warrant heightened caution.
 3. A limited search of persons and vehicle may be performed when:
 - 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 where the officer has subjective fear for safety which is objectively reasonable.
 - b. No registration is produced and ownership in doubt after N.C.I.C. 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.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

- c. Plain view/plain smell observation reveals presence of suspected illegal articles.
 - (1) Contraband visible from outside vehicle may be seized.
 - (2) Trunk may be searched when evidence of CDS in trunk is present.
 - (3) The odor of marijuana **alone**, either raw, unburned or burned, does constitutes probable cause to search.
 - d. There is a suspected violation of **N.J.S. 39:4-50** (Driving under the Influence of Alcohol or Drugs).
 - e. Plain view in open fields, which are not within the curtilage of the dwelling/vehicle.
- 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.
 - 2. Vehicle must be mobile. Justification for search is the danger of removal of evidence if car is not immediately searched.
 - 3. Entire vehicle may be searched where probable cause to do so exists.
 - 4. Search warrant should be obtained for luggage or closed containers found in car where no exigent circumstances exist.
 - 5. Passengers may only be searched incident to arrest, although protective frisk may be made if appropriate under circumstances.
- 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 for valid custodial offense.
- 1. Police may conduct a search of person arrested.
 - 2. Search of passenger compartment provided:
 - a. Search is directed toward discovery of evidence related to crime which is basis for arrest.
 - b. Search is close in time to arrest.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

- c. Search for weapons is limited only to the area within reach of arrestee. Once the arrestee has been handcuffed and is securely in police custody no search incident to arrest may be conducted.

- D. Pursuant to valid consent by owner or vehicle operator where there is reasonable and articulable suspicion that a search would reveal evidence of criminal wrongdoing and where:
 1. Person 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.
 2. Consent is product of party's free will.
 3. Consent is clear and explicit.
 4. Consenting party has authority to do so, based upon equal right to ownership or use of vehicle or thing searched.
 5. When a consent search is requested by the officer, a supervisor is to be contacted and asked to respond to the scene, the officer will then explain the reason for the request to the supervisor, the process will then continue with the supervisors permission.
 6. Search limited to area for which consent is given.
 7. On completion of the stop, the officer will complete an investigation report and attach the consent form to it. Both will then be turned in to the tour commander for review.

- E. Inventory of Motor Vehicle
 1. In order to perform an inventory, the vehicle must first be subject to lawful impoundment.
 - a. Vehicle is unregistered.
 - b. Vehicle is uninsured.
 - c. Vehicle is being operated in an unsafe condition.
 - d. Vehicle is disabled and blocking roadway.
 - e. Probable cause exists to believe vehicle is stolen.
 - f. Vehicle is subject to forfeiture as conveyance used to transport CDS in large quantities.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

2. Owner or operator must be given the opportunity to provide for removal of the vehicle prior to impoundment.
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 owner's property.
 - b. Protection of the police from claims of stolen property.
 - c. Protection of the police from dangerous instrumentalities in the vehicle (See **Vol. VII, Ch. 10**, Property Inventory).
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.

VII. PROCEDURE TO BE FOLLOWED WHEN APPLYING FOR A SEARCH WARRANT

- A. Include **ALL** information you have at your disposal in the affidavit. The prosecutor **CANNOT** 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 which indicate how the informant obtained the information.
- E. Include information which links the person you wish to search to the criminal activity.
- F. Include information which links the place to be searched to the criminal activity.
- G. Include information which 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

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

3. Color of house
 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 and color.
- K. **FINALLY, BEFORE TAKING ANY WARRANT APPLICATION TO A JUDGE, THE PERSONS PREPARING THE APPLICATION MUST CONTACT THE ASSISTANT PROSECUTOR ENUMERATED IN THE DIRECTIVE PERTAINING TO SEARCH WARRANTS TO RECEIVE APPROVAL BEFORE APPLYING FOR A WARRANT.** The officer must note in his or her file the assistant prosecutor who reviewed the affidavit.

During the day, they can be reached at (see Vol. 7 Tab 3) and in the evening through the Bergen County Police Communications Center, (see Vol. 7 Tab 3)

VIII. DRUG SNIFFING DOGS IN PUBLIC SCHOOLS (See Vol. V Chapter 9)

- A. 1 The use of trained drug-sniffing dogs to patrol school hallways for the purpose of detecting CDS inside student lockers does not constitute a search;
- 2 The dog's actions in alerting the dog's handler to the presence of CDS in a specific locker may constitute probable cause to believe the locker contains CDS; and
- 3 Once probable cause is established, a search warrant may be obtained or, if sufficient exigent circumstances are present, a warrantless search of that locker may be conducted.
- B. School officials should adopt a policy authorizing random patrolling of dogs in school halls. This policy should be made known to the student body orally and in writing. This may eliminate any possible claim of a reasonable expectation of privacy in odors emanating from a locker that is detectable only to the highly developed sense of smell of a dog. This has the possible side benefit of discouraging students from bringing drugs to school in the first place.
- C. The dogs used should have sufficient training and the handlers should have sufficient expertise to qualify as experts under Wanczyk, supra;

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

1. Whenever possible Fort Lee Police K-9 officers will be called when a dog is needed.
- D. Once a dog indicates CDS is present in a specific locker, a search warrant should be obtained.
- E. Records should be kept of each time the dog indicates CDS is present and the result of the subsequent search.
- F. Teachers who search lockers even without police intervention, may run the risk of exposing themselves to civil actions: invasion of privacy or deprivation of civil rights under U.S.C.A. Title 42, Section 1983; and, therefore, this action should be discouraged.
- G. School officials who search lockers after a drug-sniffing dog indicates CDS is present, without a search warrant, may run the risk of civil liability for illegal search. For this reason, this is also unacceptable.
- H. All CDS confiscated by school officials, even when acting independently without any police supervision, should be immediately turned over to police authorities with some report as to how it was seized. This will avoid the possibility of a teacher being charged with possession of CDS.
- I. In short, the courts have indicated that a school locker is subject to considerations of privacy." Therefore, the better practice is to obtain a search warrant prior to going into a student's locker.

IX. ARRESTS BY A MUNICIPAL POLICE OFFICER OUTSIDE HIS OR HER MUNICIPALITY

- A. **The authority of a police officer to make an arrest without a warrant is set forth by N.J.S. 40A:14-152 as follows:**
 1. "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. Said members and officers shall have the power to serve and execute process issuing out of the courts having local criminal jurisdiction in the municipality and shall have the powers of a constable in all matters other than in civil causes arising in such courts."

Basically, this statute authorizes a municipal police officer to arrest only within the confines of the municipality in which he is an officer. There are, however, statutory and case law exceptions to this general rule.

- a. The most important statutory exception is outlined in N.J.S. 2A:156-1, et seq., "Intrastate Fresh Pursuit Act." Under this statute, a police officer who is in "fresh pursuit" of a person who is reasonably believed by him to

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

have committed a high misdemeanor (1st, 2nd or 3rd degree crime) or has committed, or attempted to commit, any criminal offense in the presence of such officer, or for whom such officer holds a warrant of arrest may arrest and hold that person anywhere in the State. "Fresh pursuit" is defined by N.J.S. 2A:156-2 as not necessarily implying immediate or instant pursuit but "pursuit without unreasonable delay."

The statute includes pursuit of a person reasonably suspected of having committed a high misdemeanor (1st, 2nd or 3rd degree crime).

However, if the offense is less than a high misdemeanor (1st, 2nd or 3rd degree crime), the authority to pursue under this Act only extends to offenses committed in the officer's presence or ones that he holds a warrant for the arrest of the person. In State v. McCarthy, 123 N.J. Super. 513 (Cty. Ct. 1973), the phrase "any criminal offense" was held to include drunken driving.

- b. New Jersey also has a statute validating arrests made interstate N.J.S. 2A:155-1 et seq. This statute permits a law enforcement officer from one state who is in "fresh pursuit" to enter another state to effect an arrest for a felony (N.J. statute includes "high misdemeanors") if both states have enacted the Uniform Fresh Pursuit Law. States bordering New Jersey have enacted such a statute. Pa. Stat. Anno., Title 19, Sec. 11; Del. Code Ann., Title 11, Sec. 1935; N.Y. Crim. Pro. Law, Sec. 140.55.

The authority of a police officer to arrest for disorderly and motor vehicle offenses outside of the boundaries of the municipality has also been upheld under N.J.S. 2A:169-3 and N.J.S. 39:5-25. The Court stated that under N.J.S. 39:5-25 a police officer is empowered to arrest without a warrant anyone who violates in his presence certain motor vehicle provision within Title 39, Chapters 3 and 4, (DWI, Suspended driver, Unlicensed driver, Uninsured, Reckless driving, Leaving the scene of an accident and willful abandonment of motor vehicle on roadway.)The authority to apprehend under this statute is not specifically limited to the municipality or county where the offense occurred. The statute only requires that the arrested person be brought before any magistrate of the county where the offense occurred.

- c. The Court also cited N.J.S. 2A:169-3, which states that a private citizen may:

"Whenever an offense is committed in his presence, any constable or police officer shall, and any other person may, apprehend without warrant or process any disorderly person, and take him before any magistrate of the county where apprehended." (Emphasis added).

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

Under this statute, a private citizen's power to apprehend a disorderly person is not geographically limited to the municipality or county where the offense occurred.

The Court in State vs. McCarthy felt that a police officer's powers to arrest are co-extensive with a private citizen and therefore, a police officer has the authority to arrest as a private citizen outside of the borders of his town. The Court considered drunken driving offenses as disorderlies for purposes of intra-state pursuit so arrests for disorderly persons offenses and drunken driving offenses can be made by a police officer outside of his municipality under N.J.S. 2A:169-3.

- B. In accordance with the above case law and statutes, police officers may arrest outside their municipality without a warrant in the following situations:
1. Indictable Offenses
 - a. When in fresh pursuit, a police officer may arrest, anywhere in this State, anyone whom he reasonably believes committed a high misdemeanor. A misdemeanor (crime) must be committed in his presence. N.J.S. 2A:156-1. The arrested person should then be taken, without unnecessary delay, before the nearest available committing judge. R. 3:4-1.
 2. Disorderly Person Offenses
 - a. A police officer may arrest a person who commits a disorderly persons offense in his jurisdiction and in his presence and then, with the officer in fresh pursuit, flees to another municipality. N.J.S. 2A:156-1. In other than fresh pursuit situations, an officer may, under certain circumstances, arrest as a private citizen for offenses which occur in his presence. N.J.S. 2A:169- 3; State v. McCarthy. Although N.J.S. 2A:169-3 provides that a person arrested by a police officer without a warrant shall be taken to any magistrate of the county wherein the offense is committed, the jurisdiction of a municipal court to hear offenses involving the "disorderly persons law" is limited to offenses occurring within the territorial jurisdiction of the court. It would seem, therefore, that if the offense occurs in the municipality and the arrest effected outside of it, the matter would have to be heard in the municipality where the offense occurred.
 3. Motor Vehicle Offenses
 - a. A police officer may arrest (see b below) or issue a summons to any person who commits a motor vehicle violation in his presence and then flees with the officer in fresh pursuit to another municipality. N.J.S. 2A:156-1. In other than a fresh pursuit situation, an officer may arrest anywhere on roads forming the border of his municipality. State v. Williams. One may also effectuate an arrest for offenses committed in his

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

presence, N.J.S. 2A:169-3 and N.J.S. 39:5-25; State v. McCarthy. As with disorderly offenses, the matter should then be heard in the municipal court where the offenses occurred.

b. Arrests can be made only forailable motor vehicle offenses.

C. N.J.S.A. 40A:14-152.1, effective March 2, 1978, provides that:

1. Notwithstanding the provisions of N.J.S.A. 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.
2. Finally, it should be noted that so long as the police officer reasonably believes that the offense committed in his presence constitutes a "crime" the arrest would clearly have met the requirements of N.J.S.A. 40A:14-151.1 for a lawful extra-territorial arrest, regardless of whether the person is eventually charged with only having committed a petty offense.
3. In summary, N.J.S.A. 40A:14-152.1 empowers municipal police officers to execute arrests beyond the limits of their employing jurisdiction where there is probable cause to believe that a crime (indictable) has been committed in his presence anywhere within the territorial limits of the State of New Jersey. This power, however, does not extend to disorderly persons offenses or traffic infractions.

X. ARRESTS FOR OUTSTANDING WARRANTS:

- A. When the tour commander receives a call from another department advising that they have a person detained on one of our warrants, an ATS/ACS check will be made by com-cen, for the warrant. If the warrant is valid and for more than 100 dollars, the tour commander will notify the jurisdiction (in New Jersey Only, otherwise extradition is required) of such, and we will pick up the individual as soon as possible.
1. The jurisdiction making the arrest on the warrant is responsible for executing the warrant in the ATS/ACS system.
 2. When our officers take custody of the subject of the warrant, they will check with com-cen to make sure the warrant has been executed.
 3. If the warrant was not executed by the arresting jurisdiction, com-cen can execute the warrant in the ATS/ACS system.
 4. If the warrant is for 100 dollars or less, the tour commander should consider the distance of the jurisdiction detaining the party and the manpower available to make a determination as to whether the party should be picked up on the warrant, or the party should be released and advised to contact our municipal court.

AUTHORITY
SEARCH & SEIZURE ARREST PROCEDURE
VOL. VII, CH. 1

- B. When an officer from this department detains a party on a warrant from another jurisdiction, the tour commander will notify the jurisdiction involved and verify that they will pick up the party the warrant is for.
1. The officer will place the individual under arrest for the warrant after being advised to do so by the tour commander.
 2. Upon arrival at headquarters, the officer will secure the individual in the processing room cell following all procedures set-forth in the holding facility policy Vol, VII Ch 8.
 3. The arresting officer will then respond to com-cen and advise the dispatcher to execute the warrant, and retrieve copies of the warrant and executed warrant to attach to his report.
 4. Arrest report will then be completed, on release of the individual to the jurisdiction that issued the warrant, the TOT book at the desk will be filled out and the report will be updated.

**INVESTIGATION
 ARSON INVESTIGATION
 VOL. VIII, CH. 3**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01/01/2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: INVESTIGATION	# PAGES: 4					CHAPTER 3
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PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

There are circumstances when an officer is required to investigate a fire. This policy is designed to provide investigative guidelines for officers when a fire must be investigated, and not just reported.

PROCEDURE:

I. INVESTIGATION

- A. A thorough investigation will be conducted by the department for the following types of fires:
 - 1. All fires, of a suspicious nature, involving a fatality or suspected fatality.
 - 2. All fires, of a suspicious nature, involving a serious injury to a civilian, firefighter or other official.
 - 3. All explosions of a suspicious nature.
 - 4. All major working fires, of a suspicious nature, involving a nursing home, church, school, office or apartment tower/complex, shopping mall, government building,

**INVESTIGATION
ARSON INVESTIGATION
VOL. VIII, CH. 3**

or fires involving multiple structures, or commercial structures during the hours the store is closed.

5. All suspicious fires for which a police officer, firefighter or other public official is suspect.
6. All structure/vehicle fires of suspicious origin.

II. OFFICER RESPONSIBILITY

- A. Secure the scene, keeping all unauthorized people away from the fire apparatus and scene, establish fire lines and an on-scene log.
- B. Traffic control.
- C. Insure that the fire scene is not destroyed for follow-up investigation.
- D. Maintain security of the scene even after the fire is out.
- E. Notify the appropriate authorities.
- F. Prepare a detailed report.

III. NOTIFICATION OF DETECTIVE DIVISION

- A. The Detective Division will be notified for any part of Section I, 1-6, final determination as to whether a fire is suspicious in origin will be made by the Fire Chief or Senior Fire Official on the scene.
 1. Detective Division/ Division Commander will be notified.
 2. Detective Division Commander will decide the appropriate response, he shall assign a detective to:
 - a. Respond to the scene as quickly as possible.
 - b. The detective will have the Detective Division Commander and Chief of Police notified for all fires outlined in Section I 1.,2,3,4, and 5.
 - c. The detective will have the Bergen County Prosecutor's Office notified for all fires outlined in Section I. 1-6, and he will work with the Prosecutor's Detective in conducting an investigation.

Note: The Arson Squad does not respond to all suspicious vehicle fires, see below.

**INVESTIGATION
ARSON INVESTIGATION
VOL. VIII, CH. 3**

IV. THE BERGEN COUNTY ARSON UNIT WILL BE NOTIFIED IMMEDIATELY AS SET FORTH:

- A. All fires, regardless of cause, involving a fatality, suspected fatality or serious injury to a civilian, fire fighter, police officer or other public safety official being admitted to a hospital.
- B. Fires involving commercial and mercantile buildings, occurring when buildings or establishments are closed.
- C. Vacant building fires, i.e. stores, houses etc.
- D. Fires in buildings scheduled to be demolished or sold.
- E. Fires with clearly suspicious surround circumstances such as non-operating sprinkler system, signs of forced entry on windows and door locks, or open etc.
- F. Repeated fires at the same location or a series of fires which indicate a pattern of arson activity.
- G. Rapidly spreading fires.
- H. The arson squad will not respond to certain car fires:
 - 1. Criminal mischief fires
 - 2. Garage fires or other fires of a minor nature.
- I. The arson squad will respond to vehicle and garage fires that meet the following criteria:
 - 1. Motor vehicles that are three years old or newer, and/or involving a head value, i.e. tractor (cab), mobile homes, heavy construction equipment, etc. This shall include leased vehicles.
 - 2. Garage fires in attached or detached garages that are substantially damaged by fire.
- J. All suspicious fires, regardless of occupancy, for which a fire fighter, police officer or other public official is a suspect.
- K. All discoveries or recoveries of explosive, destructive or incendiary devices. It should be noted that members of this unit are trained in explosion investigation, not bomb detection or disposal. This type of investigation will be coordinated with the Bergen County Police Bomb Unit or other Bomb Unit as appropriate.
- L. In addition, the following agencies will be notified:

**INVESTIGATION
ARSON INVESTIGATION
VOL. VIII, CH. 3**

1. Bergen County Fire Marshall - (see Vol. 7 Tab 3)
2. Borough of Fort Lee Fire Officials
3. The Bergen County Environmental Crimes Unit shall require immediate notification for any fire that involves the following: (Also See V5C10)
 - a. The release/discharge or abandonment/dumping of a suspected hazardous or toxic material.
 - b. Any hazardous/toxic material incident resulting in death or serious bodily injury or in the damage to a substantial quantity of property.
 - c. Any violations of the Environmental Statutes to include, but not limited to:
 - (1) Solid Waste Management Act N.J.S.A. 13:1E-1 et seq.
 - (2) Water Pollution Control Act N.J.S.A. 58:10A-1 et seq.
 - (3) Freshwater Wetlands Protection Act N.J.S.A. 13:9B-1 et seq.
 - (4) Watercraft Sewage Disposal Act N.J.S.A. 58:10A-56 et seq.
 - (5) Spill Compensation and Control Act N.J.S.A. 58:10-21.11 et seq.
 - (6) Solid Waste Utility Control Act N.J.S.A. 48:13A-1 et seq.
 - (7) Air Pollution Control Act N.J.S.A. 26:2C-1 et seq.
 - (8) Comprehensive Regulated Medical Waste Management Act N.J.S.A. 13:1E-48.1 et seq.
 - d. Any other suspected violation which may constitute an environmental hazard.
 - (1) The actual containment of the hazardous/toxic material shall be handled by state, county or local HAZ-MAT Units, local health officers, municipal fire departments or any other agencies having authorization to handle such emergencies.
 - (2) The agency in closest proximity to the site should be contacted immediately to assure that the situation is dealt with promptly and properly.

**INVESTIGATION
ASSAULT FIREARMS
VOL. VIII, CH. 17X**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-08-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VIII
VOLUME TITLE: INVESTIGATION	# PAGES: 5					CHAPTER 17
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: ASSAULT FIREARMS						DISTRIBUTION ALL
ISSUING AUTHORITY: <hr/> CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL: N.J.S.A. 52:18B-98			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To provide procedures that can be followed when officers come into contact with persons in possession of firearms.

POLICY:

The New Jersey Legislature addressed the question about the meaning of the term “substantially identical” in New Jersey’s assault firearms law. The Legislature addressed this question in the provisions of the Code of Criminal Justice, and despite the clarity of the law, it is appropriate for the Attorney General to provide guidance to the prosecutors in order to ensure that the law is administered uniformly and effectively throughout the State. N.J.S.A. 52:17B-98. The Attorney General is directing the prosecutors, as chief law enforcement officer in their respective counties, to share this guidance with local police departments, who in turn should provide copies of this memorandum to any member of the public who requests information on assault firearms.

The following guidelines will be followed by Fort Lee Police Officers when coming in contact with persons in possession of firearms.

I. ASSAULT FIREARMS

- A. It is unlawful for private citizens to possess an assault firearm as defined at N.J.S. 2C:39-1w, unless that firearm is:

**INVESTIGATION
ASSAULT FIREARMS
VOL. VIII, CH. 17X**

1. Licensed pursuant to N.J.S. 2C:58-5;
 2. Registered pursuant to N.J.S. 2C:58-12*; or
 3. Rendered inoperable pursuant to N.J.S. 2C:58-13
- B. Prior to the initiation of an investigation which involves an assault firearm law as its only focus, you shall contact the office of the County Prosecutor for further advice and instruction.

***NOTE: The firearms that have been approved for registration as firearms used for legitimate target shooting purposes are the M-1A, the M-1 Carbine type, the M-14 type and the AR15 type. Members of rifle and pistol clubs that have filed charters with the superintendent of the State Police may register these firearms.**

- C. Substantially identical from Attorney General
1. New Jersey law lists firearms that are prohibited “assault firearms.” N.J.S.A. 2C:39-1w.(1). In addition, the law provides that the term “assault firearms” includes, “Any firearm manufactured under any designation which is substantially identical to any of the firearms listed” in the law. N.J.S.A. 2C:39-1w.(2). Thus, a firearm is an assault firearm if it is included on the list of banned firearms or if it is “substantially identical” to a specific listed firearm.
 2. We believe “substantially identical” is clear by its plain meaning. The Criminal Code provides that the statutes in the Code must be read “according to the fair import of their terms.” N.J.S.A. 2C:1-2c. The Criminal Code explains that where language may be susceptible to different readings it must be construed to “give fair warning of the nature of the conduct proscribed.” N.J.S.A. 2C:1-2a.(4), c. Simply put, the phrase “substantially identical” must be given its plain meaning, one that gives fair warning.
 3. The term “substantial” means pertaining to the substance, matter, material or essence of a thing. The term “identical” means exactly the same. Hence, a firearm is substantially identical to another only if it is identical in all material, essential respects. A firearm is not substantially identical to a listed assault firearm unless it is identical except for differences, which do not alter the essential nature of the firearm.
 4. The following examples of manufacturer changes that do not alter the essential nature of the firearm: name or designation of the firearm; the color of the firearm; the material used to make the barrel or stock of the firearm; the material used to make a pistol grip; a modification of a pistol grip. This is not an exclusive list.
 5. A semi-automatic firearm should be considered to be “substantially identical,” that is, identical in all material respects, to a named assault weapon if it meets the below listed criteria:

**INVESTIGATION
ASSAULT FIREARMS
VOL. VIII, CH. 17X**

- a. Semi-automatic rifle that has the ability to accept a detachable magazine and has a least 2 of the following:
 - b. A folding or telescoping stock
 - c. A pistol grip that protrudes conspicuously beneath the action of the weapon
 - d. A bayonet mount
 - e. A flash suppressor or threaded barrel designed to accommodate a flash suppressor
 - f. A grenade launcher
6. Semi-automatic pistol that has an ability to accept a detachable magazine and has at least 2 of the following.
 - a. An ammunition magazine that attached to the pistol outside of the pistol grip
 - b. A threaded barrel capable of accepting a barrel extender, flash suppressor, forward handgrip, or silencer
 - c. A shroud that is attached to, or partially or completely encircles, the barrel and that permits the shooter to hold the firearm with the non-trigger hand without being burned
 - d. Manufactured weight of 50 ounces or more when the pistol is unloaded
 - e. A semi-automatic version of an automatic firearm
7. A semi-automatic shotgun that has a least 2 of the following:
 - a. A folding or telescoping stock
 - b. A pistol grip that protrudes conspicuously beneath the action of the weapon
 - c. A fixed magazine capacity in excess of 5 rounds
 - d. An ability to accept a detachable magazine

In enforcing this law, prosecutors and police should remember that an assault firearms offense requires proof that the defendant knows he or she possesses an assault firearm, e.g., that the defendant knows that the firearm is “substantially identical” to one of the named assault weapons.

**INVESTIGATION
ASSAULT FIREARMS
VOL. VIII, CH. 17X**

II. The following guidelines are provided in order to assist law enforcement officers in applying New Jersey firearms laws to persons who are transporting firearms through the State of New Jersey.

- A. New Jersey laws governing firearms permits, purchaser identification cards, registrations and licenses, do not apply to a person who is transporting a firearm through this State if that person is transporting the firearm in a manner permitted by Federal law, 18 U.S.C.A. 926A.
- B. This Federal law permitting interstate transportation of firearms applies only if **all** of the following requirements are met:
 - 1. The person's possession of the firearm was lawful in the state in which the journey began;
 - 2. The person's possession of the firearm will be lawful in the state in which the journey will end;
 - 3. The person is transporting the firearm for a lawful purpose.
 - 4. The firearm is unloaded;
 - 5. The firearm is not directly accessible from the passenger compartment of the vehicle;
 - 6. The ammunition is not directly accessible from the passenger compartment of the vehicle;
 - 7. If the vehicle does not have a compartment separated from the passenger compartment, the firearm must be in a locked container other than the vehicle's glove compartment or console;
 - 8. The person is not:
 - a. Convicted of or under indictment for a crime punishable by imprisonment for a term exceeding one year
 - b. A fugitive from justice
 - c. An addict or unlawful user of any controlled substance or
 - d. An illegal alien
 - 9. The person has not:

**INVESTIGATION
ASSAULT FIREARMS
VOL. VIII, CH. 17X**

- a. Been adjudicated to be a mental defective
 - b. Been committed to a mental institution
 - c. Been dishonorably discharged from the army forces or
 - d. Renounced his United States citizenship
- C. A person who is transporting a firearm through the State of New Jersey in the manner permitted by 18 U.S.C.A. 926A, see Section III B. above, need not give notice.

III PROCEDURES

- A. Investigation of conduct involving the possession or transportation of firearms:
- 1. An officer who reasonably suspects that a person is transporting a firearm in violation of New Jersey law should make reasonable inquiries in order to confirm or dispel that suspicion.
 - 2. In a case where circumstances reasonably indicate that the person's possession and transportation of the firearm may be permitted by 18 U.S.C.A. 926A, the officer should make reasonable inquiries in order to determine whether the person's possession is permitted by the Federal law.
 - 3. If reasonable inquiries lead an officer to conclude that the person's possession is lawful under either New Jersey law or 18 U.S.C.A. 926A as described above in Section III B., the officer should promptly allow the person to proceed.
 - 4. Whenever an officer has probable cause to believe that a person's possession of a firearm is in violation of New Jersey law and not permitted by 18 U.S.C.A. 926A, as described above in Section III B., then the officer should make an arrest.
 - a. When a weapon is seized and brought into Headquarters, the officer will ensure that the weapon has been rendered safe, by clearing the weapon at the Bullet Trap in the south entrance of Police Headquarters.
 - b. If the officer is unfamiliar with the operation of the weapon, he/she should request assistance from either one of the department's firearm instructors or an ESU officer familiar with such weapons.
 - c. Proper evidence marking and inventory procedures will be followed per department policy.

IV. INQUIRIES FROM PRIVATE CITIZENS

Law enforcement officers should, whenever possible, attempt to be helpful and to respond to inquiries concerning particular firearms. Private citizens should also be encouraged to consult with their own attorneys and, where necessary, referred to the Firearms Unit of the Division of State Police.

**AUTHORITY
 AUDIO/VIDEO TAPE HANDLING PROCEDURES
 VOL. 7, CH. 13**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECT DATE: 04-30-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 2					CHAPTER 13
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: AUDIO/VIDEO DEVICES TAPE HANDLING						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

Audio/video tapes that are made during an investigation are evidence. Therefore, all audio/video tapes that are made during the course of an investigation should be considered as evidence and handled in the same manner as any other piece of evidence would be handled. To maintain the proper chain of custody, the following procedure will be followed.

PROCEDURE:

I. TRAINING

Before the videotape camera and cassette player are operated by anyone, the operator must be authorized and familiar with the use and operation of the Video Camera, Cassette Player and Equipment.

AUTHORITY
AUDIO/VIDEO TAPE HANDLING PROCEDURES
VOL. 7, CH. 13

II. OFFICER RESPONSIBILITY

The officer making the audio/video tape will be responsible for the following:

- A. Dating the tape on the label of the audio/video tape cassette.
- B. Placing the time and the badge number of the officer making the tape on the label of the tape cassette.
- C. Placing the case number on the label of the tape cassette.
- D. After completing all of the above, the arresting officer, or officer conducting the investigation, will then initial the tape.
- E. The tape will then be placed into an evidence envelope and placed in Evidence Locker with a copy of evidence form attached.

III. CHIEF OF POLICE OR HIS DESIGNEE (Evidence Officer)

- A. Will be responsible for securing all audio/video evidence tapes in the Evidence Room.
- B. All video/audio tape evidence placed in the Evidence Room will be recorded on evidence form. The evidence form will contain the date the evidence was placed into the Evidence Room, the officer who placed the evidence in the Evidence Room, date of removal, reason for removal and the officer removing the tape.
- C. Will be responsible for supplying a copy of the tape for discovery when a request is made through the Records Bureau.
- D. Will be responsible for furnishing the arresting officer with the audio/video tape for court.
- E. The officer preparing a case for court will notify the Chief or his designee (evidence officer) if an audio/video tape is required. The Chief or his designee (evidence officer) will then make arrangements to either take the tape to court, or make it available to the officer that made the tape, or the arresting officer.
- F. Upon disposition of a case, the video and audio tapes will be returned to the Evidence Room. It will remain in the Evidence Room for **six (6) months** and then be erased for future use. This would only be appropriate if a finding of guilty was made and there is no appeal.

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECT DATE: 3/17/09	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 4					CHAPTER 13.1
ACCREDITATION STANDARD(S):	REFERENCE: v7c13.1					
SUBJECT: RECORDING DEVICES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE: FLPD 91-2 rev.						

PURPOSE

The purpose of this policy is to prevent the unauthorized surreptitious recording by members or employees of the Borough of Fort Lee Police Department.

One of the key components of effective law enforcement is the cooperation, which an officer receives from fellow members as well as the general public. The use of surreptitious recording devices will inhibit expression and cooperation among officers in addition to all members of our department.

The State has a continuing duty to disclose and provide defendants all materials related to their particular case, unless of course such disclosure is otherwise excused via a court rule. If a police officer or other conversation could be discoverable in a traffic or criminal case, failure to provide such discovery is a violation of court rules and may have a negative impact on the matter before the Court.

DEFINITIONS

Surreptitious: done, received, got, made, broadcast, forward, transmit, obtained, (etc.), in a secret, stealthy manner; clandestine; acting in secret way.

Member: sworn police officer

Employee: employee or volunteer of the Borough of Fort Lee assigned to the Police Department.

POLICY

No member, employee or volunteer of the Police Department (sworn or civilian) will utilize a surreptitious recording device without specific authorization from the Chief of Police except as part of an official agency investigation or an authorized Internal Affairs investigation conducted according to the Internal Affairs SOP (v1c9).

All recordings made by a member, employee or volunteer of the Police Department while working becomes the work product of the department and shall be turned into the department as a department record. If the recording is part of an agency authorized investigation then it shall be secured as specified in the Evidence SOP.

All members and employees will comply with all applicable federal and state statutes when operating audio equipment.

No member or employee will copy, duplicate, transfer, transmit, or possess an unauthorized copy of a department recording.

PROCEDURES:

1. Authorized Use of Recording Devices

- A. Upon authorization by the Attorney General's Office or the Bergen County Prosecutor's Office, the Chief of Police may authorize the use of recording devices by officers in the lawful performance of their duties. (Under the State Act, only the Attorney General, a County Prosecutor or, in limited circumstances, the Chairman of the State Commission of Investigation may provide written authorization necessary for law enforcement officers to make an ex parte application for a wiretap order. N.J.S.A. 2A:156A-8. The written authorization should include the name of the judge who has been designated to receive the application.)
- B. Upon authorization by the Attorney General's Office or the Bergen County Prosecutor's Office, the Chief of Police may authorize in writing the recording of a member or employee of the Police Department who is suspected to be involved in criminal activity. Otherwise, members or employees will not be recorded without their direct knowledge and approval.
- C. Authorized and trained members or employees of the department are permitted to use the department's MVR system while acting in the performance of their duties and as required by the MVR SOP (v9c24). Members of the department are advised that their participation in calls may be recorded by another officer's MVR in compliance with the MVR SOP. The MVR system shall not be used for personal purposes or to record personal conversations, which the department does not need documented in an audio/video format.

Members and/or employees will not be recorded without their direct knowledge and approval.

- D. Authorized and trained members of the department are permitted to utilize department owned / issued recording devices as part of a department investigation to collect evidence for prosecuting persons who have violated a law or to document certain events or audio evidence.

2. Unauthorized Use of Recording Devices

- A. No member, employee or volunteer of the Police Department will surreptitiously record other members, employees, volunteers or citizens.
- B. All personal recording devices are prohibited to be used by members or employees, on-duty or off-duty, on borough property, in borough vehicles and by employees during working hours unless authorized by the department as part of an official department investigation.
- C. No member, employee or volunteer, on-duty or off-duty, of the Police Department will allow any other person to enter on to borough property, in borough vehicles, or engage members, employees or volunteers during the performance of their duty with the purpose to record a member, employee or volunteer. This does not restrict the other person's independent public liberties in an area that is open to the general public.
- D. Members or employees of the Police Department, who are discovered surreptitiously recording and/or possessing any unauthorized recordings, will have the devices confiscated and be subject to disciplinary action. It is the responsibility of every member or employee to report in writing to the Chief of Police discovery of surreptitious recording and/or the use of unauthorized recording devices.

3. Evidence

- A. When an audio recording device is used in an investigation or other contact with the public and supporting evidence of a violation of law is obtained, the recording will be properly secured as Evidence.
- B. Audio recordings should be stored in an area which prevents exposure to magnetic fields or extremes in temperature or humidity and will not be altered or destroyed.

4. Applicability

- A. This SOP will not apply to any recording made during the course of an authorized department internal investigation, an administrative hearing, or documentation or production of training recordings produced by the Training Bureau.

- B. This SOP will not apply to communication logging tapes unless evidence of a crime is recorded. If evidence of a crime is recorded on a communication logging tape, the original tape containing the evidence will be duplicated. The duplicate will be retained for file purposes, and the original will be released by the supervisor who will secure the tape as evidence.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 1/14/09	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 25					CHAPTER 8
ACCREDITATION STANDARD(S): 32.2.1, 32.2.7, 32.2.8	REFERENCE: V1c8					
SUBJECT: BACKGROUND INVESTIGATIONS POLICE OFFICERS, TELECOMMUNICATORS, CIVILIAN STAFF						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:						Special Instructions The previous version of this police dated 4/30/2000 (v1c8) is repealed and void.
PROSECUTOR'S OFFICE:						
REFERENCE: California POST Background Investigator's Manual, NJSA Title 40 & 4A, NJ AG Drug Screening Guideline						

PURPOSE:

This policy is to be used as a guideline for Investigations into the backgrounds of new applicants for positions of Police Officer, Telecommunicators and Civilian Staff in the Borough of Fort Lee Police Department.

POLICY:

This policy covers the investigative responsibilities when conducting a background investigation for new civilian employees and sworn personnel by the Background Investigation Unit (BIU). Background investigations (BI) may be one of the most important investigations a law enforcement agency may conduct. No sworn personnel shall be appointed to a probationary status until a detailed background investigation is conducted and reviewed by the Chief of Police then approved by the Appointing Authority. No telecommunications personnel shall be appointed to a probationary status until a detailed background check is conducted and reviewed by the Chief of Police then approved by the Appointing Authority. No civilian personnel shall be appointed to a probationary status or transferred into the police department until a detailed background check is conducted and reviewed by the Chief of Police then approved by the Appointing Authority. Background investigations are an integral part of the

ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8

selection process that provides the agency with knowledge about an individual that written and oral examinations do not provide.

In order to maintain a safe workplace and provide professional police services to the community, the Fort Lee Police Department will not recommend the hiring of any applicant(s) with criminal records, including expunged records, which would negatively impact on the department's ability or individual's ability to completely serve in the capacity for which they are applying.

All qualifications, credentials and any prerequisites for a position will be verified before an applicant is appointed to a working test period (probation).

Law Enforcement applicants shall complete a Medical Examination prior to being appointed.

Law Enforcement applicants shall complete a Psychological Screening by a qualified professional prior to being appointed.

The Main Application (police) is valid only for the current BI process which concludes with the start date of the next police academy class.

Each applicant in the current BI process must complete the BI process as instructed to meet Police Training Commission and Police Academy requirements. If an applicant previously completed any portion of a Fort Lee BI process, the previous BI file will become part of the current BI file. However this does not relieve the applicant from completing the current process as instructed. If an applicant is currently serving in another jurisdiction they must complete the entire BI process as instructed with the exception of the Academy PT Pre-Assessment. If the applicant is on a DOP "Rice List" (Laid-Off Officers) they must complete the entire BI process as instructed, possibly with the exception of the Academy PT Pre-Assessment. If the applicant is a graduate of a Police Academy Alternate Route Program they must complete the entire BI process as instructed with the exception of the Academy PT Pre-Assessment. If a former Fort Lee Police Officer is seeking re-employment from a Special Re-employment List (due to a lay-off) or a Re-employment List (due to retirement / resignation) they may be required to complete various phases of the Background Investigation Process depending on the length of separation, as designated by the Chief of Police.

The law enforcement background investigation will be conducted in two phases, the Character Phase which is before a Conditional Offer of Employment is made, and the Medical Phase which commences after the Conditional Offer of Employment is made. Applicants must have satisfactorily completed the Character Phase before proceeding into the Medical Phase.

The appointment process is regulated by NJ statutes and NJ Department of Personnel Regulations. Background Investigations are to be conducted in a professional manner and in compliance with state and federal employment law. In compliance with NJSA 2C:40A-1 (Employer Requiring Lie Detector Test) polygraph examinations may not be conducted as part of a Background Investigation or Background Check.

Probationary period of employment will be established by NJSA Title 4A.

ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8

The Appendixes and BIU documents (Forms) may be modified by the BIU Supervisor with the approval of the Chief. Questions seeking information should be relevant to the applicant's ability to completely and effectively perform all aspects of the position being sought.

No employee outside the BIU is to accept any paperwork from or on behalf of an applicant unless specifically directed by the BIU Supervisor or the Chief of Police.

All documents in the BI file become the sole possession of the Fort Lee Police Department.

The department accepts the private and personal information from the applicant as part of the background investigation with the understanding that the confidential information will be protected according to their expectations under N.J.S.A. 47:1A-1.

Background investigations are confidential.

Information is not to be shared with employees beyond the BIU, the Administrative Division Commander and the empanelled Oral Board, except as directed by the Chief of Police.

By signing the Background Investigation Process & Application, the applicant acknowledges and provides their permission that information and copies of forms may be released to the Appointing Authority, its agents, and NJ DOP, and any Administrative or Judicial Court as required.

If requested in writing, documents may be released to another governmental agency as part of their official investigation.

Non-medical documents may be released to another law enforcement agency when requested by the applicant through that agency's signed Release / Waiver. New Jersey State Police records are not releasable per Governor's Executive Order #48.

Medical Records are not releasable to third parties.

Under Executive Order #26 no documents may be released to the public during an active background investigation / check process. Resumes of successful applicants are releasable after the selection process has been completed. Resumes of unsuccessful applicants are releasable only with their written consent after the selection process has been completed.

DEFINITIONS:

Background Investigation Unit (BIU)- a group of background investigators assigned the task of conducting investigations of police officer applicants.

Background Check- a background check will consist of a verification of qualifying credentials, a review of any criminal record and a verification of at least three personal references.

Background Investigation- a background investigation will consist of the background check plus an in-depth investigation where personal background information is confirmed and additional information about an applicant's qualifications are developed.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

Civilian Staff- is a non-sworn position within the Fort Lee Police Department assigned to various positions assigned to handle the tasks as specified in the NJ DOP Job Description for their job title as established by the borough.

Developed references- A developed reference is a reference that is not provided by the applicant but developed by the investigator.

Investigator- an officer who is assigned to the Background Investigation Unit.

Telecommunicator- is a civilian position within the Fort Lee Police Department assigned to the Communications Center to handle the tasks as specified in the NJ DOP Telecommunicator Job Description.

Time Line Report- A report created by the BIU Supervisor providing the Chief of Police with the starting dates of the next police academy and the projected dates for various stages of the background investigation process.

I. LAW ENFORCEMENT PHASE ONE: Character

- A. The initial stage of a background investigation is to commence after a Certification List of Eligibles is requested and received by the borough from NJ Department of Personnel (DOP). The List of Eligibles is normally the result of written examinations conducted by DOP; however Special Re-Employment Lists may be created by DOP if requested by the borough.
- B. Background Investigation Unit Assignment
 - 1. The Chief of Police or his designee shall assign existing background investigators or officers who have received training in background investigations to the Background Investigation Unit (BIU) in preparation for the hiring process.
 - 2. The Background Investigation Unit (BIU) is within the Training Bureau which is in the Administrative Division.
 - 3. The Background Investigation Unit (BIU) can be staffed on either a full-time or part-time basis by investigators as needed based upon the case load at that particular time. If investigators are assigned on a part-time basis then the BIU Supervisor must coordinate work schedules with the investigators immediate supervisor.
 - 4. No investigator shall be assigned to the BIU if their immediate relative (husband, wife, son, daughter, father, mother, step-child, niece or nephew) is an applicant in the current background investigation process.
- C. Applicant Investigation Case Load

ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8

1. Each background investigator will normally be involved with each applicant investigation, as assigned by the BIU Supervisor.
 2. A minimum of two background investigators should be present during an interview and work on each applicant investigation.
 3. The BIU Supervisor shall monitor the status of each applicant investigation through periodic BIU meetings and shall advise the Administrative Bureau Commander and the Chief, as directed.
- D. The Background Investigation Topic Areas include but are not limited to:
- (1) Application Process
 - (2) Driver's License Check
 - (3) Criminal History Check
 - (4) Domestic Violence Registry Check
 - (5) Employment History Check and Verification
 - (6) Reference Checks
 - (7) Writing Essays
 - (8) Various Interviews / Oral Board Interview
 - (9) Drug Screening
 - (10) Psychological Screening
 - (11) Medical Examination
 - (12) Academy Physical Fitness Screening
- E. Background Investigation Process
1. According to DOP procedures after receiving the DOP Notification Card, the applicant must notify the Appointing Authority (Borough Hall) in writing of their intention in seeking a position as a police officer. The Appointing Authority should provide the department with a copy of the List of Eligibles.
 2. The BIU will begin preparing for the background investigation process by:

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

- a. Setting up the Excel Applicant Master Name Index. Each applicant will be assigned a number based on the year and month of the academy start date followed by their placement number on the current certification.
 - b. Setting up the Excel Applicant Interview Schedule Form.
 - c. Printing the required number of applications and forms.
 - d. The BIU Supervisor should send an email out to all department employees announcing the activation of the confidential BI process and that BI paperwork is not to be accepted by anyone outside the BIU.
3. The Appointing Authority faxes the applicant's letter of Intent to the BIU in a timely manner.
4. The BIU will then contact the applicant(s) and schedule them individually for the Initial Interview. The Interview Notice (Form 2) will normally be sent via email.
5. **Initial Interview:** The BIU will conduct the Initial Interview during which the following topics will be explained:
- a. Obtain an updated Letter of Intent (Form 1)
 - b. Obtain the completed Initial Application (Form 3)
 - c. Provide the applicant with the Notice of Background Investigation Process (Form 4) describing the steps of the background investigation and the BIU Contact Phone List. The applicant should be advised that the BIU will contact them throughout the process and advised in writing when the process is completed.
 - d. Obtain a signed & dated Release / Waiver Form (Form 5) which will be witnessed by a member of the BIU. The Release / Waiver will allow the BIU to follow-up on any information provide by the applicant by obtaining documents regarding the applicant.
 - e. If it is learned that the applicant has an Expunged Criminal Record, then the BIU should prepare the Consent Order for Expunged Records (Form 5e) with the required information for the applicant to sign. The BIU Supervisor will advise the Chief and contact the Borough Attorney.
 - f. Collect & photocopy personal paperwork as requested in the Interview Notice. Documents should be time-stamped indicating the date received. The accuracy of the information contained in these documents and qualifying credentials should be confirmed during the investigation.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

- g. Provide the applicant with a written copy of their rights under the Fair Credit Reporting Act.
- h. Issue the Main Application (Form 7). Applicant that are or were sworn officers with a Law Enforcement Agency are provide with a Supplemental Application (Form 7 LEO) dealing with law enforcement related questions.
- i. Provide the NJ DOP Job Description for Municipal Police Officer.
- j. Provide and discuss the Willingness Questionnaire (Form 7w) with the applicant before they sign the form.
- k. The applicant will be fingerprinted for Criminal Justice Employment. The fingerprints are automatically submitted to the New Jersey State Police and Federal Bureau of Investigation for a criminal history check.
- l. A digital photograph will be obtained for identification purposes and added to the jacket. (The applicant will attach a passport size photograph to the last page of the Main Application for identification purposes.)
- m. A regional check is conducted on the applicant's driver's license number and name.
- n. The applicant is checked for vehicle registration history.
- o. Computer records checks will be run on the applicant (Department, DV Registry, Criminal Checks)
- p. A public records history search should be conducted.
- q. An internet search should be conducted including a general search, web profile(s) and searches of newspaper(s).
- r. If the applicant served in the armed forces then a completed Military Records Request Form (Form 180) will be required to in order to obtain the authorized the release of his service records to the BIU.
 - (1) The BIU should prepare and sent a letter to the Veterans Administration obtaining the applicant's military record.
 - (2) Military Units / Instillations should be contacted during the Phase I Character portion of the investigation.
 - (3) The Military Police Unit where the applicant was stationed or served should be contacted during the Phase I Character portion of the investigation.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

- (4) Veteran's Affairs Hospitals should be contacted ONLY as part of Phase II Medical portion of the investigation.
6. **Investigation:** After the Initial Interview the applicant's file is then in the Investigation portion of the process.
- a. The applicant has until 1500 hours on the 5th business day to return to HQ to complete application by having it Notarized in the presence of a BIU member, as instructed during the Initial Interview and on Form 7.
 - (1) The Main Application should be reviewed for completeness.
 - (2) The information contained in the Main Application and during any interview should be verified.
 - (3) The applicant should be scheduled for a Supplemental Interview (Form 11) to provide additional information or explain any discrepancy.
 - (4) The applicant should be provided with the Supplemental Application Form (Form 7a) to provide the requested information.
 - b. References- All listed references are to be contacted, interviewed and provided with Reference Questionnaire (Form 10). The form can be sent via US Mail or Email. Returned forms are to be reviewed and added to the file. A minimum of two (2) secondary references should be developed, contacted and interviewed during this process. References may be interviewed via the telephone if necessary. If the reference form is not returned, then the information obtained during the interview needs to be documented in a report.
 - c. Written Biography- Applicants will be scheduled for an interview. During this time they will be provided with the Biography (Form 7b) & Hiring Questions (Form 7e) to both be complete within 90 minutes. The forms will be reviewed for information and added to the file.
 - d. Local / County Police Dept. & Local Court Checks- towns surrounding Fort Lee and locations where the applicant lived should be contacted in writing (Form 8 or Form 8c) to determine if the applicant had ANY contacts with the law enforcement agency or local court. Additional checks may be conducted with jurisdictions where the applicant attended school, frequented, vacationed or had additional family residences.
 - e. Physical Residence- Verification of the applicant's residency must be made to ensure compliance with the Borough's Residency Preference Ordinance.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

- f. Home Interview- An unannounced home interview should be conducted to verify the applicant's residency and living conditions within the structure. Family members / roommates may be interviewed at the same time if present.
- g. Neighborhood check- Investigators should interview the four (4) neighbors regarding the applicant. (The closest 4 neighbors were to be listed by the applicant in their Main Application). At least two (2) neighborhood references should be developed. The Reference Questionnaire (Form 10) may be used for these references. Developed information is to be included in the Summary Report.
- h. Education / School History- Information contained in the Main Application and the Official Transcript should be confirmed with the school (Guidance, Discipline, Coaches, Bursar, Security, Local PD, Student Housing, etc.).
- i. Employment History- All employers, where ever possible, are to be contacted interviewed and provided with Employment Reference Form (Form 9). This should be conducted face-to face. If needed, the contact may be completed via US Mail, Email and the telephone. Returned forms are to be reviewed and added to the file.
- j. Previous Applications with Other Law Enforcement Agencies- if the applicant applied with other agencies then the investigators should contact that agency to determine the status of the application; the phase(s) completed. If possible, copies of documents / applications should be obtained pursuant to the applicant's signed release waiver.
- k. Credit History Report- The applicant will be required to obtain and provide to the BIU a printed copy of their full credit report from the three reporting agencies. The report will be reviewed for information. Any discrepancies will be discussed with the applicant and they will be provided with their Rights under the Fair Credit Reporting Act before the information is used in a hiring decision.
- l. Oral Board Interview- The applicant will be interviewed by the Oral Board as empanelled by the Chief of Police. The Oral Board chairman will be the BIU Supervisor. The Oral Board will normally consist of commanders / supervisors from Administration Division, Detective Bureau, Patrol Division and Internal Affairs.
 - (1) The BIU Supervisor will brief the Oral Board with a summary of background information prior to the interview.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

- (2) The applicant will be individually scheduled to appear before the Oral Board and sent an Interview Notice (Form 11o).
 - (3) The Applicant Oral Board Interview Form will be used by each board member to document their observations and comments.
7. The BIU Supervisor will report the findings of the Oral Board to the Chief of Police. The Chief of Police will then instruct the BIU Supervisor to issue Conditional Offers of Employment (COE) to specific applicants who have successfully completed Phase I of the process, in preparation for the Phase II- Medical Phase of the hiring process.
 - a. The COE SHALL not be issued to any applicant that has not successfully completed the entire Phase I of the process.

II. LAW ENFORCEMENT PHASE TWO: Medical

- A. The medical Phase shall commence with the issuance of the Conditional Offer of Employment [COE] (Form 13).
- B. The applicant will be personally issued the Medical Phase Application (Form 14). The applicant has until 1500 hours on the 5th business day to return the completed application as instructed on Form 14.
- C. Drug Screening- The Fort Lee Police Department will subject all applicants to an unannounced drug screening in accordance with the NJ Attorney General's Drug Screening Guideline and related instructions
 1. The applicant will be provided with an Interview Notice (Form 11d) directing them to appear at HQ on a specific date and time.
 2. The applicant will be provided with the appropriate forms as designated by the AG Guideline.
 3. The applicant's sample will be collected in compliance with the AG Guideline.
 4. The sample will be handled as evidence with an Evidence Report being generated.
 5. The state's Law Enforcement Drug Testing Form will be completed and the sample will be submitted to the NJ Medical Examiner's Office (Newark) by a member of the BIU.
 6. The results of the Drug Screening will be received by the BIU Supervisor.
 7. The Chief of Police is to be immediately notified of any positive screenings.
 8. If appropriate, an investigation may be initiated to establish the root cause for the positive lab results. The facts from the investigation are to be verbally reported to

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

the Chief of Police. If the positive screening was the result of a lawfully prescribed medication for the date of the screening then a written report may be submitted to the NJ Medical Examiner's Office requesting a Medical Review of the case.

9. In no case will a second sample from an applicant be submitted to the NJ Medical Examiner's Office for an additional screening.

D. Psychological Screening

1. The applicant will be provided with an Interview Notice (Form 6) directing them to appear at the designated psychologist's office on a specific date and time for psychological screening /examination.
2. All applicants during the same cycle will be examined by the same service provider except under extenuating circumstances with the specific approval of the Chief of Police.
3. The examination shall be conducted and assessed by a qualified professional prior to appointment to probationary status.

E. Medical Screening

1. At the beginning of the BI process the BIU Supervisor should contact the academy's designated medical service provider to tentatively schedule a group of applicants for the Medical Screening. As the process continues the BI supervisor should notify the staff of any changes in the number of applicants being scheduled.
2. The applicant will be provided with an Interview Notice (Form 11m) directing them to appear at the designated medical facility on a specific date and time for the first day of Medical Screening.
3. The second day will be scheduled by the facility's staff. The date should be obtained by the BIU Supervisor.
4. Upon completion of the second day of the medical screening the applicants are to return the paperwork to the BIU.

F. Academy Pre-Assessment Screening

1. The applicant will be provided with an Interview Notice (Form 11p) directing them to appear at the Bergen County Law & Public Safety Institute, or other designated PTC approved academy, on a specific date and time to complete the screening for the academy.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

2. The BIU Supervisor will obtain the results from the academy staff and advise the Chief of Police.
- G. Status Report- The BIU Supervisor will prepare a Status Report for the Chief of Police listing the names of the applicants that have successfully completed the background investigation process.
- H. Appointment Procedure
 - a. The Chief of Police may direct the BIU Supervisor to schedule the applicants for the following:
 1. Chief's Interview (Form 11c)
 2. Swearing In Ceremony (Form 11s)
 - (a) The BIU Supervisor will obtain information from the applicant and prepare a brief biography for the Chief of Police.
 - (b) The BIU Supervisor will ensure that the badge to be used during the ceremony is obtained from the Administrative Division Commander.
 - (c) The BIU Supervisor should provide direction to the applicant and their family regarding the ceremony.
 - (d) The BIU Supervisor should coordinate the completion of The Oath of Office with the Borough Clerk.
 - (e) The Training Bureau supervisor will coordinate the trainee completion of employment paperwork with various Borough Hall offices during the Orientation Training.

III LAW ENFORCEMENT BACKGROUND INVESTIGATION DOCUMENTATION

- A. The confidential BI file will consist of a four-part file folder.
 1. Tab 1 will contain of BI the Summary Report, Applications, Notice Forms and email correspondence.
 2. Tab 2 will contain of the BI Case Jacket Checklist
 3. Tab 3 will contain of paperwork provided by the applicant.
 4. Tab 4 will contain paperwork developed by the BIU during the investigation.
- B. The investigators will update the Case Jacket Checklist as portions of the process are completed.
- C. The BIU Supervisor will update the Applicant Master Name Index as each applicant is proceeds through the various scheduled steps of the process.
- D. The BIU Supervisor will update the Applicant Interview Schedule as the applicant proceeds through the various steps of the process.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

- E. The BIU Supervisor will periodically brief the Administrative Division Commander and the Chief of Police on the status of applicants in the BI process.
- F. No information regarding a specific applicant is to be shared with any employee outside of the BIU or the empanelled Oral Board unless specifically directed by the Chief of Police.
- G. No employee outside the BIU is to accept any paperwork from or on behalf of an applicant unless specifically directed by the BIU Supervisor or the Chief of Police.
- H. Summary Reports
 - 1. Failure to Respond Report
 - a. Fail to Respond to Certification Notice- The BIU Supervisor shall prepare a report documenting the names of applicants whose name appeared on the Certification of Eligibles who failed to respond to the DOP Notification Card within the required time as established by the DOP. The BIU Supervisor should coordinate activities regarding the deadline date with Borough Hall. The BIU Supervisor should confirm the list of names that responded and the list that did not respond.
 - b. The report will be submitted, reviewed and co-signed by the Administrative Division Commander.
 - 2. Applicant Summary Report
 - a. The BIU Supervisor shall prepare a report for each interviewed applicant documenting the investigation process including observations made and information obtained. The report shall contain the recommended Applicant Classification(s) according to the DOP Guide.
 - b. The report will be submitted, reviewed and co-signed by the Administrative Division Commander.
 - 3. Summary reports shall be provided to the Chief of Police for review and recommendation to the Appointing Authority.
 - 4. After approval from the Chief of Police, the Summary Report is to be added to the BI file.
 - 5. Notice forms and related sent emails, including applicant responses, are to be printed up and added to the BI file.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

6. The confidential BI file shall remain in the locked BIU file cabinet within the Training Bureau's custody. If the applicant is hired the BI file is to be forwarded to the Office of the Chief to be secured in the department's Confidential Employee Personnel Files.
 - a. The confidential BI files shall be classified as Official Use Only and retained of a minimum of five (5) years. After which time the BI file may be purged in the appropriate manner per the NJ Division Archives.
 - b. Non-medical documents may be released to another governmental or law enforcement agency when requested by the agency in writing or by the applicant through that agency's signed Release / Waiver.
 - (1) The signed Release / Waiver form is to be added to the applicant BI file.
 - (2) It should be noted on the form which documents were reviewed / released to the agency.
 - (3) The BIU member assisting the other agency is to write their name on the copy of the submitted Release / Waiver Form.
 - (4) If as part of an official investigation a governmental agency submits a written request for access to a BI file and there is not signed release then the BIU Supervisor is to after receiving authorization from the Chief, is to prepare a report explaining the justifications for the review of the BI file and note documents reviewed / released. The report will be submitted to the Chief with a copy added to the BI file.
 - c. Confidential Background Investigation file are not to be released to the public as they are accepted with the expectation that the information is to be protected under N.J.S.A 47:1A1.
7. The BIU Supervisor should keep a copy of original and the completed Certification of Eligibles in a separate marked folder in the BIU cabinet.
8. The BIU Supervisor should keep each prepared Time-Line Report in a separate marked folder regardless if the BI process is conducted for that academy class.
9. The BIU Supervisor shall provide copies of the required Summary Reports to the Appointing Authority as attachments when completing the DOP Certification of Eligibles. If necessary, additional documents can be provided as proofs and attached to the Certification of Eligibles.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

10. An Applicant Closure Notice (Form 12) should be mailed to each applicant that is not selected or disqualified from the BI process. NJ DOP will send the applicant their specific classification and information regarding the appeal process.
 - a. Upon receiving a Notice of an Applicant's Classification Appeal, from DOP, the BIU Supervisor will notify the Chief, Administrative Division Commander then contact the Borough Attorney.
 - b. The required proof documents are to be copied from the file by the BIU, reviewed with the Borough Attorney.
 - c. Once approved, a cover letter will be written by the BIU Supervisor listing the documents being submitted to DOP and provided to the applicant.
 - d. The packets of documents are to be sent out as directed by NJ DOP (1 copy to DOP and the other to the Applicant) via Certified / Return Receipt mail.

IV PUBLIC SAFETY TELECOMMUNICATIONS BACKGROUND CHECKS

- A. The initial stage of a Telecommunicator Background Check is to commence after:
 1. A Certification List of Eligibles is requested and received by the borough from NJ Department of Personnel (DOP) for the competitive position of Telecommunicator Operator. The List of Eligibles is normally the result of written examinations conducted by DOP.
 2. In emergent situations, the process may be announced by the Borough indicating the manner in which interested parties may apply for the non-competitive position of Telecommunicator Trainee.
- B. The background check process should be conducted by the BIU in cooperation with the Communications Supervisor.
 1. The following sections apply to conducting a Telecommunicator Background Check:
 - a. Background Investigation Unit Assignment
 - 1) The Chief of Police or his designee shall assign existing background investigators or officers who have received training in background investigations to the Background Investigation Unit (BIU) in preparation for the hiring process.

ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8

- 2) The Background Investigation Unit (BIU) is within the Training Bureau which is in the Administrative Division.
- 3) The Background Investigation Unit (BIU) can be staffed on either a full-time or part-time basis by investigators as needed based upon the case load at that particular time. If investigators are assigned on a part-time basis then the BIU Supervisor must coordinate work schedules with the investigators immediate supervisor.
- 4) No investigator shall be assigned to the BIU if their immediate relative (husband, wife, son, daughter, father, mother, step-child, niece or nephew) is an applicant in the current background investigation process.

b. Applicant Investigation Case Load

- 1) A minimum of two background investigators should be present during an interview and work on each applicant investigation. The Communications Supervisor should be the lead interviewer during interviews of Telecommunicator applicants.
- 2) The Communications Supervisor and BIU Supervisor shall monitor the status of each applicant investigation through periodic BIU meetings and shall advise the Administrative Bureau Commander and the Chief, as directed.

C. The background check topic areas include, but are not limited to:

1. Application Process
2. Driver's License Check, if possessed
3. Criminal History Check
4. Domestic Violence Registry Check
5. Employment History Check and Verification
6. Reference Checks
7. Various Interviews

D. Letters of Intent / Applications / Resumes

1. Letters of Intent received in response to a DOP Notification should be faxed to the Communications Supervisor in a timely manner.

ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8

2. In an emergent hiring situation the Communications Supervisor may receive resumes or a completed Borough of Fort Lee Application from the applicant or Borough Hall.
 3. An existing borough employee applying to become a Telecommunicator will be required to complete the entire Telecommunicator Background Check process.
- E. The Communications Supervisor should then contact the applicant(s) and schedule them individually for the Initial Interview. The Interview Notice (Form T2) will normally be sent via email.
- F. **Initial Interview:** The Communications Supervisor and a member of the BIU will conduct the Initial Interview during which the following topics will be explained:
1. Obtain an updated Letter of Intent (Form T1)
 2. Obtain the completed Initial Application (Form T3), if a resume or Borough of Fort Lee Application (Form T7) has not already been completed.
 3. Provide the applicant with the Notice of Background Check Process (Form T4) describing the steps of the background check and the Communications Supervisor / BIU Contact Phone List. The applicant should be advised that they will be contacted throughout the process and advised in writing when the process is completed.
 4. Obtain a signed & dated Release / Waiver Form (Form T5) which will be witnessed by a member of the BIU. The Release / Waive will allow the BIU to follow-up on any information provide by the applicant.
 5. Collect & photocopy personal paperwork as requested in the Interview Notice. Documents should be time-stamped indicating the date received. The accuracy of the information contained in these documents and qualifying credentials should be confirmed during the investigation.
 6. Issue the Borough of Fort Lee Application if not previously completed. (Form T7).
 7. Provide the NJ DOP Job Description for Telecommunicator Trainee.
 8. Provide and discuss the Willingness Questionnaire (Form T7w) with the applicant before they sign the form.
 9. The applicant will be fingerprinted for Criminal Justice Employment. The fingerprints are automatically submitted to the New Jersey State Police and Federal Bureau of Investigation for a criminal history check.
 10. If a driver's license is possessed by the applicant, then conduct a regional check should be conducted on the applicant's driver's license number and name.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

11. Computer records checks will be run on the applicant (Department, DV Registry, Criminal Checks)
12. A public records history search should be conducted.
13. An internet search should be conducted including a general search, web profile(s) and searches of newspaper.
14. If the applicant served in the armed forces then a completed Military Records Request Form (Form 180) will be required in order to obtain the authorized release of his service records to the BIU.
 - a. The BIU should prepare and send a letter to the Veterans Administration obtaining the applicant's military record.
 - b. Military Units / Installations may be contacted during the background check.
 - c. The Military Police Unit where the applicant was stationed or served may be contacted during the background check.
15. Background Check: After the Initial Interview the applicant's file is then in the Investigation portion of the process.
 - a. References- All listed references are to be contacted, interviewed and provided with Reference Questionnaire (Form T10). The form can be sent via US Mail or Email. Returned forms are to be reviewed and added to the file. A minimum of two (2) secondary references should be developed, contacted and interviewed during this process. References may be interviewed via the telephone if necessary. If the reference form is not returned, then the information obtained during the interview needs to be documented in a report.
 - b. Education / School History- Information contained in the Application and the Official Transcript may be confirmed with the school (Guidance, Discipline, Coaches, Bursar, Security, Local PD, Student Housing, etc.).
 - c. Employment History- All employers, where ever possible, are to be contacted interviewed and provided with Employment Reference Form (Form T9). This may be conducted face-to face. If needed the contact may be completed via US Mail, Email and the telephone. Returned forms are to be reviewed and added to the file.
 - d. The investigators will update the Telecommunicator Background Check Case Jacket Checklist as portions of the process are completed.

ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8

- e. The Communications Supervisor and the BIU Supervisor will periodically brief the Administrative Division Commander and the Chief of Police on the status of applicants in the background check process.
 - f. No information regarding a specific applicant is to be shared with any employee outside of the BIU or unless specifically directed by the Chief of Police.
 - g. No employee outside the BIU or Communications Supervisor is to accept any paperwork from or on behalf of an applicant unless specifically directed by the Communications Supervisor, BIU Supervisor or the Chief of Police.
 - h. Status Report- The Communications Supervisor will prepare a Status Report for the Chief of Police listing the names of the applicants that have successfully completed the background check process.
16. Applicant Summary Report / Background Check File
- a. Applicant Summary Report
 - 1. The Communications Supervisor shall prepare a report documenting the investigation process including observations made and information obtained. Information from the BIU Supervisor and members will be included in the report. The report shall contain the recommended Applicant Classification(s) according to the DOP Guide. The
 - 2. The report will be submitted, reviewed and co-signed by the Administrative Division Commander.
 - b. Summary reports shall be provided to the Chief of Police for review and recommendation to the Appointing Authority.
 - c. After approval from the Chief of Police, the Summary Report is to be added to the background check file.
 - d. Notice forms and related sent emails, including applicant responses, are to be printed up and added to the background check file.
 - e. The confidential background check file shall remain in the locked BIU file cabinet within the Training Bureau's custody. If the applicant is hired the BI file is to be forwarded to the Office of the Chief to be secured in the department's Confidential Employee Personnel Files.
 - (1) The confidential background check files shall be classified as Official Use Only and retained of a minimum of five (5) years. After which time the B background check I file may be purged in the appropriate manner per the NJ Division Archives and Records Management.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

- f. The Communications Supervisor shall provide the BIU Supervisor with a copy of original and the completed Telecommunicators Operator Certification of Eligibles in a separate marked folder in the BIU cabinet
- g. The Communications Supervisor shall provide copies of the required Summary Reports to the Appointing Authority as attachments when completing the DOP Certification of Eligibles. If necessary, additional documents can be provided as proofs and attached to the Certification of Eligibles
- h. An Applicant Closure Notice (Form T12) should be mailed to each applicant that is not selected or disqualified from the background check process. NJ DOP will send the applicant their specific classification and information regarding the appeal process.
- i. DOP Appeal Notification
 - (1) Upon receiving a Notice of an Applicant's Classification Appeal, from DOP, the BIU Supervisor will notify the Communications Supervisor, Chief, Administrative Division Commander then contact the Borough Attorney.
 - (2) The required proof documents are to be copied from the file by the BIU, reviewed with the Communications Supervisor then the Borough Attorney.
 - (3) Once approved, a cover letter will be written by the BIU listing the documents being submitted to DOP and provided to the applicant.
 - (4) The packets of documents are to be sent out as directed by NJ DOP (1 copy to DOP and the other to the Applicant) via Certified / Return Receipt mail.

V CIVILIAN EMPLOYEES BACKGROUND CHECKS

- A. The initial stage of a civilian staff background check is to commence after:
 - 1. A Certification List of Eligibles is requested and received by the borough from NJ Department of Personnel (DOP). The List of Eligibles is normally the result of written examinations conducted by DOP.
 - 2. In emergent situations, the process may be announced by the Borough indicating the manner in which interested parties may apply.
- B. The background check process should be conducted by the BIU in cooperation with the Administrative Division Commander.

ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8

1. The following sections apply to conducting a Civilian Background Check:
 - a. Background Investigation Unit Assignment
 - 1) The Chief of Police or his designee shall assign existing background investigators or officers who have received training in background investigations to the Background Investigation Unit (BIU) in preparation for the hiring process.
 - 2) The Background Investigation Unit (BIU) is within the Training Bureau which is in the Administrative Division.
 - 3) The Background Investigation Unit (BIU) can be staffed on either a full-time or part-time basis by investigators as needed based upon the case load at that particular time. If investigators are assigned on a part-time basis then the BIU Supervisor must coordinate work schedules with the investigators immediate supervisor.
 - 4) No investigator shall be assigned to the BIU if their immediate relative (husband, wife, son, daughter, father, mother, step-child, niece or nephew) is an applicant in the current background investigation process.
 - b. Applicant Investigation Case Load
 - 1) A minimum of two background investigators should be present during an interview and work on each applicant investigation.
 - 2) The Administrative Division Commander and BIU Supervisor shall monitor the status of each applicant investigation through periodic BIU meetings and shall advise the Chief, as directed.
- C. The background check topic areas include but are not limited to:
 1. Application Process
 2. Driver's License Check, if possessed
 3. Criminal History Check
 4. Domestic Violence Registry Check
 5. Employment History Check and Verification
 6. Reference Checks
 7. Various Interviews

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

- D. Letters of Intent / Applications / Resumes
4. Letters of Intent received in response to a DOP Notification should be faxed to the Administrative Division Commander in a timely manner.
 5. In an emergent hiring situation the Administrative Division Commander may receive resumes or a completed Borough of Fort Lee Application from the applicant or Borough Hall.
 6. An existing borough employee applying to become a civilian employee within the police department will be required to complete the entire Civilian Background Check process.
- E. The Administrative Division Commander will then contact the applicant(s) and schedule them individually for the Initial Interview. The Interview Notice (Form C2) will normally be sent via email.
- F. **Civilian Initial Interview:** The Administrative Division Commander and a member of the BIU will conduct the Initial Interview during which the following topics will be explained:
1. Obtain an updated Letter of Intent (Form C1)
 2. Obtain the completed Initial Application, if a resume or Borough of Fort Lee Application has not been completed. (Form C3).
 3. Provide the applicant with the Notice of Background Check Process (Form C4) describing the steps of the background check and the Administrative Division Commander / BIU Contact Phone List. The applicant should be advised that they will be contacted throughout the process and advised in writing when the process is completed.
 4. Obtain a signed & dated Release / Waiver Form (Form C5) which will be witnessed by a member of the BIU. The Release / Waiver will allow the BIU to follow-up on any information provide by the applicant.
 5. Collect & photocopy personal paperwork as requested in the Interview Notice. Documents should be time-stamped indicating the date received. The accuracy of the information contained in these documents and qualifying credentials should be confirmed during the investigation.
 6. Issue the Borough of Fort Lee Application if not previously completed. (Form C7).
 7. Provide the NJ DOP Job Description for civilian position being sought.
 8. Provide and discuss the Willingness Questionnaire (Form C7w) with the applicant before they sign the form.

ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8

9. The applicant will be fingerprinted for Criminal Justice Employment. The fingerprints are automatically submitted to the New Jersey State Police and Federal Bureau of Investigation for a criminal history check.
10. If a driver's license is possessed by the applicant, then a regional check should be conducted on the applicant's driver's license number and name.
11. Computer records checks will be run on the applicant (Department, DV Registry, Criminal Checks)
12. A public records history search should be conducted.
13. An internet search should be conducted including a general search, web profile(s) and searches of newspaper.
14. If the applicant served in the armed forces then a completed Military Records Request Form (Form 180) will be required in order to obtain the authorized release of his service records to the BIU.
 - a. The BIU should prepare and send a letter to the Veterans Administration obtaining the applicant's military record.
 - b. Military Units / Installations may be contacted during the background check.
 - c. The Military Police Unit where the applicant was stationed or served may be contacted during the background check.
15. Civilian Background Check: After the Initial Interview the applicant's file is then in the Investigation portion of the process.
 - a. References- All listed references are to be contacted, interviewed and provided with Reference Questionnaire (Form T10). The form can be sent via US Mail or Email. Returned forms are to be reviewed and added to the file. A minimum of two (2) secondary references should be developed, contacted and interviewed during this process. References may be interviewed via the telephone if necessary. If the reference form is not returned then the information obtained during the interview needs to be documented in a report.
 - b. Education / School History- Information contained in the Main Application and the Official Transcript may be confirmed with the school (Guidance, Discipline, Coaches, Bursar, Security, Local PD, Student Housing, etc.).
 - c. Employment History- All employers, where ever possible, are to be contacted interviewed and provided with Employment Reference Form (Form T9). This may be conducted face-to face. If needed the contact may be completed via US

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

- Mail, Email and the telephone. Returned forms are to be reviewed and added to the file.
- d. The investigators will update the Background Check Case Jacket Checklist as portions of the process are completed.
 - e. The Administrative Division Commander and the BIU Supervisor will periodically brief the Chief of Police on the status of applicants in the background check process.
 - f. No information regarding a specific applicant is to be shared with any employee outside of the BIU or unless specifically directed by the Chief of Police.
 - g. No employee outside the BIU or Administrative Division Commander is to accept any paperwork from or on behalf of an applicant unless specifically directed by the Administrative Division Commander, BIU Supervisor or the Chief of Police.
 - h. Status Report- The Administrative Division Commander, or their designee, will prepare a Status Report for the Chief of Police listing the names of the applicants that have successfully completed the background check process.
16. Applicant Summary Report / Background Check File
- a. Applicant Summary Report
 - (1) The Administrative Division Commander shall prepare a report documenting the investigation process including observations made and information obtained. Information from the BIU Supervisor and members will be included in the report. The report shall contain the recommended Applicant Classification(s) according to the DOP Guide. The
 - (2) The report will be submitted, reviewed and co-signed by the Operations Division Commander.
 - b. Summary reports shall be provided to the Chief of Police for review and recommendation to the Appointing Authority.
 - c. After approval from the Chief of Police, the Summary Report is to be added to the background check file.
 - d. Notice forms and related sent emails, including applicant responses, are to be printed up and added to the background check file.
 - e. The confidential background check file shall remain in the locked BIU file cabinet within the Training Bureau's custody. If the applicant is hired the BI file is to be

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

forwarded to the Office of the Chief to be secured in the department's Confidential Employee Personnel Files.

- (1) The confidential background check files shall be classified as Official Use Only and retained of a minimum of five (5) years. After which time the B background check I file may be purged in the appropriate manner per the NJ Division Archives
- f. The Administrative Division Commander shall provide the BIU Supervisor with a copy of original and the completed civilian position Certification of Eligibles in a separate marked folder in the BIU cabinet
 - g. The Administrative Division Commander shall provide copies of the required Summary Reports to the Appointing Authority as attachments when completing the DOP Certification of Eligibles. If necessary, additional documents can be provided as proofs and attached to the Certification of Eligibles
 - h. An Applicant Closure Notice (Form C12) should be mailed to each applicant that is not selected or disqualified from the background check process. NJ DOP will send the applicant their specific classification and information regarding the appeal process.
 - i. DOP Appeal Notification
 - (5) Upon receiving a Notice of an Applicant's Classification Appeal, from DOP, the BIU Supervisor will notify the Communications Supervisor, Chief, Administrative Division Commander then contact the Borough Attorney.
 - (6) The required proof documents are to be copied from the file by the BIU, reviewed with the Administrative Division Commander then the Borough Attorney.
 - (7) Once approved, a cover letter will be written by the BIU listing the documents being submitted to DOP and provided to the applicant.
 - (8) The packets of documents are to be sent out as directed by NJ DOP (1 copy to DOP and the other to the Applicant) via Certified / Return Receipt mail.

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

**AUTHORITY
BAIL PROCEDURES
VOL. VII, CH. 24**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-30-2002	REVISION DATE 4-7-05	PAGE #: 1, 2, 3, 5	SECTION: I-A, B2 IV-A, A-1 D-1-2 VII-A- 6	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 6					CHAPTER 24
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: BAIL PROCEDURES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure that proper procedures are followed when taking bail for a subject to be released.

POLICY:

Officers of this department should whenever possible, take bail for the release of a subject who has been detained by this department on an offense which requires bail to be posted. Detainee's should be afforded ample time to make phone calls for the arrangement of posting bail.

No member of this department will recommend any particular bail bondsman to a person seeking bail. Bail may be accepted for a prisoner prior to being transported to the Bergen County Jail.

PROCEDURE:

I. Bail receipts

- A. Bail receipts will have warrant/summons numbers written in the proper location at the top of the receipt.
- B. Bail receipts and copies of the summons/warrant will be distributed of as follows:

**AUTHORITY
BAIL PROCEDURES
VOL. VII, CH. 24**

1. The completed white copy of the bail receipt and defendant's copy of the summons or complaint will be given to the defendant;
 2. The green copy of the bail receipt is placed with the bail and forwarded to the court via the court bail safe with a completed, signed recognizance form;
 3. The pink copy of the bail receipt is placed with the original complaint/summons, central court services form, or white copy of the MV summons (DWI Only) and forwarded to the court, NOT placed in the bail safe (in most cases this is done by case management officer, or with MV summonses the Records Bureau, green copy of a summons goes to records);
 4. The yellow copy stays in the bail receipt book.
- C. A representative of the Municipal Court periodically responds to Police Headquarters to remove bail monies and the green copies of the bail receipts from the court safe.
1. Upon counting the bail monies, the representative will initial each yellow bail receipt in the bail book to indicate that he/she has taken the green receipt and money for that particular bail. The initials will be placed under the docket number. The tour commander shall place his initials underneath the court person's.
 2. No bail book will be forwarded to the record room until all yellow copies have been so receipted.

II. Offenses requiring bail.

- A. Indictable offense/crime require that the prisoner is to be arraigned by a Judge, bail is then to be set by the Judge.
- C. Disorderly and petty disorderly persons offenses are normally not offenses which require bail to be collected.
 1. Bail will be collected for drug offenses and shoplifting, unless a Judge or Court administrator approves release ROR.

III. Ten percent availability

- A. The Judge or Court administrator will advise whether or not a ten- percent bail may be posted.
 1. The ten- percent bail eligibility is **unavailable** to persons charged with motor vehicle offenses or for any drug-related offense without a judge's permission.
 2. All offenders eligible for the ten percent bail program must be informed of that fact.

**AUTHORITY
BAIL PROCEDURES
VOL. VII, CH. 24**

3. Should the offender post the required ten percent bail, a Recognizance Form and Ten Percent Cash Bail Receipt should be completed and then signed by defendant.
4. In addition, the bail information on the offender's summons will be completed by marking, "10%/(amount collected)" in the "Rel. on Bail" box.
5. On the bail receipt, a notation will be made in the area to the left of "Municipal Court, Fort Lee, New Jersey", with "Bail set at (amount originally set), 10% deposit accepted." The actual deposit amount should be the actual amount collected and deposited.

IV. Filing fee

- A. The filing fee which must be collected when collecting bail in any indictable case is \$30.00 for each defendant.
 1. Filing fee should be collected even if the defendant is ROR'd, unless in is waived by the Judge on the Warrant.
- B. A separate bail receipt is to be made out for the filing fee. The officer collecting the filing fee will:
 1. Cross out the word, "Bail", on the receipt, and print in, "Filing Fee";
- C. Print the warrant number(s) on the receipt;
- D. Place green copy of the receipt, as well as the \$30.00, in an envelope, marking the defendant's name, the warrant number(s), and the words, "Filing Fee", on the outside;
 1. Filing fee should be in a separate envelope from the bail collected.
 2. If the defendant is ROR'd and the filing fee is collected, a recognizance form should be placed in the envelope with the filing fee.
- E. Place the envelope in the court safe;
- F. Place the pink copy of the receipt in the defendant's jacket.

V. Non-indictable offenses

- A. Persons charged with non-indictable offenses shall be issued a summons and released without bail being posted, except in the following circumstances:
 1. The offense charged is a drug offense or shoplifting, in which the bail amount will be pre-set for all defendants (following bail schedule issued by the Municipal Court), no 10%. (If there are extenuating circumstances, the tour commander must

contact the judge or court clerk, as only one or the other may reduce or waive bail.)

2. If the tour commander has evidence that, or has a strong belief that:
 - (a). The accused has refused to respond to a summons;
 - (b). The accused is a danger to himself, to others, or to property;
 - (c). There are one or more outstanding warrants for the accused;
 - (d). The whereabouts of the accused are unknown, and an arrest warrant is necessary to subject the accused to the jurisdiction of the court;
 - (e). The accused will not appear in response to a summons. In any of the above circumstances, the tour commander will first contact the judge or court clerk and explain his reason for requesting that bail be set.
3. The final determination of bail will rest with the judge or court clerk.
4. If the prisoner becomes an inmate of the jail, persons wishing to post bail may be directed to that institution.

VI. Bail Waiver Forms

- A. The following procedure should be followed regarding a person that has a warrant meeting the below criteria :
 1. FAILURE TO MAKE PAYMENT WARRANTS ONLY.
- B. The above are for when the court issued a warrant to defendant and it is stamped "FAIL TO MAKE PAYMENT".
- C. There are two forms for this purpose, they both are to allow the bail to be used toward the payment of fines involved in the particular case.
 1. This is to be used as a waiver, so that the defendant can avoid appearing in court.
 2. In line 4 no court costs are to be added.
- D. One form is for the defendant who is posting bail for him/her-self. The other is for a surety to post bail for the defendant (allowing the money posted to go toward the fine).
- E. Review forms carefully before filling them out, bail receipt is still required.(Make note on receipt that there is a waiver form).
- F. Defendant name must be correct, surety name, docket number, summons number, address and signature.

**AUTHORITY
BAIL PROCEDURES
VOL. VII, CH. 24**

- G. WHITE COPY: Defendant or surety, YELLOW COPY: Attached to court copy of bail receipt (GREEN).
- H. Copy of warrant should accompany the green copy of receipt to the court along with the cash bail.
- I. If a Bondsman posts the defendants bail, the original bail bond is to be attached to the original complaint/summons or copy of warrant and forwarded to the court.

NO BAIL RECEIPT IS TO BE FILLED OUT FOR A BOND

VII. Bail for other Agencies

- A. When a person comes in with a warrant in their name issued from another agency and they are a Borough resident, the officer should check the warrant and make sure it indicates that they are to respond to the Fort Lee Police Department to pay their bail.
 - 1. Make 2 copies of warrant.
 - 2. Take appropriate amount of Cash bail.
 - 3. Fill out bail receipt for the proper amount.
 - 4. Fill in the summons number in the top of the receipt.
 - 5. Put the Municipal Court Name and Address on the receipt to the left of where it says Municipal Court of Fort Lee.
 - 6. Attach a copy of warrant to the bail and deposit with the green copy of receipt, in an envelope with the recognizance form and place it in to the bail safe at the desk.
 - 7. White copy goes to person posting bail and pink copy attach to the other copy of warrant and arrest report for records.
- B. When a person is brought in on a warrant for another agency. The warrant should be confirmed by calling that agency and asking if the warrant is valid and if they will pick up the defendant if bail can not be posted. A hard copy should be obtained via fax, ACS or ATS.
 - 1. If the individual has the bail amount with him, or can have someone get it in a short period of time.
 - a. Bail money should be taken and the procedures in section VII – A above should be followed.
 - 2. If the individual does not have the bail, can not get the bail and has no local charges.

**AUTHORITY
BAIL PROCEDURES
VOL. VII, CH. 24**

- a. Issuing agency should be advised to pick up their prisoner.
 - b. Arrest report should be completed.
 - c. T.O.T. book should be signed by officers picking up prisoner.
 - d. T.O.T. information and time of release should be completed on the arrest report.
- C. In any case where a person is either arrested on a warrant, or comes in to post bail on a warrant, the warrant must be executed in ACS or ATS by Com-Cen personnel.

COMMUNITY ASSISTANCE

BIAS INCIDENTS

VOL. III, CH. 2

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 5/3/2001	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME III
VOLUME TITLE: COMMUNITY ASSISTANCE	# PAGES: 16					CHAPTER 2
ACCREDITATION STANDARD(S):	REFERENCE: V3C2					
SUBJECT: BIAS INCIDENTS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure uniformed response to Bias incidents, by using appropriate procedures outlined in this directive, for the reporting, investigating, notification of proper agencies and the treatment of victims

POLICY

Bias Incidents have occurred throughout the state and the nation. As a result, the victimized communities have been gripped by uncertainty, tension and conflict. The promulgation of these standards serve as recognition that the unique nature of suspected or confirmed Bias Incidents requires special handling from the Borough of Fort Lee 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 Borough of Fort Lee 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.

COMMUNITY ASSISTANCE

BIAS INCIDENTS

VOL. III, CH. 2

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 Borough of Fort Lee is the responsibility of the Borough of Fort Lee 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.

PROCEDURE:

I. ROLE AND RESPONSIBILITIES OF THE CHIEF OF POLICE

- A. Provide leadership and direction by developing a clear and concise formal Bias Incident policy and procedure and disseminating it to all department personnel.
- B. Publicly announce the agency's Bias Incident investigation policy. Explain that the public should immediately contact the police when a Bias Incident occurs.
- C. Ensure that all law enforcement officers of the agency receive appropriate training in Bias Incident response and investigation.
- D. 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.
- E. Ensure that security is increased in the affected area, as appropriate.
- F. Personally visit the victim of a Bias Incident, or designate an officer to do so.
- G. Ensure that the Bias Incident investigation is actively pursued to a successful conclusion or until all leads have been considered.
- H. Ensure that all relevant information regarding suspected or confirmed Bias Incidents is shared with the Bergen County Prosecutor, the Division of State Police Central Security Bureau and other appropriate law enforcement agencies within a reasonable period of time, as necessary.
- I. Ensure that victim/witness service referrals are made in a timely manner, as appropriate.
- J. 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.
- K. Ensure that community relations activities and crime prevention programs are conducted, as appropriate.
- L. Maintain contact with community leaders concerning the Bias Incidents.

COMMUNITY ASSISTANCE

BIAS INCIDENTS

VOL. III, CH. 2

- M. Conduct appropriate media relations. Prepare accurate and timely public information news releases, as appropriate.
- N. 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.
- O. Ensure that victims and other concerned parties are informed of the final disposition of the incident.

II. DEFINITION OF BIAS INCIDENT AND RELATED CRIMINAL VIOLATIONS:

- A. For New Jersey law enforcement purposes, 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).

SPECIAL NOTE: 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.” **Bias incident offenses might include:**

1. Murder
2. Manslaughter
3. Rape
4. Robbery
5. Aggravated Assault
6. Burglary
7. Larceny - Theft
8. Simple Assault
9. Fear of Bodily Violence (N.J.S.A. 2C:33 -10)
10. Arson

COMMUNITY ASSISTANCE

BIAS INCIDENTS

VOL. III, CH. 2

11. Criminal Mischief
12. Damage to Property; Threat of Violence (N.J.S.A. 2C:33-11)
13. Weapons Offense
14. Sex Offenses (except Rape)
15. Terroristic Threats
16. Disorderly Conduct
17. Harassment
18. Desecration of Venerated Objects

Criminal statutes that specifically address Bias Incidents are:

1. N.J.S.A. 2C:14-1e - Simple Assault become a fourth degree crime if committed with purpose to intimidate an individual or group because of race, color, religion, gender, handicap, sexual orientation or ethnicity.
2. N.J.S.A. 2C:33-4d - Harassment becomes a fourth degree crime if committed with purpose to intimidate because of race, color, religion, gender, handicap, sexual orientation or ethnicity.
3. N.J.S.A. 2C:44-3e - Authorizes an extended term of imprisonment if defendant in committing the crime acted with purpose to intimidate because of race, color, religion, gender, handicap, sexual orientation or ethnicity.

Note: Two Bias Incidents statutes have been held unconstitutional by the New Jersey Supreme Court. They are:

- a. N.J.S.A. 2C:33-10 - Threats of Violence
- b. N.J.S.A. 2C:33-11 - Desecration

While Bias Incidents can no longer be prosecuted under these statutes, other existing statutes may address the offense committed, for example: Criminal Trespass (N.J.S.A. 2C:18-3), Criminal Mischief (N.J.S.A. 2C:17-3), Terroristic Threats (N.J.S.A. 2C:14-3), Simple Assault (N.J.S.A. 2C:14-1a 3) and Harassment (N.J.S.A. 2C:33-4d).

- 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.

COMMUNITY ASSISTANCE

BIAS INCIDENTS

VOL. III, CH. 2

- 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. None the less, 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.

III. GUIDELINES FOR CONFIRMING BIAS INCIDENT:

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 judgment 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.
4. How the victim feels about the incident.
5. Statements made by the suspects.
6. Statements made by the witness.
7. Prior history of similar incidents in the same area affecting the same victim group.

B. 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?
 - a. Was the incident motivated on the basis of sexual orientation?
3. Is the victim the only racial, religious, or ethnic group member in the neighborhood or one of the few?
4. Did the victim recently move into the area?
5. Is the victim acquainted with neighbors and/or associated with local community groups?

COMMUNITY ASSISTANCE

BIAS INCIDENTS

VOL. III, CH. 2

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 method of operation signify a "copy cat" syndrome of other incidents?
12. Is an organized hate group indicated in the incident?
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.

IV. OPERATIONS DIVISION RESPONSIBILITIES

A. Division Commander

1. Will ensure that all personnel in his division are fully familiar with the Bias Incident Policy.
2. Will ensure that all personnel in his division are trained yearly covering all aspects of the policy.
3. Ensure that all personnel in his division follow all areas of the policy.
4. Be responsible for the community relations section of the policy.

COMMUNITY ASSISTANCE

BIAS INCIDENTS

VOL. III, CH. 2

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 in 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 towards the solution of community problems.

b. **Elements of Police Community Relations:**

- (1. Conduct in-service Bias Incident Police Community Relations training for agency personnel.
- (2. Publicly announce the agency's Bias Incident Investigation Policy. Explain that the public should immediately contact the police when the Bias Incident occurs.
- (3. Meet with residents and neighborhood groups in areas where suspected or confirmed Bias Incidents have occurred (or may potentially occur).
- (4. Maintain liaison with community leaders, civil groups and social services agencies, religious and professional organizations and public, private and parochial schools.
- (5. Organize police community relations programs which reflect the needs of the community.
- (6. Assist in developing cooperative programs which involve the law enforcement agency with other community wide organizations.

COMMUNITY ASSISTANCE

BIAS INCIDENTS

VOL. III, CH. 2

- (7. Conduct Bias Incident awareness and education programs in the school system and throughout the community, as appropriate.
- (8. Coordinate police community relations activities with crime prevention programs.

B. Patrol Operations:

1. Initial response to a Bias Incident 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 effort on the part of the first officers answering the call.

2. Responding Officer:

When the initial responding officer arrives on the scene and determines that the situation may involve a Bias Incident, he will:

- a. Apprehend the actor (if applicable)
- b. Provide assistance to the victim
- c. Protect the crime scene in preparation for the gathering of evidence.
- d. Request that a law enforcement supervisor respond to the scene.
- e. Conduct a standard preliminary investigation.
- f. Obtain the names and addresses of all persons who witnessed or who are acquainted with the circumstances of the incident. All such persons should be questioned in detail.
- g. Prepare an investigation report. Document the basic facts and circumstances surrounding the incident to include the following:
 - (1. Name, address, telephone number and information regarding the victim and witnesses
 - (2. Where the incident occurred
 - (3. Person and/or property targeted
 - (4. How targeted
 - (5. Means of attack
 - (6. Time of incident
 - (7. Method of operation-trademark or unusual characteristics of incident

**COMMUNITY ASSISTANCE
BIAS INCIDENTS
VOL. III, CH. 2**

- (8. Any and all other relevant information provided by the victim and witnesses
- h. Refer the victim and witness to the Bergen County Prosecutor's Office of Victim – Witness Advocacy, as appropriate.
3. Law Enforcement Supervisor:
Upon arriving at the scene of a suspected or confirmed Bias Incident, he will:
 - a. Supervise the preliminary response and investigation and insure that the Bias Incident Officer is notified.
 - b. Confer with the initial responding officer.
 - c. Assist in the stabilization of the victim as required.
 - d. Ensure that the crime scene is properly protected and preserved.
 - e. Take steps to ensure that the incident does not happen.
 - f. Determine if additional personnel is required to provide complete public safety services.
 - g. Arrange for an immediate increase of patrols throughout the affected area, as appropriate.
 - h. 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 post position.
 - I. 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.
 - j. Request that investigative personnel respond to the scene if a Bias Incident is suspected or confirmed.
 - k. Notify headquarters and other level of command regarding the facts and circumstances surrounding the incident.
 - l. Request that the next level of command respond to scene, as appropriate.
 - m. Provide headquarters with updated, factual information regarding the incident.
 - n. Ensure that the Chief is notified of the incident.

COMMUNITY ASSISTANCE

BIAS INCIDENTS

VOL. III, CH. 2

- o. Ensure that the necessary basic information is obtained in order to sustain a follow-up investigation.
- p. Ensure that all initial response reports are properly completed as soon as possible.
- q. Hold a general critique of all personnel involved to ensure all possible efforts have been exhausted in the initial response and add to report.

4. Notification

a. To facilitate inter-agency cooperation, the Office of Bias Crime and Community Relations in the Division of Criminal Justice shall be notified:

b. All suspected or confirmed Bias incidents, as soon as possible.

c. Within 24 hours of knowledge of such incident.

(1). immediately for the following:

(a) Homicide

(b) Rape

(c) Aggravated Assault

(d) Arson

(e) Law enforcement officer as alleged perpetrator.

(f) Organized hate group as the suspected perpetrator.

(g) Potential to generate large scale unrest.

(4) Notification required shall be by telephone or facsimile machine.

Weekdays: 9:00 A.M.-5:00 P.M. 609-984-1936

Fax: 609-292-5943.

All other times, Duty Pager: 908-633-2128

b. Bergen County Prosecutor's Office, immediate notification, for the above listed crimes, normal business hours: (see Vol. 7 Tab 3) After hours: (see Vol. 7 Tab 3). All Police Reports and the Supplementary Bias Incident Report shall be delivered or faxed to the Office as soon as practicable.

c. Central Security Bureau
New Jersey State Police
Normal business hours: 609-530-5710
After hours: 609-882-2000

COMMUNITY ASSISTANCE
BIAS INCIDENTS
VOL. III, CH. 2

V. INVESTIGATIVE DIVISION RESPONSIBILITIES

A. Division Commander:

1. Will ensure that each reported case of a Bias Incident is properly followed up and completed.
2. Will oversee all cases and forward reports to the Chief's Office in a timely fashion.

B. Investigation of cases will include all of the following:

1. Follow-up investigation:

- a. Investigative personnel shall respond to the scene of a suspected or confirmed Bias Incident as directed by supervisory personnel.

When the investigator arrives on the scene and determines that the situation may be a Bias Incident, he 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. Continue Bias Incident verification procedure following the guidelines for confirming Bias Incidents contained in these Standards, as necessary.
- (4. Ensure that the scene of the Bias Incident is properly documented and searched, and evidence is gathered for analysis as required. Ensure the documentation of 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 to complete the data elements of the Uniform Crime Report supplementary Bias Incident offense report. Primary elements of the investigation include:

Persons Targeted - This includes the name, address, telephone number, personal background and other details of the victim.

**COMMUNITY ASSISTANCE
BIAS INCIDENTS
VOL. III, CH. 2**

Object Targeted - This includes details on the type of premises, building or institution against which the offense was committed (private premises, 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, creed or religion gender or handicap).

How Targeted - This includes the way in which the person or property was attacked or damaged.

Means of Attack - This includes the instrument, tool, device, or method by which the person or property was attacked or damaged.

Time and Date: - This includes both the time and date reported and the actual time and date the offense was committed.

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.

- (8. Conduct surveillance and other appropriate investigative activities in order to obtain additional evidence and to identify suspects.
- (9. Contact other appropriate law enforcement agencies for assistance, as required. Notify the Bergen County Prosecutor's Office within a reasonable period of time not to exceed 24 hours. **(See VI of this policy)**
- (10. Work closely with the County Prosecutor to ensure that legally sufficient cases are presented for prosecution.
- (11. Assist the victim/witness in obtaining appropriate support services. **(See APPENDIX A)**
- (12. Prepare standard investigative reports documenting the bias incident investigation, as appropriate.
- (13. 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.
- (14. Assist with community relations activities and crime prevention programs, as appropriate.

Investigators should ensure that all physical remains of the incident are removed after crime scene processing is completed. If the remains cannot be physically carried away (example: paint on walls), the investigator should attempt to notify

**COMMUNITY ASSISTANCE
BIAS INCIDENTS
VOL. III, CH. 2**

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.

Investigators 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.

- (15. The Division of State Police Central Security Bureau has established the following notification procedure to be followed when:

A Bias Incident occurs and an organized hate group is suspected of being responsible.

A Bias Incident has potential to generate large scale unrest.

To assist local and county law enforcement authorities with the investigation of any Bias Incident upon request.

During normal working hours, the supervisors of the Central Security Bureau can be reached at telephone number (609)-530-5710.

After normal working hours, holidays, and weekends, contact Division of State Police Headquarters at (609)-883-2000 and request that a Supervisor of the Central Security Bureau be contacted.

- (16. When the Borough of Fort Lee Police Department is confronted with suspected or confirmed violations of New Jersey's Law Against Discrimination the Division of Civil Rights shall be contacted by the investigator assigned to the incident.

VI. OFFICE OF BIAS CRIME AND COMMUNITY RELATIONS

- A. The Office of Bias Crime and Community Relations in the Division of Criminal Justice shall be the office for the statewide investigation and monitoring of bias incidents, and all law enforcement agencies shall give them full cooperation.

1. Whenever assistance is needed by local and county law enforcement authorities regarding bias incidents, the Office of Bias Crime and Community Relations shall be contacted. That office will then coordinate appropriate additional resources with the requesting agency.

**COMMUNITY ASSISTANCE
BIAS INCIDENTS
VOL. III, CH. 2**

B. Notification Procedures

1. To facilitate inter-agency cooperation, the Office of Bias Crime and Community Relations, (**OBCCR**) in the Division of Criminal Justice shall be notified of all suspected or confirmed bias incidents as soon as possible, but in no event later than 24 hours after a law enforcement agency gains knowledge of such incidents. This requirement shall be in addition to notification of the Bergen county prosecutor's office within the same time period.
2. Notwithstanding the above, the **OBCCR**, shall be notified immediately of all suspected or confirmed bias incidents
 - a. That involve homicide, rape, aggravated assault or arson,
 - b. That involve a law enforcement officer as the alleged perpetrator,
 - c. That involve an organized hate group as the suspected perpetrator, and
 - d. That involve the potential to generate large scale unrest.

This requirement shall be in addition to notification of the county prosecutor's office and the Central Security Bureau of the New Jersey State Police.

3. Notification shall be by telephone or facsimile machine (weekdays 9 a.m. to 5 p.m.: (609) 984-1936, (609) 292-5943 (facsimile)1; all other times: (908) 633-2128 (duty pager).

VII. CRIME PREVENTION PROGRAMS

The Borough of Fort Lee Crime Prevention Unit shall establish specific crime prevention policies and programs which serve to prevent and suppress Bias Incidents. These policies and programs may be integrated into existing crime prevention programs.

A crime prevention program should be pro-active. While it is recognized that all Bias Incidents cannot be anticipated or prevented, crime prevention services shall be provided for each suspected or confirmed Bias Incident, as appropriate.

VIII. SUPPLEMENTARY BIAS INCIDENT REPORT

- A. Report form to be used – State Form UCR-BI no.1 (available in computer system).
 1. Officer's will be provided with copies of original report form to be completed in the field if the computers are down and they can not be accessed.
 2. The person responsible for **UCR** will type all completed field reports for submission to the State.

COMMUNITY ASSISTANCE

BIAS INCIDENTS

VOL. III, CH. 2

- B. When Report Must Be Completed and Submitted to State UCR
 - 1. On all calls department responds to that are impacted by the incidents of Bias list under purpose of the report.
 - 2. Report must be submitted for each victim.
- C. How to Fill Out Report
 - 1. See State report UCR-BI no1 for complete instructions
- D. Report Flow
 - 1. Officer hand writes in field
 - 2. Officer types report when completed at the scene
 - 3. Report is then ready to forward to Chief
 - 4. Chief will review and forward to agencies outlined
 - 5. One copy will be filed with the investigation report. The gold copy will be filed in the Bias report file.
- E. Other Indications on Report
 - 1. When a box is marked for "**OTHER**" an explanation **MUST** appear under "**REMARKS**"

ELEMENTS OF BIAS INCIDENT

CRIME PREVENTION PROGRAMS

- A. **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.
- B. **Crime Analysis** - To include the recognition of Bias Incident crime patterns.
- C. **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.
- D. **Residential Security** - To include discussion of physical security measures and the conducting of on-site residential security surveys. (with handout literature and information displays).

COMMUNITY ASSISTANCE

BIAS INCIDENTS

VOL. III, CH. 2

- E. **Commercial, Institutional and School Security** - To include discussion of physical security measures and the conduct of on-site commercial, institutional and school security surveys. (With handout literature and information displays).
- F. **Environmental Design Techniques** - To include target hardening and lighting considerations for existing buildings and new construction.
- G. **Criminal Mischief Prevention** - To include discussion of vandalism prevention through security measures and juvenile/adult education.
- H. **Personal Protection Procedures** - To include crime avoidance and confrontation response procedures.
- I. **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.

AUTHORITY
BICYCLE UNIT
VOL. 4 CH. 16-3

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE:	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IV
VOLUME TITLE: AUTHORITY	# PAGES: 9					CHAPTER 16-3
ACCREDITATION STANDARD(S):	REFERENCE: V4C16-3					
SUBJECT: BICYCLE UNIT						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To promote the concept of Community Policing. A concept which advocates police and community partnership in solving our policing problems and needs. This is accomplished by an increased police presence, increased crime detection, suppression, apprehension and police response. This greater police-citizen interaction, creating trust and rapport with the community.

To inform members of the department of the various aspects which make up the Bicycle Unit, and to ensure uniformity of operation and procedures on a department wide basis including guidelines for the qualification, operation and deployment of police bicycles.

POLICY:

The Fort Lee Police Department will deploy bicycle patrols to compliment traditional patrol units, effectively increasing visibility, mobility and range of designated patrols.

The primary purpose of the Fort Lee Police Department Bicycle Unit is to deliver proactive community policing services to the borough by providing high visibility patrol, diligent enforcement of laws and local ordinances, while working together with the resident and local businesses for the specific purpose of preventing crime, reducing the fear of crime, and enhancing the quality of life.

AUTHORITY
BICYCLE UNIT
VOL. 4 CH. 16-3

PROCEDURES:

I Qualifications

- A. Police officer should be assigned for bicycle duty at the discretion of the Chief of Police and should:
1. Volunteer to be in the program
 2. Be physically fit
 3. Be highly motivated
 4. Be community relations oriented
 5. Must complete an approved police bicycle training course
 6. Posses the qualities and meet the requirements of the position.
 7. Have excellent and demonstrate public relation skills and professional appearance.
 8. Attend an approved bicycle training class as soon as practical after assignment to the unit. Officers that have yet to attend the approved class should attend an in-house class taught by current bicycle officer(s). Bicycle officers are authorized to operate the bicycles and related equipment after receiving the above described training.

II. Duties / General Responsibilities

- A. Generally, the duties of members assigned to police bicycle patrol when deployed should include, but not be limited to the following:
1. Routine patrol of one or more designated posts.
 2. Parking and or traffic enforcement or direction.
 3. Quality of life offense detection and enforcement.
 4. Responding to dispatched emergency calls for service.
 5. Any other duties directed by the Tour Commander with the Administrative Division Commander's, or the highest ranking on duty supervisor. Consideration should be given to unit member's previous commitments and activities. During an emergency the highest-ranking supervisor may utilize unit members as needed.
- B. The following duties should be assigned to members of the Bicycle Unit by the Community Policing Supervisor:

AUTHORITY
BICYCLE UNIT
VOL. 4 CH. 16-3

1. Ordering, issuing and maintaining an inventory of the units equipment.
2. Scheduling maintenance, repairs and adjustments to the bicycles.
3. Coordinate community relations / special events and activities as requested.
4. Notify their immediate supervisor of any damage to the unit's equipment.

III. DEPLOYMENT

- A. Bicycle patrols should be deployed when a Bicycle Unit member is working.
- B. Tour Commander shall deploy members of the bicycle as a supplement to patrol, anytime there is enough member to deploy.
- C. Tour Commanders should ensure that bicycles are not deployed during extreme weather or temperature conditions, or when officer safety is questionable, particularly if the temperature is below 35 degrees or above 90 degrees.
- D. If a situation arises during a tour of duty, or if inclement weather necessitates re-assigning a bicycle unit officer to a motorized vehicle then the officer may wear their bicycle uniform for the remainder of the tour.
- E. In the event that weather conditions change during a shift and no longer allow the safe operation of the bicycle, the officer should return the bicycle to HQ and notify the Tour Commander and Com-Cen.
- F. Bicycles shall not be used by officers who have not been assigned to the bicycle unit without the approval of the Chief of Police.
- G. Bicycle officers patrol in a highly visible manner in the areas of the Borough where there are large numbers of people. This includes pedestrian and bicycle pathways, apartment complexes and shopping centers. These areas should be patrolled for high visibility and detection of criminal activity not normally discovered by conventional patrol.
- H. Bicycle officers are expected to make a high number of citizen contacts, and are not restricted in the use of the bicycle. During inclement weather, officer may use discretion in the operation of the bicycle.
- I. Authorization for use in various situations: Due to the unobtrusive nature of bicycle patrol, officer assigned to the unit may be used in special operations such as stake-outs or activities requiring plain clothes while operating a bicycle.
- J. Officers are available to speak at public and private functions for the purpose of promoting bicycle safety and the concept of community policing.

AUTHORITY

BICYCLE UNIT

VOL. 4 CH. 16-3

- K. At the request of outside agencies, and with the approval of the Chief of Police, bicycle officers and their assigned equipment may be sent to assist agencies during special functions.

IV. COMMUNICATIONS

- A. Bicycle unit officers should use their assigned portable with either a hand microphone or radio headset.
- B. Radio contact with Com-Cen should be made advising them when a Bicycle officer is on-duty.
- C. Com-Cen should be advised when they are on bicycle patrol and their assignment if any.

V. UNIFORMS

- A. Police cyclists must wear a department issued ANSI & SNELL approved helmet whenever operating a police bicycle in uniform.
- B. Bicycle Unit uniforms as specified below shall be authorized for Bicycle Unit members when assigned to the Community Policing Unit and shall not supplant the Uniform Policy (Vol. X Ch. X) for Patrol Division assignments.
- C. It will be the responsibility of each Bicycle Unit officer to properly maintain their uniform and bicycle.
- D. Uniformity within the unit should be maintained. The uniform of the day should be determined by the supervisor of the unit or in their absence, the senior member of the unit.
- E. Issued Uniform- Each Officer assigned to the unit will be issued the following uniform:
 - 1. Yellow Polo style uniform shirts (2)
 - 2.
 - 3. Pairs Olympic Hollywood Black shorts (2)
 - 4. Pair Olympic black cycling pants (1)
 - 5. Olympic New York zip long sleeve yellow jacket (1)
 - 6. Pair padded cycling shorts (2)
 - 7. Pair mountain bike shoes (1)
 - 8. Pair of cycling gloves (1)

AUTHORITY
BICYCLE UNIT
VOL. 4 CH. 16-3

9. A white Police bicycle helmet
10. A nylon utility gun belt.

F. Summer Uniform

1. The approved yellow short sleeve polo shirt is to be worn. The shirt shall have a department patch on the left sleeve and an American flag on the right sleeve with the officer's embroidered name above the left breast.
2. The approved black shorts

G. Winter Uniform

1. A black department may be worn under the approved summer shirt.
2. Olympic New York, zip long sleeve yellow jacket will be worn.
3. Black cycling pants.

H. Operational Uniform:

1. Black polo shirt with single left side pocket
 - a. Silk semen patch on each sleeve (white)
 - b. Bike Team logo above pocket, 1.5" badge with bike (gray /white)
 - c. Police on back (6" white block letters)
 - d. Embroidered last name on right (1" white block letters)
2. Black shorts - mountain bike style (Brand - Olympic Hollywood shorts)
3. White socks only
4. Short cut black boot
5. Nylon web Sear or leather Sear

AUTHORITY
BICYCLE UNIT
VOL. 4 CH. 16-3

6. Bike helmet (ANSI or Snell approved) (white) purchased by Department on Equipment Maintenance Contract
7. Eye protection:
 - a. Sunglasses with UV protection, shatter resistant
 - b. Clew glasses, shatter resistant
9. Assigned mic radios with
 - a. Sound tube car piece
10. Bike gloves (black or blue) - purchased by Department on Equipment Maintenance Contract
11. Cold weather
 - a. Pants: Suplex or Gortex fabric (black) Cycling pants
 - b. Jacket: Suplex or Gortex Fabric (black) Olympic New York zip sleeve jacket with POLICE silk screened on back - in 6" white letters and the Bike Team logo on front left. Last name embroidered in I " letters in white on the front right.

VI. EQUIPMENT

A. The following equipment shall be kept in or on the police bicycle:

1. Battery pack battery
2. Headlights
3. Flashing tail lights
4. Rear carry rack and bag
5. Water bottle and carrier
6. Tools and equipment for minor repairs

B. **Bicycles:**

The department selected the mountain bicycle because it is recognized that it has a durable lightweight frame and strong wheels that can withstand rigorous use as encountered in law enforcement.

AUTHORITY
BICYCLE UNIT
VOL. 4 CH. 16-3

Full suspension mountain bikes, or front suspension mountain bikes, approved by the Community Policing Supervisor.

Structural alterations or removal of standard equipment shall not be made to the bicycle unless specifically authorized by the Administrative Division Commander. Personal adjustments should be made to increase the officer's level of comfort and safety.

C. Bikes: Accessories and Markings

1. Will be black, white, blue or silver in color with reflective decals on the three main tubes. "FORT LEE" will on the top tube and "POLICE" on the down tube.
2. Red and blue lighting devices for front of bike
3. Police markings on cross bar
4. Rear black saddle bag on rack
5. Front headlight
6. An audible warning device may be installed and utilized.

VII. MAINTENANCE

- A. The police cyclist will be responsible for basic maintenance of the police bicycles, inspections, battery charging and reporting deficiencies.
- B. Police cyclist will be required, when necessary to transport bicycles requiring additional maintenance to the designated service shop.
- C. Police cyclist will be responsible for department property assigned to them.

VII. SUPERVISION

- A. The Bicycle Unit will be assigned to the Administrative Division and function as part of the Community Policing Unit, and will be under the direction of the Community Policing Supervisor.
- B. The Bicycle Unit will generally be scheduled during the day shift on a Monday – Friday / Tuesday – Saturday schedule, but should be flexible and adjust their schedule as needed for special assignments.
- C. Police cyclists will report any deficiencies, maintenance problems or recommendations to the designated supervisor.

AUTHORITY

BICYCLE UNIT

VOL. 4 CH. 16-3

VIII. WEATHER CONDITIONS

- A. During foul weather conditions, officers will have the option to work on bikes or in a vehicle.
- B. The unit should concentrate efforts in business, school and park areas, and other areas identified as needing special attention, using Community Policing tactics to eliminate, reduce and/or manage crime and related social issues.
- C. The unit's patrol area is not limited to these areas, but should direct their efforts to specific area as needed.

IX. VACANCIES / SELECTION PROCESS:

- A. When a vacancy occurs on the Bike Team, the Community Policing Division Commander is responsible to coordinate the application and testing process to fill the vacancy.
- B. The application process will follow Department Policy pertaining to request for division transfer. (Officers whose applications are approved may be scheduled for an interview by a panel consisting of the Community Policing Division Command). The interview board **will** recommend to the Chief of Police, via the Operations Captain, those candidates selected by the board. The Chief of Police will have the final review.
- C. The Division Commander may exercise his/her authority to assign personnel from within the Division. This process is by direct appointment, and does not require the above described transfer process.
- D. Officers requesting voluntary removal from the Team must provide as much advanced notice as possible, normally a minimum of one month, to allow for recruitment and other training needs as appropriate.

X. TRAINING:

- A. Each Officer selected for the Bike Team will be required to successfully complete a basic Police Bicycle Officer Course that follows the guidelines established by the Law Enforcement Bicycle Association (LEBA), or the International Police Mountain Bike Association (IPMBA). Upon completion of the course, members should train periodically on bicycle tactics involving shooting take down techniques, turning drills, and other appropriate topics.

XI. MAINTENANCE:

- A. Unit officers should perform a daily check of the unit equipment to be utilized. Any deficiency should be brought to the unit supervisors attention. The bicycles should be kept in a clean condition.
- B. The Fort Lee Police Department will contract with a local bike shops for maintenance, service and sales. Bike Officers will advise their supervisors of maintenance and repairs of bikes prior to being serviced.

AUTHORITY

BICYCLE UNIT

VOL. 4 CH. 16-3

- C. The bike shop will bill the Fort Lee Police Department directly, and provide the officer with a receipt upon completion of work. The work order or receipt will be signed by the officer and immediately turned into the Administration Division for payment.
- D. Any bicycle involved in an accident, or an incident where the integrity is in question, should be taken out of service and inspected to determine if further inspection or repair is required before returning the bicycle back into service.

XII. BICYCLE OPERATION:

- A. Bike Officers are responsible to comply with the laws applicable to the proper use of a bicycle and any exceptions for Law Enforcement officers.

**TRAFFIC
BOROUGH CAMERA SYSTEM
VOL, IX, CH, 30.**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 08-11-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 3					CHAPTER 30
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: BOROUGH CAMERA SYSTEM						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish procedures in the use, maintenance, monitoring and retrieval of images from the camera system, which has been installed throughout the borough.

POLICY:

Personnel of the Fort Lee Police Department will follow the below procedures in the use, maintenance, monitoring and retrieval of images from the camera system, which has been installed throughout the borough.

Any misuse of the system will be documented for a follow up investigation and disciplinary action.

PROCEDURES:

I. MONITORS AND CONTROLS

A. Monitors for viewing the camera system throughout the borough are located in 5 locations within headquarters, each location has a control keyboard/joystick for switching cameras and controlling their operation.

1. Five monitors at the desk
2. One in communications

**TRAFFIC
BOROUGH CAMERA SYSTEM
VOL, IX. CH, 30.**

3. Three in traffic
 4. One in the Chief's office
 5. One in the control room
 - a. Control room has two additional controls for Digital Video Recorders, a photo processing unit and DVD Burners.
 - b. Access to control room will be limited to officers that have been trained to retrieve data from the system.
- B. Officers working the desk, traffic division and dispatchers will receive training in the use of the controls available to them.
- C. Workstation at the desk will override the station in communications and traffic, traffic overrides communications, workstation in the Chief's office will override the desk, and the control room overrides them all.

II. POLICE DESK CAMERA OPERATION

- A. The workstation at the desk is to be controlled by the tour commander or desk officer.
1. One monitor is to be kept on camera # 5, so that the tour commander will know when there is a traffic problem in the bridge area.
 - a. The position of the camera may be moved if needed for other law enforcement purposes.
 - b. The camera will return to preset position after 10 minutes.
- B. When there is a traffic problem, crime problem or special event, the tour commander will monitor the area involved if it is within camera range.
- C. Daily traffic conditions and posts will be monitored periodically.
- D. The tour commander is responsible for monitoring the use of the cameras by communications personnel.
1. Any misuse will be stopped and documented.

III. COMMUNICATIONS CENTER CAMERA OPERATION

- A. When there are traffic problems, collisions or crimes that just occurred, the dispatchers may use the camera system to locate the problem at hand so that direction may be given to patrol units responding to the scene.

**TRAFFIC
BOROUGH CAMERA SYSTEM
VOL, IX. CH, 30.**

- B. During other times, before a dispatcher moves any camera from its preset location, the tour commander must be notified.

IV. TRAFFIC BUREAU CAMERA OPERATION

- A. Traffic officers will monitor traffic using the monitors in their office during times when they are not on the road.
 - 1. One monitor should be kept on camera 5 to monitor the bridge traffic.

V. CONTROL ROOM ACCESS AND OPERATION

- A. The Chief of Police will determine which officers will be trained in retrieving data from the system.
 - 1. Those officers will access the control room upon request to retrieve data from the system for the following situations:
 - a. Review of traffic incidents.
 - b. Review of any types of collisions or struck pedestrians.
 - c. Areas where crimes have occurred.
 - d. Requests for discovery.
 - e. Upon request of administration.
- B. Data retrieved, either on photo, DVD or other device will be marked by the officer retrieving the data.
 - 1. Date, time, case number and initials will be placed on the photo, DVD or other device.
- C. Privacy controls are to be left on unless a specific request has been approved by the Chief, or his designee to turn them off.

VI. MALFUNCTIONS AND REPAIRS

- A. The malfunction of any camera or monitor will be reported by the tour commander to administration via e-mail, or directly if administrative officers are working.
- B. Tour Commander may contact ETC Corporation at 1-973-334-0800 for service of the system.

**TRAFFIC
BREATHALYZER MODEL 900
VOL. IX, CH. 17**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-28-02	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 4					CHAPTER 17
ACCREDITATION STANDARD(S):	REFERENCE: V9C17					
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ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
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PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The purpose of this policy is to ensure the effective maintenance of the breathalyzer machines and the admissibility of chemical breath test results.

POLICY:

State law mandates that chemical tests of a person's breath, in order to be valid under the provisions of NJSA 35:4-50.3, shall be performed according to methods approved by the Attorney General. Accordingly, the Department must maintain the breathalyzer machine and auxiliary equipment.

PROCEDURE:

I. GENERAL RULES

- A. The Breathalyzer, Model 900 is the property of the police department, assigned to the Patrol Section and shall not be removed from Headquarters without the permission of the Chief or his designee.
- B. Operation of the Breathalyzer will be restricted to Breathalyzer Operators only who hold a current card issued by the State of New Jersey, Department of Law and Public Safety, which is signed and dated by a Breathalyzer Instructor of the New Jersey State Police.

**TRAFFIC
BREATHALYZER MODEL 900
VOL. IX, CH. 17**

- C. Those operating the Breathalyzer are responsible for reasonable care of the machine and materials during its operation.

II. BREATHALYZER OPERATOR'S RESPONSIBILITIES

- A. The Breathalyzer shall be assigned to the Patrol Section. The responsibility for its operation and care shall be charged to the departments Breath Test Unit (See Agency Referral Guide Vol. III Ch. 7 tab #1).
- B. The Breath Test Unit shall submit orders for all materials necessary for the proper operation of the Breathalyzer, i.e.; ampoules, mouthpieces, etc. These orders shall be placed sufficiently in advance to allow for reasonable delivery time. All orders shall first be approved by the Chief or his designee.
- C. In the event of a breakdown or malfunctioning of the Breathalyzer, the operator will take the unit out of service, place a tag on the unit and report the problem in writing to the Breath Test Unit. The spare unit will be used. A copy of the report will also be forwarded to the Chief or his designee.
- D. Request for repairs will be made by the Breath Test Unit to the Chief or his designee, in writing or electronic mail at the time of the breakdown to insure expediency in repair.
- E. The Breath Test Unit will place the request for repair through the New Jersey State Police Alcohol / Drug Test Unit.
- F. The Chief or his designee, shall be kept informed if there are any unusual circumstances in delay in repair of the Breathalyzer.
- G. A duplicate record will be kept by the Breath Test Unit of all orders and repairs relative to the Breathalyzer with all originals being sent to records for filing.
- H. If no backup unit is available, arrangements will be made to utilize another agencies unit at their facility.
- I. When the primary ampoule box is finished, the Breath Test Unit shall notified via Email, that the Breathalyzer Cabinet needs additional ampoules or mouthpieces.
- J. Each Breathalyzer Operator shall ensure that the Breathalyzer Cabinet is properly stocked for the next operator.

III. BREATH TEST UNIT RESPONSIBILITIES

- A. The Breath Test Unit will submit a voucher to purchase a case of ampoules when needed to maintain a proper supply to the departments purchasing agent.

**TRAFFIC
BREATHALYZER MODEL 900
VOL. IX, CH. 17**

- B. The Breath Test Unit will accept the order upon delivery and label the individual boxes in sequential order (i.e. 1 over the total number of boxes in the batch, 1/50 to 50/50)
- C. The numbered boxes will be placed into a secured storage in sequential order by the Breath Test Unit. The Breath Test Unit shall have access to the secured storage area.
- D. A copy of the Assay Certificate will be made and placed in the Breathalyzer Cabinet File. The original Assay Certificate will be forwarded to the Records Bureau for filing.
- E. The Breathalyzer Cabinet should be stocked with two boxes of ampoules. One primarily to be used during testing and the second as a backup supply, if needed.
- F. When the primary box is finished, the second box becomes the primary box and a second box shall be replaced in sequential order.
- G. When the first box from a new batch number is placed into the Breathalyzer Cabinet, six ampoules will be transferred into the Test Box. The ampoules in the Test Box are not to be used by officers during an arrest. Only the Breath Test Coordinator may use these ampoules during the last inspection after that particular ampoule batch has been completely used for arrests.
- H. The Breath Test Unit shall maintain a file in the breathalyzer cabinet containing a photocopy of the Inspection Certificates for each breathalyzer, the Assay Certificates and the Simulator Solution Certificates. This file may be reviewed by any Breathalyzer Operator to ensure that the ampoules to be used during a test have been properly inspected and certified.

IV. INSPECTION

- A. The Breathalyzer machine, Model 900, Serial Number # **098127** and back up machine, Model 900, Serial Number # **4256**, are to be inspected periodically by a Breath Test Coordinator Instructor of the New Jersey State Police.
- B. The NJSP Breath Test Coordinator after inspecting the unit, will present the Breath Test Unit with a Breath Testing Instrument Inspection Certificate, No. **SP343**, which will be kept on file in the Borough of Fort Lee Police Department.
- C. The Breath Test Unit will place a photocopy of the Inspection Certificate and the Simulator Solution Certificate in the Breathalyzer Cabinet File with the original being forwarded to the Records Bureau for filing.
- D. If a repaired breathalyzer is shipped back to this department, the Breath Test Unit shall be notified to have the unit picked up. The Breath Test Unit will take control of the unit, tag it “Out of Service: Repaired” and contact the NJSP Breath Test

**TRAFFIC
BREATHALYZER MODEL 900
VOL. IX, CH. 17**

Coordinator to conduct an inspection of the breathalyzer before it is placed back in service.

- E. After the unit has been inspected, the Breath Test Unit will removed the tag and place the unit back in service.
- F. The Breath Test Unit of the Borough of Fort Lee Police Department will be responsible for seeing that the units are inspected in accordance with this policy.

**INVESTIGATION
CASE MANAGEMENT AND TRACKING SYSTEM
VOL. VIII, CH. 2**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-12-2007	REVISION DATE: 11-11-08	PAGE #: 7	SECTION: III, E-F, IV	APPROVED 11-20-2008	VOLUME VIII
VOLUME TITLE: INVESTIGATION	# PAGES: 7					CHAPTER 2
ACCREDITATION STANDARD(S): 42.1.3	REFERENCE:					
SUBJECT: CASE MANAGEMENT SYSTEM						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To Provide guidance in the proper completion, assembly, and review of all case jackets generated during this departments daily operations, as well as to provide for proper dissemination of selected documents contained therein to the Municipal Court, Prosecutor’s Office or other agencies as needed. The need for a department to gauge the quality of its enforcement activities is vital to maintaining credibility in the view of the court and the public.

POLICY:

The Case Tracking System has been designed to provide the department with a concise report that outlines the department's overall conviction rate in the areas of motor vehicle violations, Borough of Fort Lee ordinance violations, disorderly person violations and criminal cases.

In order to accomplish this objective, each court case must be monitored, as well as those cases where a guilty plea has been entered or where a summons has been paid out of court.

This policy is also designed to provide the department with an organized method of reviewing, organizing and tracking the progress of cases that are assigned the Detective Division personnel. Therefore, this policy will also maintain accountability for follow-up investigations.

**INVESTIGATION
CASE MANAGEMENT AND TRACKING SYSTEM
VOL. VIII, CH. 2
PROCEDURE:**

I. CASE MANAGEMENT

Case Management shall be maintained through a hard copy case jacket system as well as an electronic case management/status system through the Police Department's computer system.

A. Police Officer(s) Responsibility

1. The initial reporting / investigating Officer will complete a case jacket for all of the following incidents:
 - a. Arrests of adults or juveniles – Criminal and disorderly persons offenses only, unless unusual circumstances are involved and a case jacket is needed for continuity of reports,
 - b. D.O.A's. / sudden deaths,
 - c. Fatal accidents,
 - d. Crimes involving numerous victims, or unusual incidents; public unrest, sensationalism, bias incidents
 - e. D.W.I. arrests,
 - f. Unusual occurrences: Disaster scenes, fire scenes with major property damage, fire scenes with injuries or involving Arson,
 - g. Missing or unidentified persons,
 - h. Officer(s) injured.
2. The case jacket will not be labeled until it is processed through the record bureau. No staples or any other fastening devices are to be used on the case jacket, this will also be handled by the records bureau.
3. Main or companion case identification:
 - a. When there are numerous arrests under the same case number or crime(s) committed, there must be a MAIN JACKET designated.
 - (1) The MAIN JACKET will be marked using a large black marker, printed on the outside of the jacket, on the front cover, "MAIN JACKET".
 - (2) The following will also be marked on the front cover of the main jacket; "SEE ALSO COMPANION CASE JOHN DOE, JANE DOE, etc. Note any other companion case numbers.
 - (a) Juvenile case as a companion, note on the main jacket, Juvenile

**INVESTIGATION
CASE MANAGEMENT AND TRACKING SYSTEM
VOL. VIII, CH. 2**

companion with case number and initials of the juvenile.

- (3) In the case of the companion jacket, in black marker on the outside, front should be; COMPANION CASE, SEE MAIN JACKET, (DEFENDANTS NAME) CASE # 0000-0000.
 - b. All documents pertaining to the case will be contained in the main jacket. All companion jackets shall consist of an empty jacket (except juveniles), properly marked as indicated above, and placed inside the main jacket. There is no need to make any copies for the purpose of assembling a companion case jacket. Case Management will make any copies needed for the companion jacket.
4. Officer(s) will ensure that all proper reports, complaints, forms, printouts, fingerprint cards etc. are completed. The checklist should be used and included in the case-jacket, and the control sheet should be affixed to the front of the jacket. The control sheet should not be signed unless the officer is sure that all items that are in the jacket are complete. **Officers should proofread all reports.**
 - a. No evidence is to be attached to the jacket, evidence such as photos, receipts etc should be placed in an evidence envelope and logged on an evidence form.
5. The case jacket will then be turned over to the Tour Commander for review.

B. Tour Commanders Responsibility

1. The Tour Commander will proof-read the reports, he will return the jacket to the officer if there are any corrections to be made, he will then ensure that all corrections have been made and approve the jacket, by signing the control sheet in the proper location.
2. The case jacket will then be handled as follows:
 - a. If the case jacket is complete, but the prisoner(s) have not been arraigned, the jacket will be reviewed and held at the desk by the Tour Commander.
 - b. After the arraignment is completed, and bail has been set, and the prisoner has either made the required bail, or has been sent out to the Jail, the Tour Commander will update arrest reports and the CDR (Complaint warrant or summons). He will complete the return of service if appropriate, and he will sign off on the control sheet in the appropriate location.
 - c. The Tour Commander will ensure that copies of any crime reports and arrest reports are made and disseminated as follows; one to the clipboard at the desk, one to GI slot, one in juvenile or narcotics if applicable.
 - d. In the case of a violation of a Domestic Violence restraining order, the jacket will be forwarded to the Records Bureau, so that the original complaints can be sent to the Superior Court the next business day.

**INVESTIGATION
CASE MANAGEMENT AND TRACKING SYSTEM
VOL. VIII, CH. 2**

- e. The completed case jacket will then be placed in the General Investigations Mail slot behind the Main Desk.
- f. Juvenile jackets will be forwarded to Juvenile Division.
- g. Cleared patrol investigations will be forwarded to the Detective Division Commander, in the same manner.

C. Detective Division Commander Responsibility

- 1. The Detective Division Commander, or his/her designee shall assign all active cases to Detective Division personnel.
- 2. The Division Commander or his designee will enter each case assigned in the Case Management System.
 - a. The Division Commander will enter the assigned detectives name on the investigation report of each case assigned.
- 3. The Detective Division Commander is responsible for the swift and proper management of all cases forwarded to the Detective Division.
 - a. Cases that have been recorded will be screened and forwarded to the Detective Division personnel based upon:
 - (1) Detective Investigative Experience
 - (a) Experience with type of case
 - (b) Crime scene technical experience
 - (2) The caseload of the Detective dictates the number of cases assigned to each Detective.
 - (a) The Detective with a greater number of cases pending will be assigned a lower number of new cases.
 - (b) The Detective Division Commander will keep abreast of the caseload of all Detective Division personnel.
 - (3) Solvability factors relate to the likelihood that a case will be solved. Example:
 - (a) A crime which recently occurred with witnesses and evidence found at the scene would be a "hot case".

**INVESTIGATION
CASE MANAGEMENT AND TRACKING SYSTEM
VOL. VIII, CH. 2**

- (b) The same case where the lab report for the evidence indicates that the evidence is no longer valuable (i.e. latents belonging to the owner), this would be a "cool case".
 - (c) Thirty (30) days and all leads have been exhausted, would classify this as a "cold case".
 - (d) Factors relating to solvability are witnesses, suspect identification, evidence, criminal patterns, resources, availability and/or the absence of leads after 30 days.
 - (e) Cases deemed low solvability will be administratively closed by the Division Commander.
 - (4) The seriousness of a crime dictates the number of Detectives assigned to that case and dictates which Detective is assigned the case.
- b. Disposition of cases.
 - (1) Closed by adult arrest or closed by juvenile arrest - The investigation is cleared by arrest and court proceedings have been initiated.
 - (2) Open - The case is still actively investigated.
 - (3) Administratively Cleared - The crime is active but all investigative leads have been exhausted.
 - (a) Cases may remain "Administratively Cleared" unless the status changes.
 - (b) Cases may be reopened immediately upon the development of new information.
 - (c) The Detective Division Commander shall review all detective case notes of Detective Division personnel immediately under his/her control prior to determining the proper disposition of the case.
- 4. When a case is presented to be closed, the Division Commander shall review the case file and make the following notations:
 - a. Review Date
 - b. Enter case disposition and completion date.
 - (1) The Division Commander shall provide an explanation if a case has not been approved, and Clear directions should be provided so that the investigating detective can complete the case
- 5. The Division Commander will provide case management assistance to all Detective

**INVESTIGATION
CASE MANAGEMENT AND TRACKING SYSTEM
VOL. VIII, CH. 2**

Division personnel under his/her supervision.

II. DETECTIVE RESPONSIBILITY

- A. Detectives are responsible for the management of all cases assigned to him/her.
 - 1. The Detective will record in the case management system, any activity the detective has performed on the case.
 - 2. The detective is responsible for updating case management in a timely fashion.
 - 3. The detective is responsible for investigating any and all leads prior to presenting his case management file for final disposition.

III. CASE FILE SYSTEM

- A. Active Case File
 - 1. Individual case files will be placed into a work jacket file folder that is labeled for the assigned detective.
 - 2. At **no** time are active case files to be stored in anyone's desk. When an officer has temporarily completed working on a case, the folder is to be returned to the appropriate case file folder.
- B. Closed Case Files
 - 1. Individual closed case files will be placed into the respective cabinet file drawer that is labeled by the offense, i.e. Burglary, M.V. Theft, Fraud
- C. No cases shall be filed in the "Closed" section unless the detective's case management has been reviewed by the Detective Division Commander or his designee and he clears the case in the case management system, indicating the actual completion date and proper disposition.
- D. Reports to be maintained in the case file.
 - 1. Investigation Reports
 - 2. Supplemental Reports
 - 3. Evidence Submission Request
 - 4. Analysis Reports
 - 5. Photograph Requests
 - 6. Any telephone messages relating to the case.
- E. Only Detective Division personnel, Administrative Division personnel and the Chief of

**INVESTIGATION
CASE MANAGEMENT AND TRACKING SYSTEM
VOL. VIII, CH. 2**

Police will have access to the file case notes

1. Police Officers will have limited access to files to check on status of case only.

F. Case Management files are not purged from the system.

IV. COURT DISPOSITIONS

A. When the Court Officer returns from a court session, he will fill out a Criminal Court Disposition report indicating the disposition on each case.

B. The Court Officer will also enter a disposition of each case in the Electronic Report/Case Management System case notes, noting the disposition of each case.

C. Officers returning case jackets from Superior Court (trials) will fill out a Criminal Court Disposition form for the case jacket and turn the jacket over to the officer in charge of records, the disposition will then be entered in the case notes as well.

D. Dispositions will be listed as:

1. Guilty

2. Not Guilty

3. Administratively dismissed

4. Dismissed due to suppression of evidence

5. Reserved decision on suppression of evidence

a. Follow up on reserved decisions shall be completed by the officer in charge of records.

**COMMUNITY ASSISTANCE
CBRNE LEVEL AWARENESS
VOL. III, CH 8.1**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 05-07-2009	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME III
VOLUME TITLE: COMMUNITY ASSISTANCE	# PAGES: 16					CHAPTER 8.1
ACCREDITATION STANDARD(S): 46.3.4	REFERENCE: V#C#					
SUBJECT: CBRNE LEVEL AWARENESS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To provide officers with guidance in situations involving possible Chemical, Biological, Radiological, Nuclear and Explosive incidents.

PROCEDURES:

This directive is not intended to be an all-inclusive set of procedures to be followed in every incident of this type, but a generic guide in determining the best course of action to take. Because of the rapidly evolving nature of this type of incident, there is no precise formula for the application of these guidelines.

I. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR or EXPLOSIVE (CBRNE)

- A. The following information is designed to provide all members of the Fort Lee Police Department with awareness level guidelines for events involving chemical, biological, radiological, nuclear weapons. Any other Hazmat conditions; follow procedures set forth in Hazmat Policy Volume V, Chapter 10 and 10-1.
 - 1. The general objectives for responding to known or unknown potential biological, radiological, chemical or explosive threats may include:

- a. Assess the situation;
 - 1) Use current Emergency Response Guide Book, or electronic version during identification if possible.
- b. Remove people from harm's way;
- c. Be cognizant of secondary or tertiary devices;
- d. Secure the perimeter, set up operations areas, and establish hazard control zones (i.e. hot, warm and cold zones), if applicable;
- e. Control and identify biological/chemical agents involved, if applicable;
- f. Don Personal Protective Equipment (PPE) and escape suit consistent with level of training, if available;
- g. Consider containment, decontamination, triage, treat and transport victims, if applicable;
 - (1) Unless properly trained, rescue operations are not to be conducted in the Hot Zone.
- h. Stabilize the incident;
- i. Avoid additional contamination, if applicable;
- j. Secure evidence and treat as a crime scene, if applicable.

II. ASSESSMENT/RESPONSE STRATEGY:

For purposes of clarity, this section will contain potential scenarios along with their recommended response strategy as guides.

- A. A suspicious package/envelope (package/envelope unopened/open; no release):

Protective equipment or decontamination and prophylaxis treatment should normally not be required unless hazards or risks are indicated (warning on the package, stains, leaks etc). At a minimum, personnel should wear latex gloves.

- 1. A police officer and a supervisor should be dispatched to the scene.
- 2. Immediately contact the Borough or County Health Department, if indicated.
- 3. Contact the Bergen County HAZMAT Team, if indicated (presence of chemical or biological threat).

4. Contact Fort Lee's Explosive Ordinance Disposal (E.O.D.) Officer.
5. Contact the Bergen County Police Department, Bomb Squad, if indicated.
6. Contact the Fire Department, if indicated:
 - (1) Explosive or incendiary warning or other signs of such items (smell or leak etc.).
7. Treat the area as a crime scene.
8. Response strategies include:
 - a. Investigation will be similar to a bomb threat investigation. This includes making an assessment of the potential threat to determine if it is necessary for other support agencies to respond;
 - b. In most cases, it is unnecessary to evacuate or close an entire building or facility. However, the scene (area, floor, etc) where the material was discovered should be calmly secured. Persons in the at-risk area should be removed, secured, contained, decontaminated if necessary and evaluated by medical/public health professionals, as appropriate;
 - c. If applicable, have the facility closed or at a minimum shut down the ventilation system. Do not cause or permit the material to become airborne;
 - d. Gather information/intelligence at the scene to determine the credibility of a threat or criminal activity;
 - e. Isolate and contain the envelope/package. If necessary, have the package/envelope screened by the Bomb Squad/Hazmat Team to ensure that no dispersal mechanism/device is inside;
 - f. Secure the envelope/package as evidence if cleared of material or threat;
 - g. Search the area to confirm no additional substance or package/envelope is present;
 - h. Attention should be focused on items or devices foreign to the surroundings.

B. A package/envelope/device with a potential threat of a biological agent (present and/or released material):

1. Biological agents are organisms or toxins that can kill or incapacitate people, livestock, and crops. The three basic groups of biological agents that would likely be used as weapons are bacteria, viruses, and toxins. Most biological agents are difficult to grow and maintain.

Many break down quickly when exposed to sunlight and other environmental factors, while others, such as anthrax spores, are very long lived. Biological agents can be dispersed by spraying them into the air, by infecting animals that carry the disease to humans and by contaminating food and water. Delivery methods include:

- a. Aerosols - biological agents are dispersed into the air, forming a fine mist that may drift for miles. Inhaling the agent may cause disease in people or animals.
 - b. Animals - some diseases are spread by insects and animals, such as fleas, mice, flies, mosquitoes, and livestock.
 - c. Food and water contamination - some pathogenic organisms and toxins may persist in food and water supplies. Most microbes can be killed, and toxins deactivated, by cooking food and boiling water. Most microbes are killed by boiling water for one minute, but some require longer.
- C. Person-to-person - spread of a few infectious agents is also possible. Humans have been the source of infection for smallpox, plague, and the Lassa viruses.

Suspicious material(s) with a threat of a biological agent may initiate a full public safety response, including the following;

1. A police officer and a supervisor should be dispatched to the scene. Additional units should be dispatched as the need arises.
2. Immediately contact the Fort Lee Health Department.
3. Contact the Fire Department.
4. Contact the Bergen County HAZMAT Team.
5. Contact Fort Lee's E.O.D. officer
6. Contact the Bergen County Police Department, Bomb Squad, if necessary.
7. Contact EMS.
8. Contact NJDEPE (Department of Environmental Protection and Energy) as per their criteria.
9. Treat the area as a HAZMAT incident and crime scene, following guidelines in
 - a. Hazardous Materials Vol V, Ch. 10 and 10-1 and Crime Scenes Vol. VIII, Ch 1.
10. Notify surrounding police departments and request mutual aid, if necessary;

11. Recall of personnel, if necessary;
 - a. Response strategies may include:
 - 1) Investigation will be similar to a bomb threat investigation;
 - 2) In most cases, it is unnecessary to evacuate or close an entire building or facility. However, the scene (area, floor, etc) where the material was discovered should be calmly secured. Persons in the at-risk area should be removed, secured, contained, identified, decontaminated if necessary and evaluated by medical/public health professionals, as appropriate;
 - 3) Evaluate the risk regarding potential explosive devices and address accordingly;
 - 4) Have the facility's ventilation system shut down. Do not permit the substance to become airborne;
 - 5) If an explosive device is not ruled out, coordinate efforts with the Bomb Squad;
 - 6) If an explosive device is ruled out, evaluate for potential chemical, biological, or radioactive source material;
 - 7) Establish perimeter security and deny entry into the crime scene for those without a legitimate need;
 - 8) Document the crime scene per existing evidence procedures;
 - 9) Decontamination at the site should be considered for the individuals(s) who came into direct physical contact/inhalation with alleged biological substance; Decontamination is a fire department and Hazmat Unit operation, however, crowd control of the scene is a police function.
 - 10) Identify exposed persons and have them secure their clothing. If suspect material is noticeable on clothing, have clothing sprayed lightly with a water spray to adhere the material to the clothing prior to removal of the clothing;
 - 11) Clothing and contaminated personal items should be triple bagged in plastic and secured, the persons name should be written on the exterior of the bag. They should be given gowns to wear, blankets etc.

- 12) Immediate medical evaluation and transport to a medical facility are usually not indicated. This decision can be made in conjunction with the local health official based upon the threat assessment;
 - 13) Even in a true release, treatment can be temporarily delayed until a definitive identification of the agent is completed;
- b. Post decontamination considerations include:
- 1) Interview all potential victims and document their names, addresses, telephone numbers and any other useful information;
 - 2) Decisions to provide treatment for biological threat agents should be made by public health officials;
 - 3) Consider the mental health of potentially exposed persons;
 - 4) It is important that sample results be relayed to exposed victims once available to either initiate additional medical procedures if tests are positive or to eliminate fears and anxiety if tests are negative;
 - 5) If explosive devices are ruled out and the evaluation for potential chemical, biological, or radioactive source material is negative, then the response continues as a law enforcement investigation.

D. Chemical Attacks

1. Chemical agents are poisonous vapors, aerosols, liquids, and solids that have toxic effects on people, animals, or plants. They can be released by bombs or sprayed from aircraft, boats, and vehicles. They can be used as a liquid to create a hazard to people and the environment. Some chemical agents may be odorless and tasteless. They can have an immediate effect (a few seconds to a few minutes) or a delayed effect (2 to 48 hours). While potentially lethal, chemical agents are difficult to deliver in lethal concentrations. Outdoors, the agents often dissipate rapidly. Chemical agents also are difficult to produce.
 - a. A chemical attack could come without warning. Signs of a chemical release include people having difficulty breathing; experiencing eye irritation; losing coordination; becoming nauseated; or having a burning sensation in the nose, throat, and lungs. Also, the presence of many dead insects or birds may indicate a chemical agent release.
 - b. On Scene Assessment/Response Strategy:

As indicated above, for purposes of clarity, this section will contain potential scenarios along with their recommended response strategy as guides.

An indication of a chemical agent threat (no material release):

Protective equipment or decontamination and prophylaxis treatment should normally not be required unless hazards or risks are indicated.

- 1) A police officer and a supervisor should be dispatched to the scene.
- 2) Immediately contact the Fort Lee Health Department, if necessary.
- 3) Contact Fort Lee's E.O.D. officer.
- 4) Contact the Bergen County Police Department, Bomb Squad, if necessary.
- 5) Contact Bergen County HAZMAT, if necessary.
- 6) Contact the Fire Department:
- 7) Treat the area as a crime scene.
- 8) Response strategies include:
 - a) Investigation will be similar to a bomb threat investigation;
 - b) Persons in the at-risk area should be removed and evaluated by medical/public health professionals as appropriate;
 - c) Gather information/intelligence at the scene to determine the credibility of a threat;
 - d) Isolate and contain the envelope/package. Have the envelope/package screened by the Bomb Squad, if necessary, to ensure that no dispersal mechanism/device is inside;
 - e) In most cases it is unnecessary to evacuate or close an entire building or facility. However, the scene (area, floor, etc) where the material was discovered should be calmly secured. Have the facility's ventilation system turned off, if warranted;
 - f) Search to confirm that no additional substance or package/envelope is present;
 - g) Assess the building ventilation system, if applicable, to rule out forced entry or tampering. An inspection of the HVAC system may be warranted;

h) Attention should be focused on items or devices foreign to the surroundings;

E. A package/device with a potential threat of a chemical agent (present or released):
Suspicious materials(s) with a threat of a chemical agent should initiate a full public safety response, including the following:

1. A police officer and a supervisor should be dispatched to the scene. Additional units should be dispatched as the need arises.
2. Immediately contact the Fort Lee Health Department.
3. Contact Fort Lee's E.O.D. officer.
4. Contact the Bergen County Police Department, Bomb Squad, if necessary.
5. Contact the Fire Department.
6. Contact local HAZMAT Team.
7. Contact NJDEPE
8. Contact EMS.
9. Treat the area as a HAZMAT incident and crime scene.
10. Contact surrounding police departments, if necessary;
11. Recall of personnel, if necessary;
12. Response strategies include:
 - a. Investigation will be similar to a bomb threat investigation;
 - b. Persons in the at-risk area should be rapidly removed, identified, and evaluated by medical/public health professionals as appropriate;
 - c. Evaluate the risk regarding potential explosive devices and address accordingly, See Vol. III, Ch 8 Bomb Threats.
 - d. Isolate and contain the envelope/package;
 - e. In most cases it is unnecessary to evacuate or close an entire building or facility. However, the scene (area, floor, etc) where the

material was discovered should be calmly secured. Have the facility's ventilation system turned off;

- f. If an explosive device is not ruled out, coordinate efforts with the Bomb Squad;
- g. If an explosive device is ruled out, evaluate for potential chemical, biological, or radioactive source material;
- h. Establish perimeter security and deny entry into the crime scene for those without a legitimate need;
- i. Document the crime scene per existing evidence procedures;
- j. Be alert for secondary or tertiary devices;
- k. Wear personal protective equipment in compliance with level of training;
- l. Wear the highest level of personal protective equipment available until additional agent information indicates otherwise;
- m. Assist in the set up of decontamination capability and begin HAZMAT operations;
- n. Ascertain if there is a need to evacuate or protect those in place;
- o. Preserve crime scene;
- p. If necessary, alert hospitals regarding imminent mass casualties. Consider use of field hospitals, if necessary;
- q. Coordinate control of personnel;
- r. Provide scene security;
- s. Estimate the number of casualties, if applicable;
- t. Arrange for transportation and logistics, if applicable;
- u. Decontamination at the site should be considered for the individuals(s) who came into direct physical contact/inhalation with alleged chemical substance; Decontamination is the responsibility of hazmat and the fire department, however, control of the scene is a police function.

- v. Identify exposed persons and have them secure their clothing. If suspect material is noticeable on clothing, have clothing sprayed lightly with a water spray to adhere the material to the clothing prior to removal of the clothing;
- w. Clothing and contaminated personal items should be triple bagged in plastic and secured with the persons name on the exterior of the bag;
- x. Immediate medical evaluation and transport to a medical facility are usually not indicated. This decision can be made in conjunction with the local health official based upon the threat assessment;
- y. Separate victims with symptoms at triage from those without symptoms;
- z. Set up separate decontamination sites for civilians and emergency response personnel.

F. Radiological Attacks.

1. Terrorist use of a Radiological Dispersion Device (RDD)—often called “dirty nuke” or “dirty bomb”—is considered far more likely than use of a nuclear explosive device. An RDD combines a conventional explosive device—such as a bomb—with radioactive material. It is designed to scatter dangerous and sub-lethal amounts of radioactive material over a general area. Such RDDs appeal to terrorists because they require limited technical knowledge to build and deploy compared to a nuclear device. Also, the radioactive materials in RDDs are widely used in medicine, agriculture, industry, and research, and are easier to obtain than weapons grade uranium or plutonium.
 - a. The primary purpose of terrorist use of an RDD is to cause psychological fear and economic disruption. Some devices could cause fatalities from exposure to radioactive materials. Depending on the speed at which the area of the RDD detonation was evacuated or how successful people were at sheltering-in-place, the number of deaths and injuries from an RDD might not be substantially greater than from a conventional bomb explosion.
 - b. The size of the affected area and the level of destruction caused by an RDD would depend on the sophistication and size of the conventional bomb, the type of radioactive material used, the quality and quantity of the radioactive material, and the local meteorological conditions—primarily wind and precipitation. The area affected could be placed off-limits to the public for several months during cleanup efforts.
 - c. While the explosive blast will be immediately obvious, the presence of radiation will not be known until trained personnel with specialized equipment are on the scene. It would be safer to assume radiological contamination has occurred—

particularly in an urban setting or near other likely terrorist targets—and take the proper precautions. As with any radiation, avoid or limit exposure. This is particularly true of inhaling radioactive dust that results from the explosion. As you seek shelter from any location (indoors or outdoors) and there is visual dust or other contaminants in the air, breathe through the cloth of your shirt or coat to limit your exposure. If you manage to avoid breathing radioactive dust, your proximity to the radioactive particles may still result in some radiation exposure. If the explosion or radiological release occurs inside, get out immediately and seek safe shelter.

- d. Contamination from an RDD event could affect a wide area, depending on the amount of conventional explosives used, the quantity and type of radioactive material released, and meteorological conditions. Thus, radiation dissipation rates vary, but radiation from an RDD will likely take longer to dissipate due to a potentially larger localized concentration of radioactive material.

G. Nuclear Attacks.

1. A nuclear blast is an explosion with intense light and heat, a damaging pressure wave, and widespread radioactive material that can contaminate the air, water, and ground surfaces for miles around. A nuclear device can range from a weapon carried by an intercontinental missile launched by a hostile nation or terrorist organization, to a small portable nuclear device transported by an individual. All nuclear devices cause deadly effects when exploded, including blinding light, intense heat (thermal radiation), initial nuclear radiation, blast, fires started by the heat pulse, and secondary fires caused by the destruction.
2. Hazards of Nuclear Devices.
 - a. The extent, nature, and arrival time of these hazards are difficult to predict. The geographical dispersion of hazard effects will be defined by the following:
 - b. Size of the device. A more powerful bomb will produce more distant effects.
 - c. Height above the ground the device was detonated. This will determine the extent of blast effects.
 - d. Nature of the surface beneath the explosion. Some materials are more likely to become radioactive and airborne than others. Flat areas are more susceptible to blast effects.
 - e. Existing meteorological conditions. Wind speed and direction will affect arrival time of fallout; precipitation may wash fallout from the atmosphere.

H. Radioactive Fallout.

1. Even if individuals are not close enough to the nuclear blast to be affected by the direct impacts, they may be affected by radioactive fallout. Any nuclear blast results in some fallout. Blasts that occur near the earth's surface create much greater amounts of fallout than blasts that occur at

higher altitudes. This is because the tremendous heat produced from a nuclear blast causes an up-draft of air that forms the familiar mushroom cloud. When a blast occurs near the earth's surface, millions of vaporized dirt particles also are drawn into the cloud. As the heat diminishes, radioactive materials that have vaporized condense on the particles and fall back to Earth. The phenomenon is called radioactive fallout. This fallout material decays over a long period of time, and is the main source of residual nuclear radiation.

2. Fallout from a nuclear explosion may be carried by wind currents for hundreds of miles if the right conditions exist. Effects from even a small portable device exploded at ground level can be potentially deadly.
3. Nuclear radiation cannot be seen, smelled, or otherwise detected by normal senses. Radiation can only be detected by radiation monitoring devices. This makes radiological emergencies different from other types of emergencies, such as floods or hurricanes. Monitoring can project the fallout arrival times, which will be announced through official warning channels. However, any increase in surface build-up of gritty dust and dirt should be a warning for taking protective measures.
4. In addition to other effects, a nuclear weapon detonated in or above the earth's atmosphere can create an electromagnetic pulse (EMP), a high-density electrical field. An EMP acts like a stroke of lightning but is stronger, faster, and shorter. An EMP can seriously damage electronic devices connected to power sources or antennas. This includes communication systems, computers, electrical appliances, and automobile or aircraft ignition systems. The damage could range from a minor interruption to actual burnout of components. Most electronic equipment within 1,000 miles of a high-altitude nuclear detonation could be affected. Battery-powered radios with short antennas generally would not be affected. Although an EMP is unlikely to harm most people, it could harm those with pacemakers or other implanted electronic devices.

I. Nuclear Response

The following are guidelines for what to do in the event of a nuclear explosion:

1. Take cover as quickly as you can, below ground if possible, and stay there until instructed to do otherwise.
2. Listen for official information and follow instructions from response teams.
3. Do not look at the flash or fireball - it can blind you.
4. Take cover behind anything that might offer protection.
5. Lie flat on the ground and cover your head. If the explosion is some distance away, it could take 30 seconds or more for the blast wave to hit.
6. Take shelter as soon as you can, even if you are many miles from ground zero

where the attack occurred - radioactive fallout can be carried by the winds for hundreds of miles. Remember the three protective factors: Distance, shielding, and time.

7. The three factors for protecting oneself from radiation and fallout are distance, shielding, and time.
 - a. Distance - the more distance between you and the fallout particles, the better. An underground area such as a home or office building basement offers more protection than the first floor of a building. A floor near the middle of a high-rise may be better, depending on what is nearby at that level on which significant fallout particles would collect. Flat roofs collect fallout particles so the top floor is not a good choice, nor is a floor adjacent to a neighboring flat roof.
 - b. Shielding - the heavier and denser the materials - thick walls, concrete, bricks, books and earth - between you and the fallout particles, the better.
 - c. Time - fallout radiation loses its intensity fairly rapidly. In time, you will be able to leave the fallout shelter. Radioactive fallout poses the greatest threat to people during the first two weeks, by which time it has declined to about 1 percent of its initial radiation level.
8. Remember that any protection, however temporary, is better than none at all, and the more shielding, distance, and time you can take advantage of, the better.
9. CBRN Incident Response Equipment.
 - a. The Fort Lee Police Department does not maintain any equipment (personal or otherwise) that can be used in responding to a CBRN or other hazardous materials incident. This equipment is maintained by The New Jersey State Police, Bergen County Office of Emergency Management, or the Bergen County Police and County Hazmat who maintains a professional and credentialed staff of hazardous materials / CBRN response experts and technicians. Their equipment meets the standard for the U.S. Department of Homeland Security's Science and Technology Division standards for first responder CBRN equipment.

III. Other Considerations

- A. Advise responding ancillary agencies to limit or avoid using radio communication in order to not broadcast incident information that can be picked up by individuals using scanners. Misinformation, paranoia and panic are real possibilities in these incidents.
- B. Questions to be asked during the handling of a biological/chemical threat when gathering information at the scene are the same questions that must be asked by communication personnel during initial contact. These questions include:

1. Does the package contain dust(s), powder(s), stains, discoloration, residues, liquids, solids and/or foreign objects?
 2. Did anyone report an unusual odor or smell? **Do not smell it yourself or direct anyone to smell it!**
 3. How was the package received, U.S. Mail, Federal Express, U.P.S., messenger, inter-office, unknown, or placed?
 4. If placed, has the package been disturbed?
 5. Who has had contact with the package?
 6. Has anyone who had contact with the package experienced any ill effects? If so, what are they?
 7. When was the first contact with the package made? Date/Time?
 8. Has the package been opened? Who opened it? When?
 9. Does the package contain a written or audio threat? If so, what is the wording or what does it say?
 10. Have any threats been received prior to receiving the package?
 11. Are there any conditions that may have initiated this package such as labor disputes, community action, Neighborhood disputes, domestic violence, sensitive research, etc.?
 12. Is there a return address on the package? If so, what is the exact wording?
 13. Can the package and immediate/exposed area be secured?
- C. The County of Bergen has developed a plan and has the necessary equipment to investigate incidents involving a suspicious substance, suspicious device, or a weapon of mass destruction. The Bergen County Office of Emergency Management and the Bergen County HAZMAT Unit have been supplied with detection equipment used to detect biological and chemical substances in addition to bomb detection equipment.
- D. The Bergen County Police Department, the County HAZMAT Unit, Bergen County Prosecutor's Office and the Fort Lee Fire Department will work in conjunction with the Fort Lee Police when investigating these types of incidents. When investigating a potential biological/chemical incident, the procedures to be used are:
1. Contact the Bergen County Police Department;

2. Describe to their dispatcher the type of incident that we are investigating.
 - a. If it is a suspicious package or suspicious device incident, the Bergen County Bomb Squad will ordinarily be dispatched;
 - b. If it is a suspicious substance (biological/chemical) incident, the County HAZMAT Unit will ordinarily be dispatched.
 - c. If HAZMAT is dispatched, the communications supervisor must ensure that both the fire department and NJDEPE are notified of their response. NJDEPE will provide a case number. This number must be memorialized on the subsequent investigative report and any property/evidence reports.
3. Ensure that the scene is secured and personnel are kept at a safe distance, as provided in the E.R.G. book and upwind from any release, if necessary. This includes restricting the use of any nearby radio transmissions that could trigger the device. (Remember that these investigations are similar to bomb threat investigations.)
4. Anyone that may have become contaminated by a substance should be decontaminated using large amounts of water. All clothing should be removed and secured. HAZMAT and the fire department will coordinate decontamination and the securing of clothing. Please note:
 - a. Hospitals may not accept a patient who has not been decontaminated;
 - b. EMS should not treat a patient until the patient is decontaminated;
 - c. Fire personnel should be in full turnout gear and be equipped with Self Contained Breathing Apparatus when performing any decontamination;
 - d. Police crowd control and security should don the appropriate PPE in an effort to minimize possible exposure and contact with the material.
 - e. Limit contact with the victims prior to decontamination.
5. If HAZMAT responds to the scene of any suspected biological/chemical threat, the Fort Lee Health Department must be immediately notified. All police personnel involved in the incident must have their names included in the investigative report. The Health Department may promulgate a form to document the names of the personnel at the scene.

E. Reporting/Notifications

1. The Tour Commander will make notifications to Department Administration.

2. Investigation report
3. Hazmat report
4. Bomb threat report

**TRAFFIC
COMMERCIAL DRIVERS ACT
VOL. IX, CH. 23**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-06-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 6					CHAPTER 23
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: COMMERCIAL DRIVERS ACT						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS R. TESSARO						EVALUATION DATE:
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PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The purpose of this policy is to establish guidelines for handling violations of the Commercial Driver's License (CDL) Act (N.J.S.A. 39:3-10.9 et seq.).

POLICY:

The procedures set forth in this policy shall be followed by officers of this department when dealing with commercial motor vehicle operators who possess, or should possess a commercial drivers license.

COMMERCIAL MOTOR VEHICLES:

A. Definitions

1. Commercial Motor Vehicle or CMV means a motor vehicle or combination of motor vehicles used or designed to transport passengers or property:
 - a. If the vehicle has a gross vehicle weight rating of 26,001 or more pounds or displays a gross vehicle weight rating of 26,001 or more pounds;
 - b. If the vehicle has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds;

**TRAFFIC
COMMERCIAL DRIVERS ACT
VOL. IX, CH. 23**

- c. If the vehicle is designed to transport 16 or more passengers including the driver;
- d. If the vehicle is designed to transport 8 or more but less than 16 persons, including the driver, and is used to transport such persons for hire on a daily basis to and from places of employment; or
- e. If the vehicle is transporting or used in the transportation of hazardous materials and is required to be placarded, or the vehicle displays a hazardous material placard.

The director of the division of motor vehicles may, by regulation, include within this definition such other motor vehicles or combination of motor vehicles as he deems appropriate.

This term shall not include recreation vehicles.

COMMERCIAL MOTOR VEHICLE STOPS:

The law allows a police officer who has a reasonable articulable suspicion that a commercial motor vehicle (or the vehicle's operator) is in violation of the CDL Act or another law to stop that vehicle. (Enforcement of federal laws and regulations pertaining to the Transportation of Hazardous Materials and Motor Carrier Safety is limited to the New Jersey State Police and NY/NJ Port Authority Police.) Random commercial motor vehicle stops, for no articulable reason by roving police patrols in the field, are not permissible.

I. OPERATING PROCEDURES:

- A. When stopping commercial motor vehicles for any reason, officer safety is paramount. Officers will take all steps and precautions necessary during traffic stops to assure their safety and well being. They shall adhere to acceptable police practices and with department operating procedures for traffic stops of motor vehicles.
 - 1. Notify the Communications Center of the location and vehicle description prior to effecting the stop.
 - 2. Approach the vehicle with caution, or ask that the driver step out and to the rear, but with minimal delay.
 - 3. Obtain the driver license, registration and insurance card.
 - 4. Interview the driver and passengers.

II. CDL VIOLATION: Officers of this department will investigate all reported violations of the Commercial Driver's License (CDL) Act as well as those encountered during traffic stops within this jurisdiction.

- A. **HANDLING OF LICENSING VIOLATIONS FOR CDL:** The purpose of this section is to establish guidelines for handling persons operating a commercial motor vehicle without a valid CDL or while their CDL driving privileges have been suspended or revoked.

**TRAFFIC
COMMERCIAL DRIVERS ACT
VOL. IX, CH. 23**

Note: On and after April 1, 1992, (except when operating under a valid CDL learner's permit), a person shall not operate a commercial motor vehicle unless that person is in possession of a valid CDL and applicable endorsements.

1. When an officer comes in contact with a commercial motor vehicle operator who is not in possession of a valid CDL, the officer shall issue a summons to that operator for N.J.S.A. 39:3-10.18a.(2).
2. When an officer comes in contact with a commercial motor vehicle operator who has had his commercial driver license suspended or revoked, the officer shall issue a commercial motor vehicle summons to that operator for N.J.S.A. 39:3-10.18b.(1).
3. The officer shall not permit an unlicensed, suspended or revoked operator to continue driving the commercial motor vehicle. If a licensed commercial vehicle operator is not readily available, the vehicle is to be removed and impounded as provided by department towing and impounding policy.

Note: The decision to tow a vehicle from the location of the stop should be guided by department policy. The officer should attempt to have the person responsible for the vehicle contacted (owner, employer, lessor, etc.) to arrange for another driver or wrecker to move the vehicle. Under normal circumstances, the operator or person responsible for the vehicle, should be given the opportunity to select a wrecker of his choice, provided the wrecker can arrive within a reasonable amount of time. This decision should include consideration of the type of cargo, giving special consideration to the containment of hazardous or perishable materials.

4. The officer shall permit the violator to remove any personal property, within reason, from the vehicle before it is moved.

V. ENFORCEMENT OF PROHIBITION AGAINST DRIVING WHILE INTOXICATED

The purpose of this section is to establish guidelines for handling persons suspected of operating a commercial motor vehicle with a prohibited alcohol concentration or while under the influence of alcohol or drugs.

Note: In order to comply with federal law, New Jersey has adopted a lower permissible alcohol concentration for operators of commercial motor vehicles. A person may not operate a commercial motor vehicle in this State with an alcohol concentration of 0.04% or more, or while under the influence of drugs (39:3-10.13). The implied consent provisions of the CDL Act are the same as the implied consent provisions for N.J.S.A. 39:4-50.

- A. **DWI Detection and Pre-Arrest Screening** - Detection is the first step in any DWI enforcement action. The Officer's observations at this stage are critical to the establishment of Probable Cause to Arrest. The presence of an alcoholic beverage on the breath of a Commercial Motor Vehicle Operator constitutes probable cause. Officers must perform the following tasks:

**TRAFFIC
COMMERCIAL DRIVERS ACT
VOL. IX, CH. 23**

1. Recognize and identify specific driving behaviors that signify a high probability that the driver may be operating with an alcohol concentration of 0.04% or more and/or while under the influence of drugs.
 2. Recognize and identify specific driving patterns and other behavior occurring during vehicle stops that provide additional evidence/suspicion that the driver may be operating with an alcohol concentration of 0.04% or more and/or while under the influence of drugs.
 3. Exercise due care and caution in stopping impaired drivers and be alert for unusual or inappropriate reactions from the driver.
 4. Apprehension should be made as soon as possible in a safe location in accordance with agency guidelines for motor vehicle pursuits.
 5. Summon assistance if necessary or if an arrest is going to be made.
 6. Once the vehicle has stopped and a determination by the officer has been made that the driver may be operating with an alcohol concentration of 0.04% or more and/or while under the influence of drugs, do not allow the driver to move the vehicle.
 7. Recognize and identify the specific characteristics, attitudes, and actions commonly manifested by drivers operating with an apparent alcohol concentration of 0.04% or more and/or while under the influence of drugs, during face to face contact.
 8. Note all observations leading to the suspicion that the driver may be operating with an alcohol concentration of 0.04% or more and/or while under the influence of drugs.
 - a. Ask the operator some general questions, paying particular attention to his manner of speech.
 9. If operation of the vehicle was not observed, the officer must establish evidence of operation prior to arrest.
 10. If probable cause exists to support a suspicion that the driver was operating with an alcohol concentration of 0.04% or more and/or while under the influence of drugs, request the driver to exit his vehicle and move to a safe location to conduct field sobriety tests.
 11. Administer field sobriety tests to assess impairment.
 12. Formulate appropriate arrest decisions based on the evidence accumulated as a result of the above steps.
- B. After conducting an initial examination at the scene of the traffic contact, and upon determining that probable cause to arrest is present, officers should effect an arrest of the subject. Once the officer has determined that he is going to arrest the subject, he will read the Miranda Rights to the subject.

**TRAFFIC
COMMERCIAL DRIVERS ACT
VOL. IX, CH. 23**

- C. Breath tests will be administered to the subject in compliance with N.J.S.A. 39:3-10.24 (implied consent to taking of samples of breath). If the subject has a mouth injury or has been taken to the hospital due to injuries or for medical reasons, the arresting officer shall inform the subject that a blood and/or urine sample shall be drawn by qualified personnel for the purpose of determining the presence and quantity of alcohol and/or drugs in the subject's blood or urine.
- D. Chemical Breath Testing - Chemical breath testing shall be conducted at police headquarters by a certified Breath Test Operator.
1. Breath Test Operators will follow procedures for the administration and operation of breath test equipment as instructed by the New Jersey State Police Breath Testing Unit.
 - a. An officer shall re-read the Miranda Rights and read the CDL Standard (Refusal) statement and document all responses.
 2. Should the suspect refuse to submit to the chemical breath tests after having been read the CDL Standard Statement by the officer, or fail to give satisfactory breath samples as determined by the Breath Test Operator, the arresting officer shall issue a summons for refusal pursuant to N.J.S.A. 39:3-10.24. Full documentation of the refusal shall be made on the Drunk Driving Report and its narrative.
 3. In the event the suspect refuses to give samples of his breath, the Breath Test Operator or arresting officer shall not end his investigation at that point, but shall continue gathering evidence of the suspect's impairment. Documentation shall be made on the Drinking-Driving Report and its narrative.
 4. Breath Test Operators will also follow the procedures and checklist as set forth on the Alcohol Influence Report and document and record all steps.
 - a. A minimum of two breath tests shall be administered and results, to be considered valid, must not differ by more than 0.01 from each other and should be within 15 minutes of each other. If needed, additional breath tests shall be administered.
 - b. If the suspect performs the breath tests satisfactorily, and it is determined that the alcohol concentration is 0.04% or more, the arresting officer shall issue a summons for N.J.S.A. 39:3-10.13, a per se violation.
 - c. If the suspect performs the breath tests satisfactorily, and it is determined that the alcohol concentration is 0.10% or more, the officer shall issue a summons to the suspect for N.J.S.A. 39:3-10.13, a per se violation and shall also issue a summons to that suspect charging a violation of N.J.S.A. 39:4-50, operating a motor vehicle under the influence of alcohol. The N.J.S.A. 39:4-50 summons will be supported by the observations of the arresting officer as documented on the Drunk Driving Report and its narrative, in addition to the .10 per se violation.

**TRAFFIC
COMMERCIAL DRIVERS ACT
VOL. IX, CH. 23**

Note: If the suspect has a low breath test result and those results are inconsistent with the officer's observations, the suspect may be under the influence of drugs. In that event, a hospital or other appropriate medical facility can be contacted and the operator can be administered blood and/or urine tests.

5. The suspect shall not be permitted to make any phone calls prior to the completion of the above proceedings.

E. Completion of Documentation

1. The arresting officer shall be responsible for obtaining a driver record of the suspect and attaching a copy to the incident report, both the arresting officer and the breathalyzer operator are responsible for the completion of the required reports for a DWI arrest case jacket, as listed in Volume IX, Chapter 5, of the DWI Policy and Procedures.
2. Procedures involving the release of a vehicle should comply with Vol, 9. Ch 5 A&B, 12 hour impound and potential liability warnings.

**AUTHORITY
CHILD ABUSE AND NEGLECT
VOL. VII, CH. 7**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 05-08-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
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PURPOSE:

It is a great privilege to be blessed with the opportunity to raise children, however, with this privilege comes an even greater responsibility. The individual, be it the parent or the guardian must maintain the highest moral standards and trustworthiness as possible. This policy will set forth guidelines for action to be taken when an individual violates this responsibility and trust.

POLICY:

Because of the sensitivity of Child Abuse cases, a joint investigatory protocol has been established between the Bergen County Prosecutor's Office, Local Police Departments and the Division of Youth and Family Services (DYFS). The procedures in this policy should be followed when dealing with such incidents.

PROCEDURE:

I. DIVISION OF YOUTH AND FAMILY SERVICES (DYFS)

- A. Pursuant to N.J.A.C. 10:129-1.3 DYFS is required to immediately report all instances of suspected child abuse and neglect which imply the commission of a criminal offense to the County Prosecutor. Reportable conditions involve cases of suspected criminal

**AUTHORITY
CHILD ABUSE AND NEGLECT
VOL. VII, CH. 7**

conduct on the part of a parent, caretaker, or any person, regardless of the child's residence, with whom the child lives, or the child's relationship to the alleged perpetrator. Regulations require DYFS to report cases involving any of the following conditions immediately to the designated representative of the Prosecutor's Office:

1. Death of a child;
 2. The subjecting or exposing of a child to unusual or inappropriate sexual activity;
 3. Any type of injury or condition resulting in hospitalization for more than superficial emergency room treatment;
 4. Any type of injury or condition that requires more than superficial medical attention (e.g., treatment for a broken bone at a physician's office);
 5. Repeated instances of physical violence committed against a child, or substantially depriving a child of necessary care over a period of time; or
 6. Abandonment of a child.
- B. The Prosecutor's Office will periodically disseminate to DYFS and local police the names and 24-hour contact phone number of the designated representatives who shall receive such reports.

II. RECEIPT OF A REPORT/COMPLAINT

- A. A case can initially come to the attention of any of the three appropriate agencies: DYFS, Local Police or the Prosecutor's Office. Whoever receives the complaint shall notify the other parties immediately. **NOTE:** If a case is reported to DYFS in which the alleged offender is not a caretaker of a child (i.e., it is not a Title IX case), DYFS shall notify the local police.
- B. In cases where there is a question of municipal jurisdiction for law enforcement, the Department receiving the complaint shall notify the Prosecutor's Office and work jointly with the Prosecutor's Office to determine jurisdiction.
- C. Prosecutor's Office will exercise discretion based on case characteristics and workload and may or may not respond to the initial complaint.

III. RESPONSE TO INITIAL COMPLAINT

A. Law Enforcement

1. Ideally, a detective should be assigned to respond to the initial complaint. If a patrol officer is to be detailed to the location of the victim, the sole objective is to

**AUTHORITY
CHILD ABUSE AND NEGLECT
VOL. VII, CH. 7**

obtain enough information from sources other than the victim (whenever possible) to determine if a crime has occurred.

When the officer feels that a crime may have occurred, he/she will stop the investigation and request a detective through appropriate Department channels. This very preliminary contact by a patrol officer may occur without DYFS, although it is preferable that even this preliminary step be coordinated.

2. The assigned detectives, investigators from the Prosecutor's Office and DYFS shall confer before initial interviews whenever possible.
3. The crime scene should be preserved in accordance with "best practice" law enforcement efforts. Search and seizure tactics should be employed as necessary and appropriate.

B. Interviews

1. Liaison Officers
 - a. This Department shall designate no less than two police officers to handle such investigations.
2. Location
 - a. The time and place of the initial interviews shall be determined considering first the safety and comfort of the child. DYFS and law enforcement shall confer to make such a determination; in cases of disagreement, the assigned detective shall make the final determination, however in all cases involving child sexual abuse, interviews shall be conducted at the Child Advocacy Center (The Children's House) of the Bergen County Prosecutor's Office.
 - b. DYFS can only remove a child from a school under the conditions specified in the affiliation agreements (Form 21-6) signed with each school district or from other locations as specified in Title IX.
 - c. For the interviews, the Bergen County Prosecutor's Office Child Advocacy Center (The Children's House) shall be considered whenever practical.
3. Roles and Responsibilities
 - a. Interviews other than with the alleged perpetrator will be conducted so that the person not taking the lead has the opportunity to observe and participate in the interview process. Given the more stringent standard for evidence in a criminal case, the law enforcement officer/detective will

**AUTHORITY
CHILD ABUSE AND NEGLECT
VOL. VII, CH. 7**

generally conduct the interviews; the DYFS worker shall be present. However, in many cases, issues of rapport and gender may indicate that the interview may be conducted more effectively by DYFS; in that case the law enforcement officer shall be present.

Once again, in cases of disagreement, the detective assigned to the case shall make the final determination.

- b. Disagreements between the assigned detectives and DYFS should be processed as part of the coordinated follow-up.
- c. The Law Enforcement Officer shall interview the alleged perpetrator. Police reports shall be shared with DYFS as soon as practical. Prior to disclosing the contents of police reports and statements, DYFS should confer with the Prosecutor. DYFS may be present for the interview if both the Prosecutor and local law enforcement agree.

4. Child Sexual Abuse Victim Under the Age of Twelve

- a. Generally, every child sexual abuse victim under the age of twelve (12) years should have his/her interview videotaped. This videotape interview is to be conducted at the Bergen County Prosecutor's Office, Child Advocacy Center (The Children's House) by a qualified interviewer. For the purposes of this protocol, a qualified interviewer is any sworn law enforcement officer who;
 - (1) Has completed a training course on interviewing child victims, or
 - (2) Has conducted at least five interviews with child victims of sexual abuse.
- b. Obviously, some cursory, preliminary discussions with the victim may be necessary; however, the videotape interview should be the first in depth interview of the child victim. In other words, there should not be an in depth pre-videotape interview with the child victim. Therefore, before conducting the videotape interview with the victim, every effort must be made to gather as much information concerning the alleged sexual abuse from all other sources as is possible and prudent.
- c. Although there is no legal requirement to obtain permission from the victim, parent, or guardian before videotaping the interview, unless the surrounding circumstances strongly suggest otherwise, the procedure should be to advise the parent or guardian that the interview will be videotaped. The decision whether to tell the child victim that he/she is being videotaped must be made on a case by case basis, considering all of the surrounding circumstances, including but not limited to the age, health,

**AUTHORITY
CHILD ABUSE AND NEGLECT
VOL. VII, CH. 7**

intelligence, maturity and emotional state of the child, and the specific facts of the alleged sexual assault(s).

- d. In no event should a promise be made to the victim or his/her parents or guardian that the videotape can or will be used instead of the child's testimony at trial.
- e. One purpose in videotaping these interviews is to avoid multiple interviews of the child victim by different agencies. Therefore, the videotape should be made available to other agencies, which have a legal interest in the welfare of the child victim (i.e., DYFS).
- f. In the event that there is more than one victim in a given case, each victim must be interviewed separately, and each interview must be recorded on a separate videotape.
- g. Under some rare circumstances, based on the victim's physical, emotional or mental state, or because of some emergent or unanticipated event, it may not be possible to do an initial videotape interview. If, for some reason, a decision is made not to do a videotape of the child victim, the reasons for that decision must be set forth in detail in the police report.
- h. If it is necessary to conduct the videotape interview after regular business hours, the on-call investigator from the Prosecutor's Office should be contacted to make the necessary arrangements.
- i. At least two persons must be present during a videotape interview: one person to operate and maintain the videotape equipment and one qualified interviewer (as defined above).
- j. Normally there should be only one interviewer conducting the interview with the victim; however, under certain circumstances, it may be appropriate for a second person, other than the victim's parent or guardian, to assist the primary interviewer. For example, a victim may have developed a rapport with a non-qualified interviewer, such as a DYFS worker, whose presence in the interview room would serve to aid the child in being more comfortable and forthcoming.

The decision as to whether such a person should be present in the interview room to assist must be made on a case by case basis, considering all of the surrounding circumstances, including, but not limited to, the age, health, intelligence, maturity and emotional state of the victim. In the event that a second person is in the interview room, the role of each interviewer must be determined prior to conducting the interview, in order to obtain the most complete statement possible.

**AUTHORITY
CHILD ABUSE AND NEGLECT
VOL. VII, CH. 7**

- k. The victim's parent or guardian shall not be allowed in the interview room unless the child cannot be separated from the parent or guardian, or the child's speech is so incoherent that the parent or guardian must act as an interpreter. In the rare event that a parent or guardian is present in the interview room, he/she shall be carefully instructed to refrain from actually participating in the interview.

- l. Before starting the videotaping, the person operating the video equipment shall label a new videotape with the following information:
 - a. Victim's name
 - b. Case number
 - c. Date
 - d. Operator's initials
 - (1) Immediately before the victim enters the interview room, the qualified interviewer shall instruct that the operator begin recording and place the following information on the tape:
 - (a) Date and time
 - (b) Location of interview
(Child Advocacy Center/ The Children's House)
 - (c) Crime under investigation
 - (d) Victim's name
 - (e) Name of all other individuals who will be in the interview room and their professional affiliation.
 - (2) Once the recording has been started, the equipment should not be turned off until the child victim leaves the room at the conclusion of the interview.
 - (3) The operator of the video equipment shall make every effort to keep the child victim on camera at all times.
 - (4) Once the victim leaves the interview room at the conclusion of the interview, the qualified interviewer shall state the time that the

**AUTHORITY
CHILD ABUSE AND NEGLECT
VOL. VII, CH. 7**

interview concluded. The operator of the video equipment shall then turn off the camera.

- (5) Immediately upon completing the videotape, it shall be reviewed and copied.
 - (6) The videotape shall be preserved and maintained as evidence.
- m. Nothing in this protocol should be interpreted as limiting or superseding the authority of any municipal police department to conduct child sexual abuse investigations. Rather, this protocol has been promulgated in an attempt to provide consistency in the manner in which statements are taken from child sexual assault victims, and to provide the evidence necessary in court for the State to establish that such statements have been obtained during non-coercive, non-suggestive interviews, and that such statements are "trustworthy".

5. Medical Exam

- a. A decision regarding a forensic examination, one in which evidence will be gathered as part of the criminal investigation, shall be made by the Prosecutor once contact has been made with the victim. If a forensic examination is required for suspected sexual abuse only, the child shall be transported to the appropriate medical facility. Decisions regarding other-than-forensic medical examinations should be made by DYFS and/or the Prosecutor.

6. After regular working hours:

The DYFS Office of Child Abuse Control (OCAC) can be reached at 1-800-792-8610 to handle calls after hours and will be subject to these policies and procedures.

INTERAGENCY PROCEDURES**CIVIL DISORDERS****VOL. V, CH. 5****DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES**

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-19-2001	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME V
VOLUME TITLE: INTERAGENCY PROCEDURES	# PAGES: 9					CHAPTER 5
ACCREDITATION STANDARD(S):	REFERENCE: V5C5					
SUBJECT: CIVIL DISORDERS						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure that proper procedures are followed when confronted with an incident which may lead to Civil Disorder, and to ensure that all proper actions are taken, notifications are made to command personnel and proper assisting agencies.

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 considering the nature of violation 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.

**INTERAGENCY PROCEDURES
CIVIL DISORDERS
VOL. V, CH. 5**

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 jeopardy.
 2. **Maintenance of Order.** Officers should try to preserve the peace and decrease the likelihood that disorder may develop when dealing with potentially disruptive situations. Officers should determine appropriate responses to problems presented by such situations after having considered:
 - a. Will an enforcement action accelerate the likelihood of community disorder?
 - b. Will not taking enforcement action accelerate the likelihood of community disorder?
 3. Officers have an obligation to protect property and make apprehensions of persons violating property rights when it is possible to do so without placing the lives of innocent persons in danger of increasing the likelihood of public disorder.

II. PATROL

- A. Patrol-officer Responsibilities.

The first units arriving at the scene where a group has congregated, has the following responsibilities:

1. Park vehicle and take up an observation post rather than immediately approaching the scene.
2. Analyze the situation and notify the dispatcher as to the following types of information:
 - a. Size of crowd.
 - b. Nature and number of participants, as opposed to observers.
 - c. Try to determine the group's origination and probable destination.
 - d. Determine probable age of participants.

**INTERAGENCY PROCEDURES
CIVIL DISORDERS
VOL. V, CH. 5**

- e. Attitude of crowd and participants.
 - f. Nature of area (e.g. business area, school, residential neighborhood).
- B. Decide what action should be taken.
- 1. Where there is no specific complainant nor observed serious violation of law, observe the situation discreetly.
 - 2. Where there is a specific complaint and where it is determined that the crowd is not seeking to engage in violence or destruction, the officer should attempt to talk with the group members about the nature of the complaint. Efforts should be made in a positive manner to defuse the problem. An officer should be careful to advise the dispatcher, prior to entering a crowd, of his decision to mingle with a group. Officers should also call upon supervisory personnel for assistance in these problems.
 - 3. Where the officer determines that there is a likelihood of violence or destruction, he shall ask the dispatcher for a supervisor.

III. SUPERVISOR RESPONSIBILITIES

- A. Road Supervisor will respond to high priority situations of this type and will report back to Headquarters if there is a need for further assistance.
- B. The Road Supervisor will see to it that an assembly point is established and a safe route identified and reported to dispatch for use of incoming officers.
- C. Supervisor will make strategic decisions regarding police operations only after having properly assessed the situation.
- D. Upon arrival at the scene, the Supervisor **WILL** confer with the officers on the scene and then, after observing the situation, weigh the effects of an enforcement action by considering:
 - 1. The likelihood of community disorder.
 - 2. The safety of his men.
 - 3. The severity of the law violation.
 - 4. The resources available.

It should be made clear that the police responsibility to preserve the peace may, in certain circumstances, require that minor law enforcement violations be weighed against the possibility of provoking greater civil disorder.

INTERAGENCY PROCEDURES

CIVIL DISORDERS

VOL. V, CH. 5

- E. After having considered the above information, the supervising officer will consider the following tactical responses:
1. **Conflict Resolution Approach.** Officers try to defuse potentially disruptive situations by communicating in a non-threatening manner, with group members and participants. The emphasis is on developing nonviolent cooperation as opposed to forcing a confrontation. This approach calls for officers to be conflict mediators and managers, so as to decrease the likelihood of a social disturbance.
 2. **Selective Deployment Approach.** Officers are deployed as needed from a nearby ready reserve into situations so that they are in a position to selectively identify and apprehend law violators. The objective is to use the minimum number of personnel necessary to accomplish an arrest and to direct as little attention as possible to the presence of the officers.
 3. **Strategic Withdrawals.** Officers should pragmatically recognize that situations will develop where, due to inadequate resources, it is incumbent upon those present at the scene to withdraw until such time as it is possible to effectively respond.
 4. **Civil Disturbance.** In the event that a minor confrontation develops, wherein there is active resistance to lawful orders and serious public disorder, officers should proceed according to the guidelines provided within this policy.
- F. Stages of Mob Formation
1. Incident: Could be an officer involved shooting or the arrest of a member of a specific group etc.
 2. Rumors
 3. Leadership is assumed
 4. Violence occurs
- G. Counter Measures
1. Are not to be employed until the Chief of Police or the Division Commander arrives at the scene.
 - a. In rare incidents it may not be prudent to wait for their arrival.
 - b. Notifications should also be made to ESU Commander.
 2. Establish an inner and outer perimeter around the area that is affected.
 - a. Set up a field command post between the perimeters, easy to find, near utilities, up wind from incident location and should be an area where personnel and equipment can be assembled

**INTERAGENCY PROCEDURES
CIVIL DISORDERS
VOL. V, CH. 5**

- b. Command post log should be maintained by an assigned officer, this log should start with the officer in command, his shield number and the time. All officers responding, or units responding should be logged, including outside agencies.
 - c. An officer should also be assigned as information officer, to keep contact with Headquarters and field units, updating the information as the incident develops.
 - d. The supervisor in charge should also assign a safety officer to locate any problems or safety issues with deployments.
 - e. A Logistics and public information officer will be assigned by Headquarters command post.
 - f. An emergency route to and from the scene will also be established when necessary.
3. Remove the cause of irritation.
- a. This could be the arrest of the leader.
4. Break the crowd into small groups.
- a. Arrest those that are inciting the groups.
5. Divert the attention of the crowd.
- a. Use the public address system.
 - b. Make arrests on the fringe of the crowd.
6. Squad Formations, should be utilized when there is enough manpower on the scene (ESU Personnel, mutual aid, RDF), and should be controlled by ESU Commander or his designee if time allows.
- a. Skirmish Line
 - (1) Used between building to hold a crowd
 - b. Diagonal
 - (1) Used to peel people away from a building
 - c. Wedge
 - (1) Used to fragment a crowd

**INTERAGENCY PROCEDURES
CIVIL DISORDERS
VOL. V, CH. 5**

- d. Diamond
 - (1) Used to remove a crowd away from a particular area or through a crowd
 - (2) Also used to arrest a leader of the group, or certain members of the group.

H. Notification and Duties

- 1. Before any action is taken, the Chief of Police shall be notified.
 - a. Containment of the participants is paramount.
 - b. ESU Commander will be notified
 - c. Neighboring jurisdictions shall be notified.
- 2. The following people shall be notified **immediately**:
 - a. Chief of Police
 - b. All Division Commanders
 - c. ESU Commander
 - d. Bergen County Prosecutor's Office / Rapid Deployment Force
 - e. Bergen County Sheriffs Department of the possibility of mass arrests.
- 3. Chief of Police
 - a. Shall coordinate all agencies.
 - (1) Bergen County Prosecutor's Office / RDF
 - (2) New Jersey State Police
 - (3) Mutual aid agencies
 - (4) National Guard
 - (5) Establish a Command Post at police headquarters.
 - (6) Notification to Borough Administrator, Mayor and Police Liaison.
- 4. Detective Division Commander

**INTERAGENCY PROCEDURES
CIVIL DISORDERS
VOL. V, CH. 5**

- a. Intelligence on group involved
 - b. Processing of prisoners
 - c. Transportation of prisoners to Headquarters for any further investigation.
 - d. Maintain a booking log of persons arrested
 - (1) Mass arrests- log can be obtained from Sheriffs Department.
5. Patrol Division Commander
- a. Outer and inner perimeter security
 - b. Logistics
 - c. Staging area for other agencies
 - d. Video taping and photos of the locations affected
6. Operations Commander
- a. Shall handle all media representatives
 - (1). Public announcement may be needed to keep innocent members of the public away from the area.
 - b. Conduct briefings periodically
 - c. Set up a photo area that is safe
 - d. Coordinate and be in charge of all field operations
 - (1) Any personnel assigned shall be under the control of the Field Operations Officer
7. Field Operations Officer (Highest ranking officer on scene).
- a. In charge of the Field Command Post
 - b. Communications
 - (1) Direct Radio Access
 - (2) SPEN Radio
 - (3) Phone communications with Headquarters command post.
 - c. Coordinate deployment of officers with ESU commander

**INTERAGENCY PROCEDURES
CIVIL DISORDERS
VOL. V, CH. 5**

7. Mass Arrests
 - a. If arrests are made, they shall be processed at the Bergen County Sheriff's Department
 - b. Any arrests made by an officer from another jurisdiction shall be processed by the Bergen County Sheriff's Department
 - c. Juvenile offenders will be handled in accordance with established policy and procedures.

8. Restoration of Calm
 - a. Once calm has been restored, the outer and inner perimeters will be maintained until the Chief of Police directs otherwise
 - b. The affected area will not be opened to traffic until all hazards have been removed
 - c. Photographs and video taping will be made of the affected area
 - c. Once the area is opened to traffic, patrols shall be made every 30 minutes and continued until directed otherwise by the Chief of Police
 - d. Proper notations will be made in the command post log, time and date the incident was brought under control, time command post was closed, note any damage to property and any officer or civilian injuries.
 - e. All actions should be documented in an post-action report and forwarded to the Chief of Police.
 - f. A debriefing should be conducted with all officers involved .

9. Investigation
 - a. After calm has been restored, the Investigative Division shall conduct a complete and thorough investigation of the incident
 - b. The investigation shall be twofold:
 - (1) The cause of the incident shall be uncovered and what led up to the significant event
 - (2) The second part of the investigation will examine the conduct of the officers who were assigned to the detail. All facts must be reported.

**INTERAGENCY PROCEDURES
CIVIL DISORDERS
VOL. V, CH. 5**

- (3) The completed investigation shall be forwarded to the Chief of Police for review

**ADMINISTRATION
 RESPONSE TO CIVIL LITIGATION
 VOL. I, CH. 19**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 05-08-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 6					CHAPTER 19
ACCREDITATION STANDARD(S):	REFERENCE: V#I C#19					
SUBJECT: RESPONSE TO CIVIL LITIGATION						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The purpose of this policy is to provide employees with guidelines for responding to those types of law enforcement activities that represent a potential high risk of civil liability, in a manner that will decrease this risk level, and for responding to civil litigation that involves the department, or employees who will be represented by the department.

POLICY:

Litigation alleging misconduct by law enforcement officers has increased dramatically in recent years. These cases involve complex issues based on evidence that has traditionally been considered confidential internal information. While such litigation can be extremely expensive and harmful to the reputation of the department, it can also serve to clarify issues and ultimately provide better service. In order to be adequately prepared for such litigation, it shall be the policy of this department to maintain a strong and coordinated response, and to reduce future litigation through increased training and education.

DEFINITIONS:

- A. Department Legal Counsel:** Any licensed attorney hired by the governmental unit under which the law enforcement agency operates for the purpose of rendering legal advice or other legal services to the agency.

**ADMINISTRATION
RESPONSE TO CIVIL LITIGATION
VOL. I, CH. 19**

- B. Discovery:** The judicial process for compelling production of written records or other evidence for use in litigation.
- C. In Camera Inspection:** Judicial inspection of allegedly privileged information to determine whether the need to present such information as part of the essential proof of the case outweighs the interest in maintaining its confidentiality.

I. PROCEDURES

A. High Risk Incidents

- 1. It has been determined that the following types of law enforcement activities generate the major amount of civil litigation; therefore, these events merit special procedures:
 - a. Uses of deadly and non-deadly force that result in death or bodily injury.
 - b. Vehicular pursuit resulting in personal injury or property damage.
 - c. Searches and seizures; physical arrests.
 - d. Failure to take law enforcement action.
 - e. Rendering of medical assistance.
 - f. Lack of supervision.
- 2. All personnel shall regularly review department policy on these topics.

B. Response to High Risk Incidents

- 1. Law enforcement officers shall adhere to the following procedures when on the scene of a high-risk incident:
 - a. Ensure that the scene is safe to enter prior to doing so, if an actor in a crime is present, make the arrest if possible. Secure the Crime Scene.
 - b. Record the names and addresses of all witnesses on the scene, and attempt to obtain a statement. A statement should also be obtained from ambulance and emergency room personnel, where applicable. Document any statements, even if they saw nothing.
 - c. Request that a supervisor and/or an investigator be dispatched to the scene.
 - d. Where a high-speed chase has occurred, comply with all reporting requirements outlined in Vol. V, Ch. 6.

**ADMINISTRATION
RESPONSE TO CIVIL LITIGATION
VOL. I, CH. 19**

2. A supervisor should be requested to conduct an independent review of all relevant information prior to the booking process or a search where circumstances indicate that there is a potential for a false arrest or improper search.
3. On-scene investigators shall process the scene according to department procedures.
 - a. Color photographs or a videotape shall be taken from several angles of the entire scene.
 - b. Where possible, photographs of all witnesses should be taken on the scene.
4. Where an arrest has been made, the following information shall be documented by the officer during the booking process:
 - a. Whether medical treatment is necessary, or was requested or received prior to arrival at the facility. The suspect's general physical health, and the presence of any specific health problems requiring special treatment should be documented.
 - b. Assessment of suspect's general mental health, including any obvious indications of overt, aggressive behavior or potential suicidal tendencies indicating a need to summon a mental health specialist.
 - c. A booking photograph of the suspect shall be taken. Any injuries shall be specially photographed and documented.
 - d. Medical or psychological services shall be obtained for any suspect that has requested, or is in apparent need of such assistance, prior to the booking process if necessary.
 - e. Whether or not an arrestee has any children or other individual(s) that depend on them for care. See also Vol, VII. Ch, 16. Alternate care for arrestee's dependants.

Post Incident Procedures

1. All law enforcement personnel involved in a high-risk incident shall (where appropriate) submit to their supervisor before concluding their tour of duty a special report fully documenting the incident.
2. The supervisor shall review the report, requesting any necessary supplemental information, and then forward it to the Chief as soon as practicable.
3. The Chief or his designee shall prepare and submit a confidential memo to the department's legal counsel if deemed necessary, providing a full assessment of the incident. As soon as practical, the Chief or his designee shall meet with legal counsel, and the officers involved in the incident to:

**ADMINISTRATION
RESPONSE TO CIVIL LITIGATION
VOL. I, CH. 19**

- a. Advise the officers that any internal investigation initiated does not necessarily imply misconduct on their part.
 - b. Advise the officers that they are not required to discuss the incident with reporters, or attorneys not associated with the department unless pursuant to court order.
4. The internal investigator shall have responsibility to assemble the following items for the Chief's litigation files:
- a. Copies of all relevant departmental policies pertaining to the incident.
 - b. Copies of any relevant radio communications, computer, or telephone records or audio and videotapes.
 - c. Blowup of all relevant photographs pertaining to the incident.
 - d. Copies of the disciplinary and training records of all involved personnel.
 - e. Where applicable, the criminal docket number from any criminal case arising from the incident.

D. Responsibilities of Chief's Office

1. The Chief or his designee shall coordinate all departmental responses to pending or potential litigation in conjunction with the department's legal counsel.
2. A litigation file shall be developed and maintained containing copies of all legal documents generated in each case, and the responses to such documents. All litigation files shall be kept in a secure fashion.
3. An accounting process shall be established to ensure that:
 - a. All documents are routed to the appropriate unit for resolution.
 - b. All documents are processed and fulfilled by the due date.
 - c. A record is kept detailing the information released in each case, and the purpose for its release.
4. The Chief or his designee shall undertake a regular audit of departmental litigation to determine whether a need for policy revision or training exists. The audit shall include settlements, and all litigation filed or resolved during the period to be reviewed.
5. Updates on current case law and statutes relevant to law enforcement shall be disseminated to the department employees.

**ADMINISTRATION
RESPONSE TO CIVIL LITIGATION
VOL. I, CH. 19**

6. Upon conclusion or settlement of any civil litigation, the Chief's Office shall provide notification of the outcome of the case to those officers, and their supervisors, who were directly involved with the incident forming the basis for the lawsuit.
7. The Chief or his designee shall comply with discovery requests and subpoenas for internal records as advised by the department's legal counsel on or before the due date.

E. Responsibilities of Law Enforcement Employees

1. Any law enforcement employee receiving a subpoena to testify as to actions undertaken in his/her official capacity shall immediately notify the Chief, or his designee (Court Liaison) of such subpoena. A copy of the subpoena shall be forwarded to the Chief's office.
2. Any law enforcement employee named as a party in a civil action for acts or omissions allegedly arising out of the scope of his/her official duties shall immediately notify the Chief.
 - a. The employee shall inform the Chief whether the employee will engage a private attorney, or whether representation through the department's legal counsel is requested.
 - b. Where the employee has requested legal representation through the department's legal counsel, the employee has a duty to cooperate fully with his/her legal representative.
 - c. Departmental legal counsel shall determine whether the employee is eligible for departmental representation or will be required to seek separate representation, and shall notify the employee of such determination.
3. All law enforcement employees shall maintain accurate and detailed reports at all times.
4. No law enforcement employee shall make public statements in his/her official capacity as a law enforcement agency employee concerning litigation affecting the department without the Chief's approval.

F. Response to Subpoenas and Discovery Requests

1. All discovery requests or subpoenas for department records, reports or notes will be complied with as directed by the department's legal counsel and in accordance with state law.

**ADMINISTRATION
RESPONSE TO CIVIL LITIGATION
VOL. I, CH. 19**

G. Response to Media

1. The Chief or his designee shall be responsible for coordinating all department statements pertaining to any incident or litigation involving the department.
2. No statements regarding any incident or legal case involving the department shall be given before the Chief has received all relevant facts.
3. A file shall be maintained detailing the media coverage of litigation and incidents involving the Department.
4. The Chief or his designee shall work with the department's legal counsel to present fair and accurate media statements pertaining to testimony, legal issues or other concerns arising from litigation or any other incident involving the department.

**INVESTIGATION
CLANDESTINE LABS
VOL. VIII, CH. 4**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 05-18-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VIII
VOLUME TITLE: INVESTIGATION	# PAGES: 3					CHAPTER 4
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: CLANDESTINE LABS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To have procedures to follow when officers believe they have discovered a Clandestine Lab, so that injuries and liability can be kept to a minimum.

POLICY:

The federal government through a grant to the Bureau of Justice Assistance, has provided a nationwide system to deal with clandestine labs. The program is Operation ALERT (Active Laboratory Emergency Response Team.)

Alert works through the cooperation of the Statewide Narcotics Task Force, the New Jersey State Police, the U.S. Drug Enforcement Administration, the New Jersey Department of Environmental Protection and the 21 County Prosecutors' Offices. Its purpose is to ensure the safe and effective interdiction of clandestine narcotics laboratories throughout the state.

PROCEDURE:

I. DISCOVERY OF CLANDESTINE LAB

A. Secure area

1. Do not enter.

**INVESTIGATION
CLANDESTINE LABS
VOL. VIII, CH. 4**

2. Contact investigative Division Commander and Narcotics Division Supervisor.
 3. Contact will be made to the Bergen County Narcotics Task Force by Narcotics Division.
- B. No member of the Borough of Fort Lee Police Department is to enter an area or building where it is suspected or known that a clandestine lab may exist.
1. It is the police departments' responsibility to secure the area so that Operation ALERT's trained personnel can handle the investigation.

II. SIGNS OF LABORATORIES

- A. Noxious odors associated with chemical/industrial use-ammonia, ether, solvents; strong or prolonged odor.
- B. Exhaust fans on house or building constantly running or running in cold weather.
- C. Windows sealed and/or painted.
- D. High electric and/or water bills (landlords take note)
- E. Deliveries frequently being made by parcel services of glassware, chemicals, etc.
- F. Purchase of large quantities of chemicals from hardware or other stores such as:
 - a. Acetone in multi-gallon lots
 - b. Sodium hydroxide products (e.g., 'Drano') by the case.
- G. Purchase of lab supplies or equipment
- H. Purchase of key chemicals (ether, etc.) or glassware from or through local companies

III. NEW JERSEY LAB LAW

- A. Except as authorized by P.L.1970, c.226 (C.24:21-1 et seq.), any person who knowingly maintains or operates any premises, place or facility used for the manufacture of methamphetamine, lysergic acid diethylamide, phencyclidine, gamma hydroxybutyrate, flunitrazepam, marijuana in an amount greater than five pounds or ten plants or any substance listed in Schedule I or II, or the analog of any such substance, or any person who knowingly aids, promotes, finances or otherwise participates in the maintenance or operations of such premises, place or facility, is guilty of a crime of the first degree and shall, except as provided in N.J.S. 2C:35-12, be sentenced to a term of imprisonment which shall include the imposition of a minimum term which shall be fixed at, or between, one-third and one-half of the sentence imposed, during which the defendant shall be ineligible for parole. Notwithstanding the provisions of subsection a. of N.J.S. 2C:43-3, the court may also impose a fine not to exceed \$750,000.00 or five

**INVESTIGATION
CLANDESTINE LABS
VOL. VIII, CH. 4**

times the street value of all controlled dangerous substances, controlled substance analogs, gamma hydroxybutyrate or flunitrazepam at any time manufactured or stored at such premises, place or facility, whichever is greater.

IV. SPECIAL WARNING

A. DO NOT ENTER A SUSPECTED CLANDESTINE LAB UNLESS YOU ARE IN SAFETY CLOTHING AND HAVE RECEIVED LAB SAFETY TRAINING.

1. Any or all of the following may be present in any clandestine lab:
 - a. Caustic chemicals
 - b. Carcinogens
 - c. Toxic gasses
 - d. Flammables
 - e. Explosives
 - f. Acids
 - g. Booby traps
2. **CONTACT CAN BE DANGEROUS OR FATAL IF YOU ARE NOT ADEQUATELY PROTECTED AND TRAINED.**
3. **AT THE FIRST SIGN OF SUCH A LAB, CONTACT THE DETECTIVE DIVISION COMMANDER AND NARCOTICS SUPERVISOR, WHO WILL CONTACT COUNTY NARCOTICS TASK FORCE OR THE NEW JERSEY STATE POLICE.**

Transportation and disposal of toxic chemicals can be hazardous and expensive.

Contacting the ALERT Team to intervene in such removal and disposal can reduce your liability.

The ALERT Team can be reached at New Jersey State Police Headquarters, **(609) 882- 2000.**

THE COUNTY NARCOTICS TASK FORCE HOT LINE TO CONTACT IS:

Bergen County Narcotics Task Force Telephone: **(201) 556-2500** Evenings and weekends through the Bergen County Police **646-2700**

**Change Notice No. 2.4:
Recognition Standards for Law Enforcement Agencies Amendments
Enacted by the Commission on December 6, 2008**

Background

This is the fourth change notice for the Recognition Standards for Law Enforcement Agencies – 2nd Edition, which was published July 2006. Change notices shall be numbered by the Edition, followed by a decimal point and the sequential number of the change to that edition. Change notices are an essential component of the standards for law enforcement; they help ensure these standards continue to reflect the best and most up-to-date information the profession can offer.

For the purpose of record, Change Notice 2.1, Change Notice 2.2 and Change Notice 2.3 were previously made available to all client agencies and the changes are outlined on the reverse side of this notice. The loose-leaf pages that accompanied Change Notice 2.1 bear the dates July 2006 and November 2006, Change Notice 2.2 bear the dates July 2007, November 2007, March 2008 and Change Notice 2.3 bears the date July 2008..

Standards Amendments and Other Revisions Accompanying This Change Notice

Standard 1.3.6: Commentary language change.

Standard 1.3.9: Commentary language change.

Appendix A: GLOSSARY – Added new terms:

PHOTOGRAPHIC LINEUP
PHYSICAL LINEUP
SHOW-UP

Appendix H: STANDARD TITLES

H-9 – Added 42.2.11 and 42.2.12.

Index

Index-4 – Added Eyewitness identification

Index-6 – Added Line-up

Index 8 – Show-up

The following corrections to typographical errors in the publication are also made as part of this change notice:

APPENDIX H: Standard Titles:

H-8 – 42.1 Administration

H-10 – 46.3.1 Liaison

H-10 – 46.3.4 Hazmat

Where to Insert This Notice and Accompanying Pages

Insert this notice immediately behind the front cover of the Standards Manual. Insert the accompanying loose-leaf pages as indicated by their respective page numbers and discard the old,

correspondingly numbered pages. The new pages carry more recent dates than do those being replaced.

Change Notice 2.1 (January 2007)

Standard 22.2.7: Standard and Commentary language were changed.

Standard 71.3.3: Changed language for bullet a and added commentary language.

Chapter 72 Introduction: Language change.

APPENDIX A: GLOSSARY – Added new term – Demonstrated Proficiency.

APPENDIX B: GUIDING PRINCIPLES FOR AGENCIES AND ASSESSORS – Language change to 4.3.

Change Notice 2.2 (March 2008)

Standard 16.3.3: Addition of Commission Interpretation.

Standard 25.1.3: Language and Levels of Compliance changes.

Standard 35.1.2: Language change.

Standard 42.2.8: Language change.

Chapter 45 Introduction: Language change.

Standard 46.3.4: Language change.

Standard 52.1.5: Levels of Compliance change.

Chapter 71 Introduction: Language change to Introduction.

Standard 71.3.3: Language change.

Standard 71.4.1: Language change.

Standard 71.4.2: Language change.

Standard 71.4.3: Language change.

Subsection 71.5 Processing and Testing: New.

Standard 71.5.1: New.

Standard 81.2.10: Language change.

Standard 81.2.14: Moved to Standard 82.2.5.

Standard 81.2.15: Renumbered to Standard 81.2.14.

Standard 84.1.6: Commentary Language change.

APPENDIX A: GLOSSARY- Added new terms – AMBER Alert and Constant Supervision.
Language change to Temporary Detention.

APPENDIX G: FILE CONSTRUCTION AND DOCUMENTATION - Deleted reference to Panel Presentations.

Change Notice 2.3 (July 2008)

Table of Contents: New Standards.

Standard 33.5.4: Language change.

Introduction to Chapter 42: Added paragraph 3.

Standard 42.1.6: Revised.

Standard 71.1.1: New Standard.

Standard 71.5.1: New Standard.

Appendix H: STANDARD TITLES

H-10 – 46.3.4 changed to Hazemat Awareness.

H-16 – 81.2.14 moved to 82.2.5 (H-17).

H-16 – 81.2.15 changed to 81.2.14.

	41.2.2	Motor Vehicle Pursuits	41-2
	41.2.3	Roadblocks and Forcible Stopping	41-3
	41.2.5	Adult Missing Persons	41-4
	41.2.6	Missing and Exploited Children	41-4
	41.2.7	Dealing with the Mentally Ill	41-4
41.3		Equipment	41-5
	41.3.5	Body Armor Availability	41-6
	41.3.6	Body Armor Use (Hi-Risk)	41-6
CHAPTER 42	CRIMINAL INVESTIGATION		
	42.1	Administration	42-1
		42.1.3 Case File Management	42-2
	42.2	Operations	42-4
		42.2.7 Confidential Informants	42-6
		42.2.10 Interview Rooms	42-7
CHAPTER 43	VICE, DRUGS, AND ORGANIZED CRIME		
	43.1	Administration and Operations	43-1
		43.1.1 Procedures for Investigation	43-1
		43.1.5 Surveillance Operations	43-2
CHAPTER 44	JUVENILE OPERATIONS		
	44.1	Administration	44-2
	44.2	Operations	44-2
		44.2.2 Juvenile Detainee	44-3
		44.2.3 Custodial Interrogation of Juveniles	44-4
CHAPTER 45	CRIME PREVENTION AND COMMUNITY INVOLVEMENT		
	45.1	Crime Prevention	45-2
	45.2	Community Involvement	45-3
CHAPTER 46	CRITICAL INCIDENTS, SPECIAL OPERATIONS AND HOMELAND SECURITY		
	46.1	Critical Incidents	46-2
		46.1.2 All Hazard Plans	46-2
		46.1.3 Command Function	46-2
		46.1.4 Operations Function	46-2
		46.1.5 Planning Function	46-3
		46.1.6 Logistics Function	46-3
		46.1.7 Finance/Administration Function	46-3
	46.2	Special Operations	46-4
	46.3	Homeland Security	46-6
		46.3.4 Hazmat Level Awareness Guidelines	46-6

CHAPTERS 51-55 OPERATIONS SUPPORT

CHAPTER 51 [Reserved]

CHAPTER 52 INTERNAL AFFAIRS

52.1	Organizational Integrity	52-1
52.1.1	Departmental Complaints Investigation	52-1
52.1.2	Maintenance of Complaint Records	52-1
52.2	Complaint Procedures	52-2

CHAPTER 53 INSPECTIONAL SERVICES

53.1	Line Inspections	53-2
53.2	Staff Inspections	53-2

CHAPTER 54 PUBLIC INFORMATION

54.1	Public Information	54-1
54.1.3	Media Access	54-2

CHAPTER 55 VICTIM/WITNESS ASSISTANCE

55.1	Administration	55-2
55.2	Operations	55-3

CHAPTER 61 TRAFFIC OPERATIONS

CHAPTER 61 TRAFFIC

61.1	Traffic Enforcement	61-2
61.1.2	Procedures – Traffic Enforcement	61-2
61.1.3	Traffic Law Violations	61-3
61.1.5	Uniform Enforcement Policies	61-3
61.1.7	Procedures – Motorist Stops	61-4
61.2	Traffic Collision Investigation	61-6
61.3	Traffic Direction and Control	61-8
61.3.2	Procedures – Traffic Direction	61-9
61.4	Ancillary Services	61-10

CHAPTERS 70-74 DETAINEE AND COURT-RELATED ACTIVITIES

CHAPTER 70 DETAINEE TRANSPORTATION

70.1	Transport Operations	70-1
70.1.1	Search of Detainee	70-1

1.1.3 *A written directive specifies the agency's role in criminal justice and social service diversion programs.*

Commentary: There are often social service diversion programs in which law enforcement agencies are directly involved, including detoxification, mental health, and drug abuse diversion programs. Additionally, there are criminal justice diversion programs principally for juvenile delinquents but which may apply to others with whom the agency may be involved. The written directive should describe the agency's role in these programs. (O O O O)

1.1.4 *A written directive governs procedures for assuring compliance with all consular notification and access requirements in accordance with international treaties when dealing with foreign nationals.*

Commentary: The cooperation of law enforcement agencies in extending consular notification and access to foreign nationals in accordance with international law helps the national government comply with its international treaty obligations. It also helps to ensure that citizens of every country are treated with the same respect and treaty compliance when arrested or detained in foreign countries; and provides a basis for national governments to assert their international rights (see standard 72.7.1).

The complexity of the treaty requirements suggests that the agency arrange for training with all appropriate personnel.

Law enforcement agencies in the United States can obtain relevant information and detailed guidance by consulting the U.S. State Department's publication entitled *Consular Notification and Access*. Agencies outside the United States should contact the appropriate Department of State or equivalent for information and reference materials. (M M M M)

1.2 Limits of Authority

1.2.1 *A written directive defines the legally mandated authority and responsibilities vested in all categories of sworn agency personnel. If the agency has more than one category of sworn personnel, each shall be identified.*

Commentary: The written directive should define and elaborate on the scope and limits of law enforcement authority as it pertains to the enforcement of laws, statutes, ordinances, and arrests. Some agencies have more than one category of sworn agency personnel. For example, warden, fire marshal, commercial vehicle enforcement officer, or other special class of officer having sworn duties, but limited arrest authority. Standards in this manual applicable to sworn officers are applicable to each category. Generally, sworn status includes the authority to make a full custody arrest. (M M M M)

1.2.2 *A written directive defines the legal authority to carry and use weapons by agency personnel in the performance of their duties.*

Commentary: In many jurisdictions the legal authority to carry weapons is clearly stated within state law, provincial code, city charter, or local ordinance. In other areas, such authority is implied or can be inferred from laws and ordinances outlining the agency's law enforcement functions, limits on its use of

force, or from state or federal court decisions governing the jurisdiction. In still other areas, such authority is derived from that authority granted to the agency's chief executive officer. To the extent possible, such authority should be clearly described within the agency's written directives and should set clear parameters for the use of such authority for each category of sworn and civilian personnel who are permitted or prohibited to carry and use weapons. For example, both security guards and sworn officers may be authorized to carry firearms, but the security guard may be restricted to carrying weapons only while on specified assignments. Written directives and the guidance provided through specific job descriptions should clearly describe the authority to carry and use weapons within the rules, regulations and laws established by local, regional, tribal, provincial, state or federal authority.

(M M M M)

1.2.3 *A written directive governs procedures for assuring compliance with all applicable constitutional requirements, including:*

- a. interviews (including field interviews);*
- b. interrogations; and*
- c. access to counsel.*

Commentary: The agency should clearly indicate what constitutes a valid field interview situation to guard against its misuse and to minimize potentially adverse citizen reactions. Field interview contacts may be documented to provide other officers, investigators, and crime analysts with information concerning suspicious persons and situations. Information gathered on field contact cards or forms may be considered criminal intelligence and processed in accordance with standards in 42.1.6 and Chapter 82 (Records).

The areas referred to in this standard are coercion or involuntary nature of confessions and admissions, delay in arraignment, failure to inform defendants of their rights, deprivation of counsel, and pretrial publicity tending to prejudice a fair trial. Consideration should be given to audio/video recording of custodial interrogations involving major cases. Juvenile procedures are addressed in standards 44.2.2 and 44.2.3. **(M M M M)**

1.2.4 *A written directive governs search and seizure without a warrant by agency personnel, to include the following situations:*

- a. search by consent;*
- b. stop and frisk of an individual under circumstances where the officer has articulable reasons to fear for his/her safety;*
- c. search of a vehicle under a movable vehicle exception;*
- d. at the scene of a crime;*
- e. exigent circumstances, as where the public safety is endangered;*
- f. inventory searches of seized vehicles or other property; and*
- g. other situations authorized by state and federal constitutional provisions.*

Commentary: The intent of this standard is to provide general guidelines and procedures for agency law enforcement personnel to follow in conducting searches that have not been reviewed and authorized by judicial personnel. **(M M M M)**

Commentary: The intent of this standard is to establish a clear-cut agency policy on the use of deadly force that provides officers with guidance in the use of force in life-and-death situations and to prevent unnecessary loss of life. (M M M M)

1.3.3 *A written directive governs the discharge of “warning” shots.*

Commentary: Generally, warning shots should be prohibited due to the potential for harm. If permitted, the circumstances under which they are utilized should be narrowly defined. (M M M M)

1.3.4 *A written directive governs the use of authorized less lethal weapons by agency personnel.*

Commentary: None. (M M M M)

1.3.5 *A written directive specifies procedures for ensuring the provision of appropriate medical aid after use of lethal or less lethal weapons, and other use of force incidents as defined by the agency.*

Commentary: The intent of this standard is to minimize the severity posed by obvious injuries or non-visible trauma commonly associated with some weaponless or hand-to-hand tactics. Such tactics may include neck holds, hard punches to the head, heart, or other vital organs, or restricting respiratory function. “Appropriate medical aid” does not place the burden on the agency to have each injured person immediately evaluated at a medical facility. “Appropriate medical aid” may include increased observation to detect obvious changes in condition, flushing chemical agents from the eyes, applying first aid, evaluation by paramedics, or for more serious or life threatening incidents, immediate aid by medical professionals. “Other use of force incidents as defined by the agency” may include procedures for the provision of medical aid to a person injured prior to contact with the agency, but the scope of this standard is limited to actions taken by agency personnel causing, or likely to cause injury.

(M M M M)

1.3.6 *A written report is submitted whenever an employee:*

- a. discharges a firearm, for other than training or recreational purposes;*
- b. takes an action that results in, or is alleged to have resulted in, injury or death of another person;*
- c. applies force through the use of lethal or less lethal weapons; or*
- d. applies weaponless physical force at a level as defined by the agency.*

Commentary: The intent of this standard is to establish use of force or response to resistance reporting systems within the agency for effective review and analysis (see standards 1.3.7 and 1.3.13). The reporting systems should help identify trends, improve training and employee safety, and provide timely information for the agency addressing use of force issues with the public. Early and accurate reporting helps establish agency credibility.

Software programs may be used to generate the necessary reporting elements of this standard or the agency may choose to use a variety of reporting methods to document use of force or response to resistance incidents, based on severity or other established criteria.

This standard could include documenting the pointing of weapons or using weaponless, hand-to-hand control techniques. These techniques include, but are not limited to: physical touching, gripping or holding, frisking, pain compliance measures, pressure point application, come-alongs, handcuffing, or other custodial procedures. It should be noted that some agencies have had success documenting this type of information, using a standard checklist report format associated with the arrest or incident report.

In deciding the threshold of when to generate a use of force or response to resistance report and how extensive the report needs to be, the agency should carefully examine all incidents wherein its employees have caused, or are alleged to have caused death or injury to another, have accidentally or intentionally discharged a firearm, or have applied weaponless force upon another to the extent it is likely to cause or lead to unforeseen injury, claim of injury, or allegations of excessive force, e.g., the use of neck holds, four point restraints (commonly referred to as the “hog-tie” restraint), punches, or kicks. The agency should also consider who is required to write reports when multiple employees were engaged in the same use of force incident.

If physically able, the primary employee involved should be required to verbally report his/her involvement within a specified time period. The verbal report should be committed to writing as soon as practical, thereafter. Written procedures should state by whom, when, and how the report will be submitted. The standard is not intended to document the display of weapons by employees or actions taken to euthanize animals. (M M M M)

1.3.7 *The agency has a written procedure for an administrative review of each report required by standard 1.3.6.*

Commentary: None. (M M M M)

1.3.8 *A written directive requires that any employee, whose action(s) or use of force in an official capacity results in death or serious physical injury, be removed from line-duty assignment, pending an administrative review.*

Commentary: The purpose of this standard is twofold: to protect the community’s interest when employees may have exceeded the scope of their authority in their actions or in their use of force and to shield employees who have not exceeded the scope of their authority from possible confrontations with the community.

The agency should consider removing from duty status all employees involved in a critical or traumatic incident, not limited to shootings, and may include incidents such as a fatal motor vehicle collision involving the employee. During the period of administrative leave or reassignment, the agency should consider provisions for post-incident debriefing or counseling for those employees involved. In some critical incidents, the employee’s family may also require assistance.

The removal process may have a detrimental effect on employees involved. Agencies may wish to routinely include a review of these procedures during in-service training sessions (see standard 1.3.11) to enhance understanding of this procedure. (M M M M)

1.3.9 *A written directive requires that only weapons and ammunition authorized by the agency be used by agency personnel in law enforcement responsibilities. The directive shall apply to weapons and ammunition carried both on and off duty, and must address:*

- a. the types and specifications of all lethal and less lethal weapons approved for use, including those weapons used by members of tactical teams or other specialized personnel;*
- b. the types and specifications of ammunition approved for use, including ammunition used in specialized weapons for members of tactical teams or other specialized personnel;*
- c. the procedure for review, inspection, and approval of all weapons intended for use by each employee in the performance of duty, prior to carrying, by a qualified weapons instructor or armorer;*
- d. a process to remove unsafe weapons;*
- e. the procedure for maintaining a record on each weapon approved by the agency for official use; and*
- f. guidelines for the safe and proper storage of agency authorized firearms.*

Commentary: The intent of this standard is to establish strict agency control over all firearms, weapons, and ammunition it allows members to carry and use in the performance of their official duties, both on and/or off duty. Clear guidelines should be established for exact types and specifications of each category of weapon, including specialized weapons used by members of tactical teams or other specialized personnel. Written directives and the guidance provided through specific job descriptions should clearly describe the authority to carry and use weapons within the rules, regulations and laws established by local, regional, tribal, provincial, state or federal authority.

For firearms, the agency should establish an approval process. Each firearm should be identified, meet the agency's established criteria and be safe and in good working order. The user should demonstrate his or her proficiency in using the firearm on an approved qualifying course before being approved, in writing, by the agency, to carry and use the firearm. A certified firearms instructor or armorer should inspect and approve the firearm and oversee the proficiency testing.

A complete record of all weapons approved by the agency should be maintained. For firearms, the record should list the type, description, identifying model, and serial numbers of each firearm, as well as the identity of the owner or assignee. The record should also include the name of the official making the approval, the date of approval, the course fired, and all scores used to qualify the user on the demonstration of proficiency. All approvals should be conditional upon periodic requalification pursuant to procedures established to comply with standard 1.3.11. **(M M M M)**

1.3.10 *A written directive requires that only agency personnel demonstrating proficiency in the use of agency-authorized weapons be approved to carry such weapons.*

Commentary: The intent of this standard is to cover the carrying and use, both on and off duty, of all weapons, such as handguns, shotguns, chemical sprays, or striking weapons (see standard 1.3.9). Demonstrated proficiency includes achieving minimum qualifying scores on a prescribed course; attaining and demonstrating a knowledge of the laws concerning the use of authorized weapons and knowledge of agency policy(s) on the use of force, escalating force, and deadly force; and being familiar with recognized safe-handling procedures for the use of these weapons. The instruction on and qualification with all weapons should be provided by a certified weapons instructor. **(M M M M)**

1.3.11 *At least annually, all agency personnel authorized to carry weapons are required to receive in-service training on the agency's use of force policies and demonstrate proficiency with all approved lethal weapons and electronic controlled weapons that the employee is authorized to use. In-service training for other less lethal weapons and weaponless control techniques shall occur at least biennially. In addition:*

- a. proficiency training must be monitored by a certified weapons or tactics instructor;*
- b. training and proficiency must be documented; and*
- c. the agency must have procedures for remedial training for those employees who are unable to qualify with an authorized weapon prior to resuming official duties.*

Commentary: Annual and biennial in-service use of force refresher training need not be as formal as entry level or recruit training. Use of force retraining can be accomplished through a combination of methods; for example, during shift briefing training sessions, reviewing legal updates on use of force issues, or conducting written or skills tests on use of force and less than lethal weapons during annual firearms qualifications courses. Proficiency levels should be established by the agency with input from certified weapons instructors or others in the agency that can validate the criteria. Demonstrated proficiency with less lethal weapons may consist of the same criteria used at entry level, or the course may be modified to either abbreviate or extend the training, based on the agency's experience with the weapon in the field.

The intent of bullet (c) is to ensure that remedial measures are provided, and that an employee failing to demonstrate proficiency with a weapon is not returned to duty with that weapon until such time as proficiency is demonstrated and documented.

Unless they are applied properly, neck restraints and other similar compliance techniques that rely on cutting off the flow of oxygen to the brain have the potential to cause serious injury or death. Therefore, any agency that authorizes the use of such techniques should ensure that its personnel are properly trained in the use of these techniques so that the possibility of injury is minimized. In addition to the initial training, the agency should also provide biennial refresher training to ensure that the skills required for proper application are maintained.

See also standard 33.5.1. Training should be commensurate with the limits and scope of the employees' job responsibilities, e.g., an agency property guard having no arrest authority may be issued a baton and chemical agent, but training proficiency need only cover defensive moves. The curriculum for sworn officers would be more extensive based on the scope of their authority to use force in making arrests.
(M M M M)

1.3.12 *A written directive requires that all agency personnel authorized to carry lethal and less lethal weapons be issued copies of and be instructed in the policies described in standards 1.3.1 through 1.3.5 before being authorized to carry a weapon. The issuance and instruction shall be documented.*

Commentary: None. **(M M M M)**

should be prepared to substantiate ratings in the lowest or highest categories and give specific reasons for the ratings through a narrative comment.

Each evaluation report on an employee's performance should be read and understood by the employee. The signature should indicate only that the employee has read the report and should not imply agreement or disagreement with the contents. If the employee refuses to sign, the supervisor should so note and record the reason or reasons, if given.

The retention schedule should be consistent with applicable legislation or civil service regulations. Where these do not exist, a period of three years is recommended. (M M M M)

35.1.6 *A written directive requires that non-probationary employees be advised in writing whenever their performance is deemed to be unsatisfactory and that the written notification be given to them at least 90 days prior to the end of the annual rating period.*

Commentary: The supervisor should be prepared to substantiate ratings at the unsatisfactory level, to advise the employee of unsatisfactory performance, and to define actions that should be taken to improve his or her performance. If unsatisfactory performance continues, this information should be included in the evaluation report at the end of the 90-day period. Some flexibility concerning the 90-day period is allowable if the spirit of the standard is observed. (M M M M)

35.1.7 *A written directive requires that each employee be counseled at the conclusion of the rating period, to include the following areas:*

- a. *results of the performance evaluation just completed;*
- b. *level of performance expected, rating criteria or goals for the new reporting period; and*
- c. *career counseling relative to such topics as advancement, specialization, or training appropriate for the employee's position.*

Commentary: The intent of this standard is to ensure that at least once each year, the immediate supervisor of each employee provides feedback regarding employee performance. It is critical that counseling of this type include both a review of performance over the prior rating period and, as a matter of fairness to the employee, an indication of the expectations for the upcoming reporting period. This is also an appropriate time to review the employee's career goals within the agency. However, nothing in this standard should be interpreted as requiring that these items be completed in one single session by the same supervisor. Agencies have flexibility in complying with this standard, and may, for example, conduct career counseling activities at a separate time by specialists in this area. (M M M M)

35.1.8 *A written directive requires raters to be evaluated by their supervisors regarding the quality of ratings given employees.*

Commentary: Supervisors should evaluate raters regarding the fairness and impartiality of ratings given, their participation in counseling rated employees, and their ability to carry out the rater's role in the performance evaluation system. The supervisor should ensure that the raters apply ratings uniformly. (O O O O)

35.1.9 *A written directive establishes a Personnel Early Warning System to identify agency employees who may require agency intervention efforts. The system shall include procedures for:*

- a. provisions to initiate a review based on current patterns of collected material;*
- b. agency reporting requirements of conduct and behavior;*
- c. documented annual evaluation of the system;*
- d. the role of first and second level supervision;*
- e. remedial action; and*
- f. some type of employee assistance such as a formal Employee Assistance Program, peer counseling, etc.*

Commentary: A comprehensive Personnel Early Warning System is an essential component of good discipline in a well-managed law enforcement agency. The early identification of potential problem employees and a menu of remedial actions can increase agency accountability and offer employees a better opportunity to meet the agency's values and mission statement.

The agency's Personnel Early Warning System should be initiated when certain types of incidents occur and there should be an evaluation of collected material. Such material may include, but not necessarily be limited to: agency performance evaluations, citizen complaints, disciplinary actions, use of force incidents, internal affairs, supervisory and employee reports such as workmen's compensation claims, and traffic accidents.

The agency should not be faced with investigating an employee for a serious case of misconduct only to find there was an escalating pattern of less serious misconduct, which could have been abated through intervention. The failure of the agency to develop a comprehensive Personnel Early Warning System can lead to the erosion of public confidence in the agency's ability to investigate itself, while putting the public and agency employees in greater risk of danger.

A Personnel Early Warning System should include options and reviews available through use of force reporting (Subchapter 1.3, Use of Force), the disciplinary system (Chapter 26, Disciplinary Procedures), employee assistance program (Chapter 22, Compensation, Benefits, and Conditions of Work) and Internal Affairs (Chapter 53, Internal Affairs).

The first and second levels of supervision are crucial elements to a successful Personnel Early Warning System and should be emphasized in the agency's procedures. **(M M M M)**

42.2.8 *The agency has a written directive concerning identity crime and procedures for:*

- a. taking identity crime reports;*
- b. specialized report forms, if any;*
- c. providing information and assistance to identity crime victims;*
- d. coordination of investigations with other agencies; and*
- e. providing public information on prevention of identity crime.*

Commentary: Identity crime costs businesses, end consumers, and individuals billions of dollars. Significant credit problems and financial loss often affect an individual for years. Identity crime has been directly linked to terrorist activities in both funding operations and obtaining documents for illegal purposes.

The initial agency report information may require the use of a special form designed to obtain information unique to this crime. Information from government agencies is readily available to assist a victim in providing notices of identity theft, re-establishing their identity and credit, and for public awareness presentations. (O O O O)

42.2.9 *A written directive describes the procedures for the investigation of cold case files, which includes:*

- a. defining a cold case;*
- b. establishing cold case evaluation criteria; and*
- c. recording agency investigative actions or activities.*

Commentary: Over time the position of persons involved and other factors in the situation may change and present new opportunities for law enforcement to solve the case. With recent advances in DNA (deoxyribonucleic acid) analysis, law enforcement has made a great advancement in its ability to identify unknown offenders, even years after the crime occurred.

Law enforcement agencies should have a procedure where unsolved/cold cases are reviewed for new information or where the application of new technology may be successful in solving the cases. This is particularly important with serious crimes against persons, as these offenders tend to continue to commit similar acts. (O O O O)

42.2.10 *The agency has a written directive governing procedures for both uniformed and non-uniformed personnel utilizing designated rooms for interviews and interrogation, to include:*

- a. weapons control;*
- b. security concerns;*
- c. number of personnel allowed in the interview room;*
- d. means and methods for summoning assistance, if needed;*
- e. equipment or items to be kept in the interview room or area; and*
- f. access to restrooms, water, or comfort breaks.*

Commentary: For the purpose of this standard, designated rooms include polygraph rooms, voice stress analyzer rooms, and other rooms where it is likely that an interview could turn into an interrogation and arrest of a person. The intent of this standard is to establish safe conditions for the various situations that law enforcement officers may encounter when conducting interviews or interrogations at law enforcement facilities. Occasionally, however, serious conditions unexpectedly develop such as an apparently cooperative suspect becoming combative. The agency should provide clear direction for the use of the interview room to ensure safety and the admissibility of any statements made therein.

Standard 42.2.1, interviews and interrogations, is concerned with techniques to enhance the development of information relating to a crime.

Standard 1.2.3 addresses applicable constitutional requirements concerning interviews and interrogations including access to counsel. **(M M M M)**

42.2.11 *In the absence of controlling authority, a written directive describes the procedures for using photographic or physical lineups in eyewitness identification to include the following:*

- a. *composition of lineup;*
- b. *using video and/or audio recording;*
- c. *situations where more than one eye witness is available;*
- d. *instructing witnesses prior to viewing lineup;*
- e. *identifying the level of confidence expressed by the witness;*
- f. *prohibiting feedback by the administrator; and*
- g. *documenting lineup and the results.*

Commentary: The intent of this standard is to establish reliable identification testimony by a witness. This standard needs to be evaluated in terms of the following factors that the courts have found to be relevant in identification testimony, namely: 1) the witness' opportunity to view the criminal during the crime; 2) the length of time between the crime and subsequent identification; 3) the level of certainty demonstrated by the witness at the identification; 4) the accuracy of the witness' prior description of the suspect; and 5) the witness' degree of attention during the crime. In addition, the confidence level of the witness should be evaluated in terms of the witness' statement, conduct or other relevant observations. **(M M M M)**

42.2.12 *In the absence of controlling authority, a written directive describes the procedures for using show-ups in eyewitness identification to include the following:*

- a. *compelling reasons under which a show-up may occur;*
- b. *manner of transportation to the show-up;*
- c. *situations where more than one eye witness is available;*
- d. *instructing witnesses prior to viewing show-up;*
- e. *identifying the level of confidence expressed by the witness;*
- f. *prohibiting feedback by the administrator; and*
- g. *documenting show-up and the results.*

Commentary: The intent of this standard is to establish reliable identification testimony by a witness. It should be noted that a show-up carries with it a dangerous degree of improper suggestiveness and should not be used absent compelling reasons for not using a physical or photographic lineup. This standard needs to be evaluated in terms of the following factors that the courts have found to be relevant in identification testimony, namely: 1) the witness' opportunity to view the criminal during the crime; 2) the length of time between the crime and subsequent identification; 3) the level of certainty demonstrated by the witness at the identification; 4) the accuracy of the witness' prior description of the suspect; and 5) the witness' degree of attention during the crime. In addition, the confidence level of the witness should be evaluated in terms of the witness' statement, conduct or other relevant observations.

(M M M M)

OUTSIDE ACADEMY: An academy not operated by the agency, such as a regional or state training academy providing recruit, in-service, or specialized training.

P

PERSONNEL EARLY WARNING SYSTEM: A system for the early identification of agency employees who may need some type of corrective action or intervention and a procedure for collecting and evaluating materials required for implementing such corrective action.

PERSONAL EQUIPMENT: Equipment items issued and/or approved by the agency for employee use, e.g., badge, baton and holder, belts, cartridge carrier, departmental and rank insignia, flashlight, handcuffs and case, notebook, raincoat and cap cover, side arm and holster, tear gas canister, and whistle.

PHOTOGRAPHIC LINEUP: A selected group of photographs of persons presented to a witness containing a single suspect and several fillers for the purpose of determining whether the witness is able to identify the suspect as the perpetrator of the crime.

PHYSICAL ARREST: Any enforcement action that consists of taking persons into custody for the purpose of holding or detaining them to answer a charge of law violation before the court. (See Arrest; Custody; Full Custody Arrest.)

PHYSICAL LINEUP: A selected group of persons presented to a witness containing a suspect and several fillers for the purpose of determining whether the witness is able to identify the suspect as the perpetrator of the crime.

PHYSICAL PLANT: The real property facilities housing the agency, its employees and property, including buildings, garages, and other structures. For a holding facility, its physical confines, including the reception area, sallyport, holding cells, and related spaces. If used only for booking detainees into the holding facility, the booking area is also included.

PLAN: Documented identification of methods to achieve desirable goals or conditions.

POLICY: A written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as “may” or “should” and usually do not establish fixed rules or set procedures for conduct of a particular activity but rather provide a framework for development of procedures and rules and regulations.

POSITION: The duties and responsibilities, or work, assignable to one employee. A position may be filled or vacant. For purposes of comparison, a patrol officer assigned as a court officer would occupy a “position.” Patrol officer would be the “job.” A position may have functional responsibility for a single task, e.g., court officer, patrol officer, crime prevention officer, or over several combined tasks, e.g., administrative lieutenant responsible for planning, budget, staff inspections, and internal affairs.

PRELIMINARY INVESTIGATION: Generally, the activity that begins when personnel arrive at the scene of an incident. The activity should continue until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation.

PROCEDURE: A written directive that is a guideline for carrying out agency activities. A procedure may be made mandatory in tone through the use of “shall” rather than “should,” or “must” rather than “may.” Procedures sometimes allow some latitude and discretion in carrying out an activity.

PROCESSING: Includes pre-booking activities involving detainees in custody, after which detainees may either be released from custody by one of several means or be escorted to a holding facility, at which time they would be booked.

PURSUIT: An active attempt by a law enforcement officer in a motor vehicle to apprehend one or more occupants of another moving motor vehicle, where the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension.

R

REASONABLE BELIEF: The facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

RECRUITMENT ACTIVITIES: A systematic method of seeking potentially qualified job applicants.

RECRUITMENT LITERATURE: Written materials or brochures designed to attract qualified applicants for jobs.

RECRUITMENT PLAN: A written plan for actively recruiting underrepresented minorities and women. A recruitment plan assumes the agency is doing more than just fairly implementing their selection procedures and instruments, e.g., providing equal opportunity. Proactive recruitment requires additional steps, where necessary, to increase the likelihood of attracting qualified applicants of protected groups that are insufficiently represented in the agency’s sworn ranks.

REMEDIAL TRAINING: Personalized training to correct a specific deficiency, which is usually identified by either testing or other evaluation during training or supervisory evaluation during routine job performance.

RESERVE: A sworn officer, armed or unarmed, who works less than full time, with or without compensation, and who, by their assigned function or as implied by their uniform, performs duties associated with those of a police officer.

RESTRAINING DEVICES: Equipment used to restrain the movement of the prisoner, such as handcuffs, flex-cuffs, waist chains, ankle chains, restraining straps, straight jackets, or tie-down stretchers.

REVIEW: To examine or study; less formal than an analysis.

ROADBLOCK: A restriction, obstruction, or device used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of a suspect.

ROAD SIDE SAFETY CHECK: A temporary operation in which law enforcement or other authorized personnel stop some or all traffic to inspect individual vehicles or their contents or to interview drivers.

RULES AND REGULATIONS: A set of specific guidelines to which all employees must adhere.

S

SALARY AUGMENTATION: Pay that is added to the base salary of the employee. Such augmentation may be considered as premium pay, merit pay, differential pay, or a temporary increase because of a temporary assignment to a position with higher base salary.

SEARCH AND RESCUE: A coordinated effort to locate individuals missing in a wilderness area, in large bodies of water, or elsewhere. Search and rescue missions usually involve use of aircraft, boats, or other special purpose vehicles and specialized personnel such as scuba divers, mountain climbers, or spelunkers.

SECONDARY EMPLOYMENT: Any outside employment, which is either extra-duty or off-duty. Extra-duty employment is any secondary employment that is conditioned on the actual or potential use of law enforcement powers by the officer-employee. Off-duty employment is any secondary employment that is not conditioned on the actual or potential use of law enforcement powers by the off-duty employee.

SECURITY HAZARD: Any threat to the security of the prisoner, to the facility in which he or she is held, or to others with whom the prisoner may come into contact. Estimations of the degree of security hazard will govern the means of transport, the kinds of restraining devices to be used, and other actions to be taken by the escort officer to provide proper protection for and security of the prisoner.

SECURITY SURVEY: An on-site examination and analysis of security needs that determines the nature and degree of the threat, the exact kind and degree of protective measures used, and the precise kinds of security measures that are required and recommends the appropriate policies, procedures, and equipment needed for the security function.

SELECTION CRITERIA: Rules, standards, procedures, or directives upon which a judgment or decision concerning employment can be based.

SELECTION MATERIALS: All written tests, test scores, answer sheets, study materials, evaluations, ratings, questionnaires, reports, and forms used in the selection process that have a bearing upon the employment decision.

SELECTION PROCEDURE: Any established method or combination of methods used in any way as the basis for an employment decision.

SELECTION PROCESS: The combined effect of components and procedures leading to the final employment decision, including minimum qualifications, e.g., education, experience, physical attributes, citizenship, residency-written tests, performance tests, oral exams, interviews, background investigations, medical exams, polygraph tests, police academy ratings, probationary period ratings, personality inventories, interest inventories, psychiatric evaluations, veteran's preference, cut-off scores, and ranking procedures.

SERIOUS PHYSICAL INJURY: A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment of the functioning of any bodily member or organ.

SERVICE: The delivery of any item of civil process that is complete with the act of delivery and does not require physical or legal seizure of a person or thing.

SEXUAL HARASSMENT: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

SHIFT BRIEFING: Training or informational sessions of short duration administered to law enforcement personnel just prior to, or after, their tour of duty.

SHOW-UP: A witness views a single suspect for purposes of identification of the suspect as the perpetrator of the crime.

SKILLS, KNOWLEDGE, AND ABILITIES: Skills are the proficiency with which an individual performs. Knowledge is a body of information or the understanding gained through learning, education, experience, or associations. Abilities are processes required to perform the various job responsibilities.

SPECIAL EVENT: An activity, such as a parade, athletic contest, or public demonstration, that results in the need for control of traffic, crowds, or crimes.

SPECIAL PURPOSE VEHICLE: A vehicle that requires special training or authorization for deployment. This includes, but is not limited to: SWAT trucks, bomb disposal vehicles, mobile command posts, aircraft, watercraft, and motorcycles. Bicycles, all-terrain vehicles, snowmobiles, and *Segways* may fall under the definition of a special purpose vehicle, if the agency or law requires special licensing or training prior to their use.

SPECIALIZED ASSIGNMENT: An assignment often characterized by increased levels of responsibility and specialized training, but within a given position classification; a specialized assignment may involve higher pay or additional benefits.

SPECIALIZED TRAINING: Training to enhance skills, knowledge, and abilities taught in either recruit or other in-service programs. Specialized training may address supervisory, management, and/or executive development training, or it may include technical and job-specific subjects, e.g., homicide investigation, fingerprint examination, juvenile investigation.

SPECIAL ORDER: A directive affecting only a specific segment of the organization or a statement of policy or procedure regarding a specific circumstance or event that is of a temporary nature.

STAFF INSPECTION: Inspection conducted by personnel who do not have control of the persons, facilities, or procedures being inspected. Staff inspectors in larger agencies are generally members of a specialized component responsible for conducting inspections throughout the agency. The results of staff inspections are usually reported to the agency's chief executive officer.

STATUS OFFENSE: An act or conduct declared by statute to be an offense only when committed or engaged in by a juvenile, and adjudicated only by a juvenile court.

SWORN OFFICER: A person who is granted those general peace officer powers prescribed by constitution, statute, or ordinance in the jurisdiction, including those persons who possess authority to make a full-custody arrest for limited or specific violations of law within the same jurisdiction.

T

TACTICAL TEAM: A group of officers who are specially selected, trained, and equipped to handle high-risk incidents, such as those involving snipers, barricaded persons, hostage-takers, selected warrant services, and other situations or activities as deemed necessary by command leadership.

TASK: A unit of work performed by an individual to accomplish the goal of a job.

TASK ANALYSIS: A systematic, structured process for dissecting a job into its basic parts. A task analysis identifies the important or essential elements of a job, the key work behaviors, and the knowledge, skills, and abilities required for these work behaviors.

TASK FORCE: Any combination of resources assembled to support a specific mission or operational need. All resource elements within a Task Force must have common communications and a designated leader.

TEMPORARY DETENTION: Temporary detention is measured in hours and does not involve housing or feeding detainees except in extenuating circumstances.

TERRORISM: Under the Homeland Security Act of 2002, terrorism is defined as activity that involves an act dangerous to human life or potentially destructive of critical infrastructure or key resources and is a violation of the criminal laws of the United States or of any State or other subdivision of the United States in which it occurs and is intended to intimidate or coerce the civilian population or influence a government or affect the conduct of a government by mass destruction, assassination, or kidnapping.

TRAFFIC ENGINEERING AUTHORITIES: Persons responsible for traffic engineering in various local, regional, and state agencies, e.g., street or highway department, public works department, transportation department.

TRAFFIC SURVEY: An examination of traffic characteristics, such as volume, speed, delay, accidents, origin, destination, etc.

TRANSPORT VEHICLE: The vehicle used for transporting a prisoner from one point to another. The transport vehicle may be the patrol vehicle, such as in the case of transporting a prisoner after an arrest; a vehicle of a correction facility designated for prisoner transport but also used for other purposes; or a specially designed prisoner transport vehicle, such as a bus or van. This term does not refer to commercial vehicles, such as buses, trains, or airplanes that may be used for prisoner transport.

TRANSPORTING OFFICER: A person who is responsible for transporting a prisoner from one point to another. This may be the arresting officer or another agency employee who is assigned to the responsibility for transport.

U

UNITY OF COMMAND: The concept that each individual in the organization has one, and only one, immediate supervisor.

UNIFIED COMMAND: Unified Command allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability.

UNLAWFUL HARASSMENT: Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

V

VALIDITY: Proof through statistical data that a given component of the selection process is job related either by predicting a candidate's job performance or by detecting important aspects of the work behavior related to the position.

VICTIM: A person who suffers physical, financial, or emotional harm as the direct result of a specified crime committed upon his or her person or property.

VIP: A "very important person," dignitary, famous personality, notorious person, or any other person in need of special security.

VOLUNTEERS: See Auxiliary.

W

WORKLOAD: The sum total of cases and other measurable activities occurring within a given area or time period.

WRITTEN DIRECTIVE: Any written document used to guide or affect the performance or conduct of agency employees. The term includes policies, procedures, rules and regulations, general orders, special orders, memorandums, and instructional material.

- 33.4 Recruit Training
 - 33.4.1 Entry Level Training Required
 - 33.4.2 Recruit Training Program
 - 33.4.3 Field Training Program
- 33.5 In-Service, Shift Briefing, and Advanced Training
 - 33.5.1 Annual Retraining Program
 - 33.5.2 Shift Briefing Training
 - 33.5.3 Accreditation Training
 - 33.5.4 Accreditation Manager Training
- 33.6 Specialized In-Service Training
 - 33.6.1 Specialized Training
 - 33.6.2 Tactical Team Training Program
- 33.7 Civilian Training
 - 33.7.1 Civilian Orientation
 - 33.7.2 Civilian Pre-Service and In-Service Training
- 33.8 Career Development
 - 33.8.1 Career Development Personnel Training
 - 33.8.2 Skill Development Training Upon Promotion
 - 33.8.3 Career Development Program

34.0 Promotion

- 34.1 Professional and Legal Requirements
 - 34.1.1 Agency Role
 - 34.1.2 Authority and Responsibility
 - 34.1.3 Promotional Process Described
 - 34.1.4 Job Relatedness
 - 34.1.5 Promotional Announcement
 - 34.1.6 Eligibility Lists
 - 34.1.7 Promotional Probation

35.0 Performance Evaluation

- 35.1 Administration
 - 35.1.1 Performance Evaluation System
 - 35.1.2 Annual Evaluation
 - 35.1.3 Quarterly Evaluation of Probationary Employees
 - 35.1.4 Evaluation Criteria
 - 35.1.5 Evaluation Period
 - 35.1.6 Unsatisfactory Performance

- 35.1.7 Employee Counseling
- 35.1.8 Rater Evaluation
- 35.1.9 Personnel Early Warning System

41.0 Patrol

- 41.1 Administration
 - 41.1.1 Shift/Beat Assignment
 - 41.1.2 Shift Briefing
 - 41.1.3 Special-Purpose Vehicles
 - 41.1.4 Agency Animals
- 41.2 Operations
 - 41.2.1 Responding Procedures
 - 41.2.2 Pursuit of Motor Vehicles
 - 41.2.3 Roadblocks and Forcible Stopping
 - 41.2.4 Notification Procedures
 - 41.2.5 Missing Persons
 - 41.2.6 Missing Children
 - 41.2.7 Mental Illness
- 41.3 Equipment
 - 41.3.1 Patrol Vehicles Lights, Sirens
 - 41.3.2 Equipment Specification/Replenishment
 - 41.3.3 Occupant Safety Restraints
 - 41.3.4 Authorized Personal Equipment
 - 41.3.5 Protective Vests
 - 41.3.6 Protective Vests/Pre-Planned, High Risk Situations
 - 41.3.7 Mobile Data Access
 - 41.3.8 In-Car Audio/Video

42.0 Criminal Investigation

- 42.1 Administration
 - 42.1.1 On-Call Schedule
 - 42.1.2 Case-Screening System
 - 42.1.3 Case File Management
 - 42.1.4 Accountability, Preliminary/Follow-Up Investigations
 - 42.1.5 Habitual/Serious Offenders
 - 42.1.6 Criminal Intelligence
- 42.2 Operations
 - 42.2.1 Preliminary Investigations Steps
 - 42.2.2 Follow-Up Investigations Steps

- 42.2.3 Investigative Checklists
- 42.2.4 Patrol Shift Briefing Attendance
- 42.2.5 Investigative Task Forces
- 42.2.6 Polygraph Examinations
- 42.2.7 Informants
- 42.2.8 Identity Crimes
- 42.2.9 Cold Cases
- 42.2.10 Interview Rooms
- 42.2.11 Line-ups
- 42.2.12 Show-ups

43.0 Vice, Drugs, and Organized Crime

- 43.1 Administration and Operations
 - 43.1.1 Complaint Management
 - 43.1.2 Records, Storage and Security
 - 43.1.3 Confidential Funds
 - 43.1.4 Equipment, Authorization and Control
 - 43.1.5 Covert Operations

44.0 Juvenile Operations

- 44.1 Administration
 - 44.1.1 Juvenile Operations Policy
 - 44.1.2 Policy Input, Others
 - 44.1.3 Annual Program Review
- 44.2 Operations
 - 44.2.1 Handling Offenders
 - 44.2.2 Procedures for Custody
 - 44.2.3 Custodial Interrogation
 - 44.2.4 School Liaison Program
 - 44.2.5 Community Recreation Programs

45.0 Crime Prevention and Community Involvement

- 45.1 Crime Prevention
 - 45.1.1 Activities
 - 45.1.2 Organizing Prevention Groups
 - 45.1.3 Prevention Input
- 45.2 Community Involvement
 - 45.2.1 Activities
 - 45.2.2 Quarterly Progress Report

- 45.2.3 Procedures for Transmitting Information
- 45.2.4 Citizens Survey
- 45.2.5 Survey Summary to CEO

46.0 Critical Incidents, Special Operations, and Homeland Security

- 46.1 Critical Incidents
 - 46.1.1 Planning Responsibility
 - 46.1.2 All Hazard Plan
 - 46.1.3 Command Function
 - 46.1.4 Operations Function
 - 46.1.5 Planning Function
 - 46.1.6 Logistics Function
 - 46.1.7 Finance/Administration Function
 - 46.1.8 Equipment Inspection
 - 46.1.9 Annual Training
- 46.2 Special Operations
 - 46.2.1 Special Operations Activities
 - 46.2.2 Tactical Team Selection
 - 46.2.3 Tactical Team Equipment
 - 46.2.4 Hostage Negotiator Selection
 - 46.2.5 Search and Rescue
 - 46.2.6 VIP Security Plan
 - 46.2.7 Special Events Plan
- 46.3 Homeland Security
 - 46.3.1 Liaison with other Organizations
 - 46.3.2 Terrorism Related Intelligence
 - 46.3.3 Providing Awareness Information
 - 46.3.4 Hazmat Awareness

52.0 Internal Affairs

- 52.1 Organizational Integrity
 - 52.1.1 Complaint Investigation
 - 52.1.2 Records, Maintenance and Security
 - 52.1.3 CEO, Direct Accessibility
 - 52.1.4 Complaint Registering Procedures
 - 52.1.5 Annual Summaries; Public Availability
- 52.2 Complaint Procedures
 - 52.2.1 Complaint Types
 - 52.2.2 CEO, Notification
 - 52.2.3 Investigation Time Limits

- security 82.1.7
- seizure of computer equipment 83.2.5
- software policy 11.4.4
- Conditions of work 22.3
- Confidential funds
 - accounting 17.4.2
 - provision 43.1.3
- Constitutional rights
 - access to counsel 1.2.3, 42.2.10, 72.7.1
 - Bias Based Profiling 1.2.9
 - covert operations 43.1.5
 - detainee 72.7.1
 - interview and interrogation 1.2.3, 44.2.3
 - juvenile 44.2.2
 - privacy 72.1.3
 - search/seizure 1.2.4, 72.5.1
- Consular notification 1.1.4
- Contract law enforcement **3**
- Controlled substances 84.1.4
- Coordination, interagency
 - concurrent jurisdiction 2.1.2
 - criminal justice 61.3.6
 - federal 2.1.4
 - mutual aid 2.1.3
 - planning 61.3.6
 - task forces 42.2.5
- Coordination, intra-agency 12.1.4
- Counseling
 - career 33.8.1
 - employee assistance 22.2.3, 22.2.6
 - post-trauma 1.3.8, 22.2.4
- Court security **73**
- Crime analysis 15.3
- Crime information system 82.1.4
- Crime prevention 45.1
- Crime reporting 82.2
- Crime scene
 - processing 83.2
 - protection 42.2.1
- Crime victim
 - assistance **55**, 81.2.6
- Criminal history files 82.1.1, 82.3.6
- Criminal intelligence 42.1.6
- Criminal Investigation **42**
 - follow-up 42.2.2
 - informal 42.2.7
 - preliminary 42.2.1
- Criminal investigators
 - accountability 42.1.4
 - patrol shift briefings 42.2.4
 - temporary assignment 16.2.3
- Criminal process 1.2.5, 74.1, 74.3
- Crossing guards 61.3.4
- Deadly force 1.3.2
 - administrative review 1.3.8
 - medical aid 1.3.5
 - training 1.3.11, 16.3.6, 33.5.1
 - vehicle pursuit 41.2.2
- Detainees
 - holding conditions 72.2.1, 72.5.3
 - processing 72.5
 - rights 72.7.1
 - supervision 72.8
 - temporary **71**
- Directives, written 12.2
- Disasters 46.1.2
- Disciplinary procedures
 - appeal 26.1.6
 - awards 26.1.2
 - discipline 26.1.4
 - dismissal 26.1.7
 - Employee Assistance Program 22.2.6
 - records 26.1.8
 - supervision/authority 26.1.5
- Discretion 1.2.6, 1.2.7, 44.2.1, 61.1.2
- Dismissal 26.1.7
- Disposition of property 84.1.1, 84.1.7
- Distribution of personnel 16.1.2
- Diversion
 - juveniles 44.2.1
 - programs 1.1.3
- DNA 83.2.7
- Driver re-examination 61.1.12
- Duties and responsibilities
 - academy administration 33.2.1
 - auxiliaries 16.4.1
 - civil process 74.2.1
 - classification 21.2.1, 21.2.2
 - contract services 3.1.1
 - crime scene processors 83.1, 83.2
 - criminal investigations 42.1.4
 - disciplinary 26.1.5
 - extra-duty employment 22.3.4
 - field training officers 33.4.3
 - fiscal management 17.1.1
 - inspections **53**
 - interagency agreements 2.1.2
 - Internal Affairs **52**

- job announcements 31.3.1
- performance evaluations 16.3.8, 35.1.1
- promotional announcement 34.1.5
- reserves 16.3
- school crossing guards 61.3.4
- task analysis 21.1.1
- task forces 42.2.7
- traffic collisions 61.2.1, 61.2.3
- training committee 33.1.1
- vehicle pursuit 41.2.2
- Education
 - benefits 22.2.2
 - traffic safety, public 61.4.4
- Eligibility lists
 - promotional 34.1.6
- Emergency(ies)
 - All hazard **46**
 - calls, response 41.2.1
 - command protocol 12.1.2
 - communications 81.2.5
 - holding facility 71.3.3, 72.3.2, 72.4.8, 72.4.10, 73.5.18, 73.5.20
 - motor vehicle pursuits 41.2.2
 - messages 81.2.11
 - mutual aid 2.1.3, 2.1.4
 - power source 81.3.2
 - prisoner transportation 70.1.7
 - telephone number 81.2.2, 81.2.12, 81.3.3
 - unusual occurrences **46**
- Employee Assistance Program (EAP) 22.2.6
- Employee identification 22.2.7
- Equal Employment Opportunity 31.2.3
- Equipment
 - All hazard 46.1.6
 - body armor 41.3.6
 - contract services 3.1.1
 - control, agency 17.5.1
 - communications 81.2.9, 81.3
 - court security 73.2.1, 73.4
 - covert operations 43.1.4, 43.1.5
 - crime scene processing 83.2.4
 - critical incident readiness 46.1.8
 - emergency response 41.2.1, 41.3
 - general patrol service 41.3.1, 41.3.2
 - holding facility 72.3.1, 72.4.6-72.4.9, 72.6.2, 72.8.2
 - inspections **53**
 - multiyear plan 15.1.3
 - prisoner transport 70.4
 - purchase 17.3.1
 - readiness 17.5.3
 - reserves 16.3.4
 - safety restraining devices 41.3.3
 - special purpose vehicles 41.1.3
 - tactical team 46.2.3
 - traffic enforcement 61.1.5
 - unmarked vehicles 41.2.1
 - VIP protection 46.2.6
- Escape, prisoner 70.1.7, 72.4.10, 73.5.20
- Escort services 61.3.3
- Ethics 1.1.2
- Evaluation
 - Recruitment Plan 31.2.2
 - crime analysis 15.3.1
 - crime prevention programs 45.1.1
 - goals and objectives 15.2.2
 - juvenile programs 44.1.3
 - performance **34**
 - promotional procedures 34.1.3
 - specialized assignments 16.2.1
 - task forces 42.2.5
 - traffic enforcement 61.1.1
 - training 33.1.1, 33.3.1, 33.4.2, 33.4.3, 33.5.2
- Evidence
 - collection and preservation **83**
 - criminal investigations 42.2.1, 42.2.2
 - custody, in **84**
- Exceeding prisoner capacity procedure 72.5.6
- Executive protection 46.2.6
- Extra-duty employment 22.3.4
- Eyewitness identification 42.2.11, 42.2.12
- Federal assistance 2.1.4
- Field interviews 1.2.3
- Field training
 - recruit 33.4.3
 - reserves 16.3.3
- Financial management **17**
- Fingerprints arrestee 1.2.5, 82.3.6
 - crime scene 83.2.1, 83.2.3, 83.2.4
 - juvenile 82.1.2
- Firearms
 - authorized 1.3.9, 1.3.10
 - discharge 1.3.6
 - evidence 83.3.2
 - holding facility 72.4.1, 73.5.12
 - in-custody, storage 84.1.1, 84.1.2
 - prisoner transport 70.1.6
 - proficiency 1.3.10, 1.3.11, 16.3.6

- specialized 46.2.3
- training 1.3.11, 1.3.12, 33.4.1, 33.5.1, 16.3.6
- use of 1.3.2, 1.3.3, 1.3.5, 1.3.6, 1.3.8
- Fire safety
 - courts 73.5.1
 - holding facility 72.1.1, 72.3.1, 72.3.2
 - temporary detention 71.4.2
- Fiscal management **17**
- Follow-up investigations
 - criminal 42.2.2
 - traffic collision 61.2.4
- Force
 - deadly 1.3.2, 1.3.6, 1.3.8
 - medical aid 1.3.5
 - reporting 1.3.6
 - review 1.3.7, 1.3.8, 1.3.13
 - use of 1.3, 16.3.6
- Forms, agency 11.4.2
- Fringe benefits 22.2
- Funds
 - accounting 17.4
 - management 17.1.1, 17.2.1
 - purchasing 17.3
- Goals and objectives 15.2
- Grievances **25**
 - maintenance/control 25.1.2
- Habitual offenders 42.1.5
- Higher education 22.2.2
- Holding Facility **72**
 - detainee processing 72.5
 - detainee rights 72.7
 - medical/health care 72.6
 - physical plant 72.2
 - safety/sanitation 72.3
 - security/control 72.4
 - supervision 72.8
 - temporary detention 71
- Homeland Security 46.3
- Hostage 46.1.2
- Identity crime 42.2.8
- Informants 42.2.7
 - funds 43.1.3
- Information, public **54**
- In-service training 33.5
- Inspections
 - court security 73.5.6, 73.5.9, 73.5.11, 73.5.17
 - holding facility 72.3.1, 72.3.3, 72.4.6, 72.6.2
 - line 53.1.1
 - power source, emergency 81.3.2
 - operational readiness 46.1.8
 - property 84.1.6
 - staff 53.2.1
 - temporary detention 71.4.3
 - weapons 1.3.9
- Instructors 33.2.1, 33.2.2, 33.2.3, 33.3, 33.4.3
- Interagency coordination
 - concurrent jurisdiction 2.1.2
 - federal 2.1.4
 - general 61.3.6
 - Homeland Security 46.3.1
 - mutual aid 2.1.3
 - programs 1.1.3
 - recruiting 31.3.2
- Internal Affairs **52**
- Interrogation 1.2.3, 41.2.2, 42.2.2, 42.2.6, 44.2.3
- Interview
 - applicant 32.2.4
 - criminal 1.2.3, 42.2.7, 44.2.3
 - internal investigation 52.2.6
 - field 1.2.3
 - rooms 42.2.10
- Intra-agency coordination 12.1.4
- Inventory
 - property, accident 61.2.3
 - property, agency owned 17.5.1
 - property, detainee 72.5.1, 72.5.2, 73.5.2
 - property, in custody 84.1.6
 - search of vehicle 1.2.4
 - victim/witness needs 55.1.2
- Investigation
 - criminal **42**
 - internal **52**
 - applicant 32.2
- Involvement, community 45.2
- Job
 - annual evaluation 16.3.8, 35.1.2
 - application rejection 31.3.4
 - assignment rotation 16.2.3
 - job announcements 31.3.1
 - job classification 21.2.1
 - job relatedness 32.1.2
 - lesson plan requirements 33.1.4
 - maintaining applicant contact 31.3.3
 - posting locations 31.3.2
 - promotional announcement 34.1.5
 - promotional process described 34.1.3
 - specialized assignment announcement 16.2.2

specialized assignment review 16.2.1
 specialized training 33.6.1
 task analysis 21.1
 Jurisdiction 2.1.1, 2.1.2
 Juvenile **44**
 administrative 44.1
 interview/interrogations 44.2.3
 operations 44.2
 school liaison program 44.2.4
 Lateral entry 32.1.1
 Legal Process **74**
 “All Hazard” plan 46.1.2
 arrest 1.2.5, 44.2.1, 61.1.11
 arrest warrants 74.3.2
 criminal 74.3
 detainee searches 71.3.1, 72.5.1, 73.5.2
 detainees, outside agency 72.5.5
 driving under the influence procedures 61.1.11
 execution/attempt service, recording 74.1.2
 handling offenders 44.2.1
 information, recording 74.1.1
 interagency jurisdiction 2.1.2
 internal affairs procedures 52.2.6
 liability protection program 22.2.2
 master name index 82.3.1
 outside academy, legal liabilities 33.2.3
 privacy and security 82.1.1
 procedure, criminal process 74.3.1
 promotion job relatedness 34.1.4
 property, final disposition 84.1.7
 records retention 82.1.1, 32.2.9
 reexamination of drivers 61.1.12
 search/seizure 1.2.4, 71.3.1, 72.5.1, 73.5.2
 selection, job relatedness 32.1.2
 special operations procedures 43.1.5
 training 33.7.2
 training, annual program 33.5.1
 uniform administration 32.1.3
 written agreement for services provided 3.1.1
 Less lethal weapons 1.3.4, 1.3.5, 1.3.10
 Lesson plans 33.1.4
 Liability protection 16.3.7, 22.2.2
 Liaison with other agencies
 concurrent jurisdiction 2.1.2
 emergency **46**
 federal 2.1.4
 mutual aid 2.1.3
 Line inspections 53.1
 Line-up 42.2.11
 Mass arrests 46.1.2
 Media
 “All Hazard” plan 46.1.3
 public information **54**
 victim services 55.1.3
 Medical examination
 applicant 32.2.7, 32.2.8, 32.2.9
 detainee 72.6.3
 employee 22.3.1
 Missing persons 41.2.5, 41.2.6
 Mounted patrol 41.1.4
 Multiyear plan 15.1.3
 Mutual aid 2.1.3
 Narcotics and dangerous drugs
 criminal **43**
 storage 84.1.1, 84.1.4
 traffic enforcement 61.1.10, 61.1.11
 Notification, next of kin 55.2.6
 Oath of office 1.1.1
 Off-duty
 authority 1.2.1
 employment 22.3.3, 22.3.4
 Offenders, habitual 42.1.5
 Off-road vehicles 61.1.5
 Organization, agency **11**
 Organizational chart 11.1.2
 Organized crime **43**
 Parking control 61.1.13
 Patrol **41**
 Performance Evaluation 16.3.8, **35**
 Personnel
 assignment **16**
 benefits 22.2
 Collective Bargaining **24**
 conditions of work 22.3
 conduct **26**
 compensation 22.1
 complaints against **52**
 Early Warning System 35.1.9
 Employee Assistance Program 22.2.6
 grievances **25**
 Promotion **34**
 Recruitment **31**
 rights under contract 3.1.2
 Selection **32**
 training **33**
 Photographs
 arrestee/detainee 1.2.5, 54.1.1, 82.3.6
 crime scene 83.2.1, 83.2.4

- employee 52.2.6
- juvenile 82.1.2
- Physical examinations
 - applicant 32.2.7, 32.2.9
 - detainee 72.6.3
 - employee 22.3.1, 22.3.2
- Planning and Research 15.1
- Polygraph
 - applicant 32.2.5, 32.2.6
 - criminal 42.2.6
 - internal investigations 52.2.6
- Preliminary investigation 42.2.1
- Pretrial release 1.2.6, 1.2.7, 44.2.1, 61.1.2
- Prisoners Transportation **70**
- Private security alarms 81.2.13
- Probationary periods
 - employment 32.2.10
 - promotional 34.1.7
- Processing evidence **83**
- Promotion **34**
- Property
 - accident victims 61.2.3
 - agency owned 17.5
 - arrestee 72.5.1, 72.5.2, 73.5.2
 - in custody **84**
 - operational readiness 17.5.3, 46.1.8
- Psychological examinations
 - applicant 32.2.8, 32.2.9
- Public information **54**
- Purchasing procedures 17.3.1
- Rating criteria 35.1.1, 35.1.4
- Records
 - accounting system, disposition 74.4.1
 - background investigations 32.2.1
 - case management system 42.1.3
 - case numbering system 82.2.3
 - cash fund/accounts maintenance 17.4.2
 - citations 82.3.4
 - contract services 3.1.1
 - criminal history 82.3.6
 - detainee/record security 72.1.3, 72.5.1, 72.5.2
 - disciplinary records 26.1.8
 - distribution of reports 82.2.4
 - employee training record maintenance 33.1.6
 - evidence/property control system 84.1.1
 - execution/attempt service, recording 74.1.2
 - field reporting system 82.2.1
 - forms, accountability and review 11.4.2
 - grievance records 25.1.2
 - ID number and criminal history 82.3.6
 - index files 82.3.2
 - inspections and reports 84.1.6
 - intake forms 72.5.2
 - internal investigations 52.1.2, 52.1.5
 - juvenile 82.1.2
 - master name index 82.3.1
 - operational accessibility 82.1.1
 - phone or mail reports 81.2.14
 - privacy/security 82.1.1
 - property, in custody 84.1.1, 84.1.5, 84.1.6
 - request for service information 81.2.3
 - requirements for reports 82.2.2
 - retention schedule 82.1.3
 - selection/medical records 32.1.6, 32.2.9
 - status of reports 82.1.5
 - supervisor review procedures 82.2.1
 - towed vehicles, inventory 61.4.3
 - traffic 82.3.3
 - training 33.1.6, 33.1.7, 33.6.2
 - uniform crime reporting program 82.1.4
 - vice drugs and organized crime 43.1.2
 - warrants/wanted person procedures 74.1.3
 - written agreement for services provided 3.1.1
- Recruitment 31
- Regional services
 - communications 81.2.9, 81.2.10
 - criminal justice 61.3.6
 - traffic planning 61.3.1, 61.3.6
 - training academy 33.2.3
 - warrants 74.1.3
- Release of information 54.1.1, 82.1.1
- Remedial training 33.1.5
- Reports
 - administrative 11.4.1
 - after action 46.1.3
 - case management 42.1.3
 - crime analysis 15.3.1
 - crime scene processing 83.2.6
 - escape, prisoner 70.1.7, 73.5.20
 - field reporting 81.2.3, 81.2.14, 82.2
 - fiscal 17.4.1
 - force, use of 1.3.6, 1.3.7, 1.3.13
 - inspections **53**
 - laboratory examinations 83.3.2
 - traffic accident 61.2.1
- Reserves 16.3
- Restraining devices
 - courtroom 73.3.2

- prisoner transport 70.2.1
- temporary detention 71.3.2
- Roadblocks 1.3.2, 41.2.3
- Salary program 22.1.1
- School crossing guards 61.3.4
- School liaison 44.2.4
- School safety patrol 61.3.5
- Search
 - arrest, incident to 1.2.4
 - detainee 70.3.2, 71.3.1, 72.5.1, 72.8.5
 - holding facility 72.4.5, 72.4.6, 73.5.2
 - investigations 42.2.2
 - prisoner transport 70.1.1, 70.1.2
 - seizure, and 1.2.4, 43.1.5
- Search and rescue 46.2.5
 - missing persons 41.2.5, 41.2.6
- Seat belts 41.3.3
- Secondary employment 22.3.3, 22.3.4
- Selection **32**
 - field training program 33.4.3
 - hostage negotiator 46.2.4
 - rotating assignments 16.2.3
 - tactical team selection 46.2.2
- Selective enforcement, traffic 61.1.1
- Sexual harassment 26.1.3
- Shift briefings
 - investigators' attendance 42.2.4
 - patrol 41.1.2
 - training 33.5.2
- Shifts, patrol 41.1.1
- Show-up 42.2.12
- Special events 46.2.7
- Special operations 33.6, 46
- Special purpose vehicles 41.1.3
- Special transport situations 70.3.3
- Specialized assignment 16.2.1, 16.2.2
- Specialized training 33.6
- Summons
 - alternative to arrest 1.2.6, 44.2.1, 74.3.1
 - reporting 82.2.2
- Supervision accountability 11.2.1
- Surveillance
 - covert operations 43.1.3-43.1.5
- Surveys
 - citizens attitudes 45.2.4
 - court security 73.2.1
 - school crossings 61.3.4
 - traffic engineering 61.3.1
 - victim/witness needs 55.1.2

- Tactical team 33.6.2, 46.2
- Task analysis 21.1.1
- Task forces
 - investigative 42.2.5
- Temporary assignments 16.2.3
- Temporary Detention **71**
- Towing vehicles 61.4.3
- Traffic **61**
 - ancillary services 61.4
 - collision investigation 61.2
 - direction/control 61.3
 - driving under influence 61.1.10, 61.1.11
 - enforcement 61.1.1-61.1.13
 - parking 61.1.13
 - speed measuring devices 61.1.9
- Training **33**
 - academy 33.2.1, 33.2.2, 33.2.3, 33.2.4
 - accreditation process 33.5.3
 - attendance 33.1.2
 - auxiliaries 16.4.1, 16.4.2
 - benefits 22.2.1, 22.2.2
 - career development 33.1.1, 33.8.1
 - civilian 33.7.2
 - committee 33.1.1
 - disciplinary procedures 26.1.1, 26.1.4
 - evidence collection 83.2.2
 - holding facilities 71.2.1, 72.1.1, 72.6.3, 73.5.1
 - instructor 33.3.1
 - lesson plans 33.1.4
 - polygraph 42.2.6
 - promotions 33.8.2
 - records 33.1.6, 33.1.7
 - recruit training 33.4
 - recruitment 31.1.2
 - reimbursement 33.1.3
 - remedial training 33.1.5
 - reserves 16.3.3, 16.3.5, 16.3.6
 - retraining 33.5.1
 - shift briefing 33.5.2
 - specialized training 33.6
 - tactical teams 33.6.2
- Transportation of prisoners **70**
- Tuition reimbursement 22.2.2
- Unity of command 11.2
- Use of force 1.3
- Vice, Drugs, and Organized Crime **43**
 - administration 43.1
 - confidential funds 43.1.3
 - surveillance/undercover equipment 43.1.4

Victims Witnesses Assistance **55**

VIP security 46.2.6

Volunteers 16.4

Warning shots 1.3.3

Weapons

authorized 1.3.9

courts 73.3.1

holding facility 71.3.3, 72.4.6

less than lethal 1.3.4

prisoner transport 70.1.6

proficiency 1.3.10, 1.3.11

use of 1.3

Workload assessment 16.1.2

Written directives 12.2

**GENERAL
COMMUNICABLE DISEASES/BLOODBORNE PATHOGENS
VOL, VI. CH, 3
DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES**

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 11-01-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VI
VOLUME TITLE: GENERAL	# PAGES: 6					CHAPTER 3
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PURPOSE:

To provide a workable operating procedure for management of employee exposure to Bloodborne Pathogens.

POLICY:

The Fort Lee Police Department recognizes the danger to employees which result from occupational exposure to Bloodborne Pathogens, and the need to protect employees from risk. The policies in this SOP comply with applicable Federal (OSHA rule 29 CFR 1910.1030) and Bergen County Health Standards.

DEFINITIONS:

Bloodborne Pathogen - microorganisms present in human blood that can infect and cause disease. This includes, but is not limited to HIV and Hepatitis B.

Contaminated - the presence of blood or other infectious materials.

Exposure incident - a specific eye, mouth, mucous membrane, non intact skin, or contact with blood or other potentially infectious materials that may result from the employee's performance of duty.

Other potentially infectious materials (OPIM) - Human body fluids to include semen, amniotic fluid, saliva, vaginal secretions, or any body fluids which cannot be determined. Any unfixed tissue or human

**GENERAL
COMMUNICABLE DISEASES/BLOODBORNE PATHOGENS
VOL, VI, CH, 3**

organ, any cultures or solutions containing HIV or HBV cells, or blood / organs from experimental animals infected with

HIV or HBV. Regulated waste - Liquid or semi liquid blood or OPIM, items caked with dried blood or OPIM, contaminated sharps.

Universal precaution (U/P) - the concept of assuming that everything is contaminated.

I. PROCEDURES :

A. It is the responsibility of each officer to check their personal pathogen kit and to replace any needed items at the beginning and end of tour. The kit will be kept with the officer's personal duty gear and will be available for use at all times while the officer is on duty.

It is the officers responsibility to replace any missing items in their respective kits with replacement items from HQ, and reseal the bag with a new label. In accordance with the FLDOH exposure control plan revised 3/96, all officers have been issued, will carry with them, and be responsible for the daily replacement of their own personal pathogen kits.

1. Officers will assume that all persons are carriers of a communicable disease.
2. Disposable gloves shall be worn when handling any persons, clothing, or equipment with body fluids on them.
3. Masks, face shield, and gowns shall be worn in situations where bodily fluids may be splashed on the officer. These items are in the pathogen kits of each vehicle.
4. Disposable CPR barriers shall be used by any officer performing CPR. These are located in the pathogen kits, and are replaceable as needed.
5. All needles will be handled with care and shall be considered contaminated items.
6. Officers will not smoke, eat, drink, or apply makeup around body fluid spills.
7. Any evidence contaminated with body fluids will be sealed in accordance with current evidence handling procedures. A red bio hazard label will be put on the outside of the evidence bag. This does not pertain to sealed urine and blood samples taken from a hospital, or taken in HQ under controlled conditions for arrest purposes.
8. Any waste including clothing which has a large amount of blood on it can be dropped off at the Health Department. (note: Health Dept will not accept unless clothing is SATURATED.) Small amount of blood, officer can wash in washing machine in the cell area.
9. Other waste, such as used gloves, toweletts, or non bloody materials may be disposed of in the garbage.

**GENERAL
COMMUNICABLE DISEASES/BLOODBORNE PATHOGENS
VOL, VI. CH, 3**

B. CUSTODY OF PRISONERS / PEOPLE / EQUIPMENT

1. No officer will refuse to arrest or physically handle any person who may have a communicable disease where the appropriate PPE (personal protective equipment) has been provided. All officers have been issued disposable gloves, and all officers shall carry disposable gloves on their person while on duty. It is the individual officer's responsibility to ensure he or she has the appropriate PPE prior to the start of tour. These items include gloves, face/eye mask, and gown.
2. Persons being transported who have blood or bodily fluids spilling / leaking from their person shall be transported in a separate vehicle from other individuals.
3. Officers transporting a person with a communicable disease who has bodily fluids on their person shall notify other officers who come into contact with the subject.
4. Persons taken into custody with blood or body fluids on their person shall first be checked for any needed medical aid. They will then be brought into the holding cell for processing. Other prisoners will not be allowed in the holding cell area until the area has been decontaminated. A sign stating "BIOHAZARD Area, Do Not Enter." shall be placed on the holding cell door. The Tour Commander shall call maintenance to decontaminate the cell area or any area where a prisoner was held if:
 - a. Any prisoner has blood or body fluids spilling, leaking, bleeding on his person.
 - b. If a person states that he / she has a communicable disease, but has no bodily fluids on their person, the area will be sprayed with Staphene spray by the arresting officer after the prisoner has been removed.

The spray is located behind the HQ desk. UNDER NO CIRCUMSTANCES WILL BOTH BLEACH AND SPRAY BE USED AT THE SAME TIME.

5. Officers shall note on their incident report when a suspect has body fluids on his / her person.
6. Any officer who's skin comes into contact with body fluids shall wash the area immediately for a minimum of 20 seconds with hot running water and soap before rinsing and drying. Antiseptic towelettes from the pathogen kit, or rubbing alcohol may be used where soap and water is unavailable. Rinse the disposable gloves prior to taking them off. Your hands and arms should then be washed. An incident report and workers comp package must be done even if blood etc gets on unopened skin.
7. All open cuts and abrasions shall be covered with waterproof bandages prior to reporting for duty.
8. Officers shall remove clothing that has been contaminated with bodily fluids ASAP. Any contacted skin area should then be cleaned as per procedure #7 above.

**GENERAL
COMMUNICABLE DISEASES/BLOODBORNE PATHOGENS
VOL, VI. CH, 3**

9. Clothing that has been contaminated shall be placed in a red bio hazard bag and labeled with a bio hazard label on the outside. It may then be brought to a commercial dry cleaner. Home laundering must be done at a minimum temperature of 140 - 160 degrees for at least 25 minutes using a commercial detergent. Blood soaked uniforms shall be placed in a red bio hazard bag and discarded at the Health Department.

II. SUPPLIES:

- A. The following supplies will be located in HQ for compliance with the borough's Exposure Control Plan:
 1. Sharps containers - Main Desk, 461, & 462. For use of needles found and turned over to the PD where arrests will not be made. The containers shall be picked up by the Health Department as needed.
 2. Red Bio Hazard Bags
 3. Syringe / needle containers (plastic tubes)
 4. Disinfectant spray - Desk, G.I., cell room.
 5. Bleach
 6. Toweletts
 7. Bio Hazard Labels
 8. High Risk Gloves
- B. KITS WILL BE KEPT AT DESK, NARCO, GI, AND BOOKING AREA.
 1. Replacement kits shall be kept in the headquarters supply area.
 - a. The kits are sealed, officers should take an entire sealed kit and place it in the vehicle.
 - b. Certain items such as gloves, CPR shield, etc. will be in single packs. It will not be necessary to take an entire sealed kit to replace these items.
 2. Bloodborne pathogen kits shall be issued to each police officer. They contain: Latex gloves, CPR shield (disposable), Face / eye shield, gown, BioHazard garbage bag, clean up towel, skin wipes and scoop.
 3. If any item is used it will be replaced by the officer.
- C. Vehicles which have been exposed to dripping / flowing blood or OPIM shall be placed out of service. A red bio hazard label shall be placed on the outside of the driver side door, and a note

**GENERAL
COMMUNICABLE DISEASES/BLOODBORNE PATHOGENS
VOL, VI. CH, 3**

will be made on the car sheet. An incident report shall be made to the tour commander. The vehicle will then be cleaned by a professional cleaning company contracted to do so.

- D. The Department of Health will be notified to pick up any bloody wastes, which must be sealed in a red bio hazard bag.

III. WORK PRACTICES:

- A. The following PPE will be utilized by the officer for these tasks:

1. First Aid with blood or OPIM in small amounts - Universal precautions U.P. - (see definition), and latex gloves.
2. First Aid with blood or OPIM in large amounts - UP, gloves, gown, face mask.
3. Prisoners with blood / OPIM in large amounts - UP, gloves, gown, face mask and disposable cuffs.
4. Handling contaminated reusable equipment - UP, latex gloves.
5. Handling disposable / or contaminated PPE - UP, gloves, labels, red bags as appropriate.
6. Handling needles - UP, gloves, leak proof puncture resistant containers.
7. Handling / transport blood urine specimens - UP, gloves, leak proof puncture resistant containers.
8. CPR - UP, reusable mask with disposable mouthpiece or reusable mechanical CPR mask on Oxygen unit.
9. Clean up of blood / OPIM - UP, latex gloves, gown and cleaning supplies as needed. A mixture of 1 part bleach to 10 parts water will decontaminate equipment.

- B. In the event of an incident where an officer is exposed to blood or bodily fluids on his / her person, the officer(s) exposed shall report this to the tour commander as soon as practical, and an incident report shall be made up reflecting this situation and notification. The nature of the incident, the type of PPE used, the blood / OPIM to which the officer was exposed shall be included. The incident title "Pathogen / OPIM Exposure" shall be used.

ANY OFFICER WHO HAS BEEN BITTEN, OR HAS BEEN INVOLVED IN AN "EXPOSURE" AS DEFINED, SHALL BE TRANSPORTED TO THE HOSPITAL WHERE A CONFIDENTIAL MEDICAL EVALUATION AND FOLLOWUP SHALL BE CONDUCTED. AN INCIDENT REPORT SHALL BE MADE UP AS ABOVE, AND A COPY SHALL BE SENT TO THE FORT LEE HEALTH DEPARTMENT.

1. In any report generated from an exposure, the following data will be included, either on the blue incident report form or a supplemental narrative if needed:

**GENERAL
COMMUNICABLE DISEASES/BLOODBORNE PATHOGENS
VOL, VI. CH, 3**

- a. Vaccination status (Hep-B) of officer
 - b. What the officer was doing,
 - c. What PPE the officer was wearing,
 - d. What body fluids the officer was exposed to, where on his / her body the exposure took place, the size of the area exposed.
 - e. If a foreign object penetrated your body (i.e. a needle.)
 - f. How long the blood / OPIM was on your person.
 - g. Where, when, and by whom you received medical attention.
 - h. What treatment you gave the person who exposed you (CPR etc.)
2. Officers that seek any medical attention must also complete any workers compensation forms necessary, as per Sick Leave/Workers Compensation Policy Vol, I. Ch, 22.

**COMMUNITY ASSISTANCE
COMMUNITY & PUBLIC RELATIONS
VOL. III CH. 12**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-12-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME III
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CHIEF THOMAS R. TESSARO						
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PROSECUTOR'S OFFICE:						
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PURPOSE:

To enhance our service to the public in order that the needs of the people we serve are met to the best of our abilities. To comply with the Federally funded COPS FAST program.

GOALS:

To produce an atmosphere of mutual assistance and satisfaction between our agency and the residents, businesses and visitors of the Borough. To better understand the needs of the people in the Borough on a person to person basis. To ensure our data regarding business and residential properties is current, to gain citizen input on day to day matters which they deem as important for security and quality of life, to instruct merchants and residents on basic security and safety procedures.

POLICY:

The Borough of Fort Lee Police Department recognizes that public cooperation is essential to the successful accomplishment of the Police Departments Goals. As such, it is the policy of this department to make every effort to establish close ties with the community, responding to its needs and encouraging its input regarding the goals and practices of this agency. While this specific responsibility is centralized in the Community Policing Officer, it should also continue as a general responsibility and concern of all police officers.

**COMMUNITY ASSISTANCE
COMMUNITY & PUBLIC RELATIONS
VOL. III CH. 12**

PROCEDURES:

Officers shall be assigned as deemed necessary and needed by the Administration in order to comply with the terms of COPS FAST and agency needs. All divisions within the PD including Patrol, Detective, Administration, and specialized units such as Traffic, Juvenile, Fraud, Anti-Crime, Asian Squad, and DARE unit shall be engaged in Community Policing activities to include but not be limited to meetings, walking posts, speaking engagements, door to door canvassing and safety programs as the opportunity and need arise.

I. Community Policing and Public Relations Officers

- A. Community Policing and Public relations Officers will be appointed by the Chief of Police from within the ranks of the department.
- B. The Community Policing & Public Relations Officers will work directly under the supervision of the Administrative Division.
- C. The Community Policing & Public Relations Officers will hold sufficient authority to implement those programs and policies required, with the approval of the Chief of Police.

II. Major Areas of Responsibility Will Cover Public Information Releases and Community Relations

A. Public Information Responsibilities

- 1. Evaluate public opinions and attitudes with respect to police methods of operation, etc.
- 2. Advise the Chief of Police, through the chain of command, of public reactions to new or revised programs.
- 3. Plan and carry out programs aimed at keeping the public informed and educated.
- 4. Develop crime resistance and public safety programs.
- 5. Act as liaison with local newspapers, publications and radio stations in order to adequately publicize department objectives, problems and successes, and receive input from the media in reference to news release policies pertaining to Community Policing issues.

B. Community Relations Responsibilities

- 1. Act as liaison with formal community organizations.
- 2. Conduct periodic surveys of citizen opinions with respect to:
 - a. Agency Performance
 - b. Satisfaction with Agency Personnel

**COMMUNITY ASSISTANCE
COMMUNITY & PUBLIC RELATIONS
VOL. III CH. 12**

- c. Specific Needs and Problems of Local Groups
 - d. General Concerns of Town Residents
 - e. Recommendations and Suggestions for Improvement
3. Assist in the gathering and sharing of information with community groups where and when necessary.
4. Meet periodically with all concerned community groups to discuss present agency policies, problems, etc.
5. Evaluate all incoming community information and identify training needs for agency personnel when necessary and submit training suggestions to Training Division Supervisor.
6. Submit to the Chief of Police a periodic report which will include:
 - a. A description of current concerns voiced by the community.
 - b. An analysis of current policies including areas of potential problems.
 - c. Recommendations and suggestions.
7. Review on a periodic basis the overall Community & Public Relations Program with the Chief of Police and the other effected Division Commanders.

III. Field Assignments

- A. Community Policing field assignments shall be by foot patrol or bicycle patrol, communication to Headquarters shall be made by radio or telephone when needed.
- B. Officers shall report for assignment in uniform of the day, included equipment should consist of:
 1. White gloves and whistle.
 2. Notebook.
 3. Flashlight.
 4. Assigned portable radio.
 5. Inclement weather gear as necessary.
 6. 3x5 cards pre-printed with officer's name, badge number, mailing address of HQ and department phone number, or business card. These cards should be offered to proprietors

**COMMUNITY ASSISTANCE
COMMUNITY & PUBLIC RELATIONS
VOL. III CH. 12**

of each commercial establishment that the officer goes into, as well as any other person the officer comes in contact with as part of this assignment.

7. PR-24.
- C. A major function of this assignment will be for the officer to meet as many people as possible and to develop a professional relationship in order to assist the people in his / her assigned post. In order to meet these needs to the best of our ability, it is incumbent upon the officer(s) assigned to this function to perform a "needs survey" of the people the officer comes into contact with. This will be done in the following manner:
1. The officer shall enter every establishment on the assigned post and introduce him/herself.
 2. The officer shall advise the merchant(s) of the goals and purpose of the Community Policing Program.
 3. The Officer shall leave a business card or 3x5 card with his / her name, badge#, mailing address and department phone number with the merchant.
 4. The officer shall ask and make note of the following:
 - a. What does the person believe are the 3 biggest problems that concern them in Fort Lee.
 - b. What solutions do they have, if any, to those problems. A weekly summary shall be written and submitted by the officer listing the address, establishment, person, and answers to these questions.
- D. Other duties shall include, but not be limited to:
1. Periodic checks of ATM locations within the Borough.
 2. Monitor Traffic Signals - Any broken traffic signal or hazardous road condition shall be reported in the assigned post, and the officer shall direct traffic or take appropriate actions until relieved.
 3. Assist funeral escorts when possible entering or exiting traffic in the post.
 4. Be aware of early dismissals of schools in the assigned post, and assist with traffic conditions at the schools.
 5. Monitor pedestrian and bicycle laws. Take a proactive community oriented approach to pointing out the transgressions if seen and to maintain a safe beat.

**COMMUNITY ASSISTANCE
COMMUNITY & PUBLIC RELATIONS
VOL. III CH. 12**

6. Hand out pamphlets and brochures of interest to the public.
7. Carry out all normal Police functions and take appropriate action as needed.

IV. Patrol Unit Grid Responsibilities

- A. All patrol officers shall be assigned a series of grids - geographic areas which divide the town into manageable sectors and the officers shall become familiar with the people and establishments in their assigned grids.
- B. When performing the 1089 (walking assignment), the officer(s) must advise Com-cen of the grid number in which they will be walking.
- C. Most grids cover an area of 3 to 4 square blocks. Each officer is responsible for the following in their respective assigned grids:
 1. Check parks, schools, and 1067's.
 2. Selective Enforcement
 3. Street signs:
 - a. That must be replaced.
 - b. Recommendations of new signs that may be needed.
 - c. Note areas where vegetation is obstructing existing signs.
 4. Abandoned vehicles.
 5. Commercial Vehicle Ordinances (12x8 shift.)
 6. Defective Street Lights / Traffic Signals (4x12 / 12x8 shift.)
 7. Road conditions and potholes.
 8. Parking violations.
 9. The ability to gather and disseminate intelligence data to better aid in the prevention of unlawful activity.
 10. To ensure any possible criminal activity is investigated, and the actors arrested.
 - a. If criminal or suspicious activity is detected within an officer's assigned grid area, he is expected to:

**COMMUNITY ASSISTANCE
COMMUNITY & PUBLIC RELATIONS
VOL. III CH. 12**

- (1). Act directly against said activities, in cases where they are directly observed by the officer, and where such action is appropriate;
 - (2). Gather intelligence as possible without compromising a potential case, and report those findings to the appropriate investigation bureau within this department. Officers in these cases should also notify their supervisors and keep them apprised of their findings. The investigating bureau from that point will make appropriate efforts to keep the original reporting officer apprised of the progress of the investigation.
11. In order to ensure the most complete utilization of resources, each officer shall vary their walking assignment from one grid to another on a rotating basis; no officer shall take a 1089 in the same grid two days in a row unless specific circumstances dictate same. Each 1089 shall be 30 minutes in duration. While the midnight shift has the same grid responsibilities, they will not do 1089's. Each officer shall specifically patrol their grid(s) on every shift, in addition to their assigned sector. A grid that intersects a highway does not mean the car is assigned to the highway; the officer is to patrol the grid from the most direct roadway, then return to the assigned sector.

V. Reporting Community Policing Activities

Officers, while in patrol cars in their respective grids, and while on walking assignment, shall report their community policing activities using the following ten codes and reporting resources:

A. Ten codes:

The following ten codes have been re-assigned to the Community Policing Program:

1. 10-89: Indicates Walking Post as in the past, but all walking posts will be within the respective officer's assigned grid. Any comments or observations on which action should be taken should be relayed to Com-Cen for entry into the CAD system's "unit comments" or "completion comments" fields.
2. 10-90: Indicates Grid Activity Notification. This ten code will be used whenever a patrol officer takes action on a condition within his grid by requesting Com-Cen to make notification to a proper authority. The actions requested will be noted in the CAD fields indicated above by Com-Cen. The 10-90 will be used at a time other than when the officer is on a 10-89.
3. 10-91: Indicates Community Policing Assignment. This ten code is to be used when an officer is working an assigned community policing task or project such as crime prevention activities, safety lectures, or participation in a community activity while representing this department.

B. Reporting:

**COMMUNITY ASSISTANCE
COMMUNITY & PUBLIC RELATIONS
VOL. III CH. 12**

Whenever an officer reports unusual activities or conditions or activities related to sections IV, subsection A, or section V of this SOP, reporting will in most instances consist of the notifications to Com-Cen for entry into the CAD log as described above. Some conditions, however, will dictate the occasional use of an investigation report. These conditions would include, but not necessarily be limited to:

1. Serious or major items of a nature that:
 - a. Could compromise a potential criminal investigation if called in to Com-Cen;
 - b. Require a report of such great detail and length that calling it in to Com-Cen for entry into the CAD log would be impractical;
 - c. Other circumstances where an officer after consulting a supervisor determines that an investigation report is needed.

C. Record keeping and follow up:

1. On every Wednesday as early as practical, the Record Bureau officer will run a report program of all Community Policing activities for the previous week, and deliver said report to the Patrol Division Commanding Officer.
2. The Community Policing Walking Post Officer will report to the Patrol Commander's office each Wednesday after completing his/her traffic post and obtain the Community Policing Activities Report after the supervisor has reviewed it.
3. The Community Policing Walking Post Officer will then be tasked to follow up on all reports received to determine whether all reported problems have been adequately resolved. A Traffic or Patrol vehicle may be used by the officer to conduct inspections as necessary on Wednesdays.
 - a. If a given problem is not adequately resolved, the Community Policing officer will take direct action to see that the problem is properly remedied. He will utilize resources at his disposal such as notifications to an appropriate borough or outside agency, or, if it is within his capability to do so, he will work to solve the problem himself. It will be the responsibility of the community policing officer to monitor all concerns that he encounters and to positively affirm that those concerns or problems have been addressed.
 - (1). The officer should keep a running log of all problems and concerns pending from week to week.
 - b. The community policing officer will, by each Thursday afternoon, submit a report to the Patrol Commander via chain of command of his activities and outlining the steps he has taken to remedy all problems brought to his attention. Pending concerns, problems, and remedies should be noted as such.

**INVESTIGATION
CONFIDENTIAL FUNDS AND PETTY CASH
VOL. VIII, CH. 10**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 05/19/09	REVISION DATE: 05-19-09 12-31-09	PAGE #: 1 2 3 3-4	SECTION: I, B II.A, Ia-g II.A,3,f II.C,5 II, B, C	APPROVED 05-19-09	VOLUME VIII
VOLUME TITLE: INVESTIGATION	# PAGES: #4					CHAPTER 10
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: CONFIDENTIAL FUNDS /PETTY CASH						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The purpose of this policy is to establish accounting and control procedures for the confidential funds.

POLICY:

It is the policy of this law enforcement agency to maintain stringent control over all confidential fund money used by the agency, and to ensure that the funds are used only for authorized purposes.

I. DEFINITIONS:

- A. **Confidential Fund:** The agency accounting and banking system that provides officers with investigative expenses.
- B. **Confidential Fund Custodian:** The employee(s) or unit responsible for dispensing and monitoring the use of investigative funds by officers. The Confidential Fund Custodian of the Fort Lee Police Department shall be the Narcotics Bureau Supervisor.

II. PROCEDURES:

A. Authorization

- 1. The confidential fund custodian shall have the following responsibilities with respect to the agency's confidential funds:

**INVESTIGATION
CONFIDENTIAL FUNDS AND PETTY CASH
VOL. VIII, CH. 10**

- a. Maintenance of a ledger book which will contain at the minimum the following:
 1. Initial balance;
 2. Any credits or deposits entered into the fund;
 3. Any debits taken from the fund;
 4. The current balance on hand.
 - b. Maintenance of the fund in accordance with all appropriate laws and procedures, approved by the Bergen County Prosecutor's Office and Attorney Generals Office;
 - c. Proper disbursements and deposits;
 - d. Bookkeeping and banking procedures;
 - e. Direction of a quarterly internal audit of the fund by a third party;
 - f. Maintenance of a file containing copies of all relevant fund transaction documents, including but not limited to receipts and documentation of any cash expenditures.
 - g. Purging of the confidential fund records in accordance with state records retention provisions.
2. An annual audit of the confidential fund shall be performed by an independent accounting authority from outside the department in order to evaluate the continued integrity of the fund, and the need for any additional controls.
 3. The confidential fund custodian shall make disbursements from the confidential fund only to authorized personnel for the following purposes:
 - a. Payments that are to be made directly to confidential informants;
 - b. Investigative funds for the purchase of illegal drugs, contraband and other criminal evidence;
 - c. Purchases of food and beverages for a confidential informant;
 - d. Expenditures for authorized undercover operations; and
 - e. Flash and front money
 - f. Any cash disbursement from the confidential fund in excess of \$250.00 must be pre-authorized by the Chief of Police.

**INVESTIGATION
CONFIDENTIAL FUNDS AND PETTY CASH
VOL. VIII, CH. 10**

4. The confidential fund custodian shall not be permitted to make disbursements from the confidential fund to himself.
5. Confidential fund transaction records shall be stored in a secured location, and access shall be restricted in accordance with applicable laws, ordinances and agency procedures.

B. Withdrawals and Expenditures from Fund:

The confidential fund shall be established at \$2500.00 US currency with expenditures managed in the following fashion:

1. Officers assigned to the Narcotics Bureau are authorized to make withdrawals from the funds. Any other officers seeking to make withdrawals from the fund who are not on the authorization list must obtain approval from an appropriate supervisor. Both the supervisor and the receiving officer will sign the ledger whenever funds are withdrawn or deposited back into the fund.
2. The confidential fund custodian shall issue the requesting officer a copy of the ledger if needed, acknowledging that funds were requested and received by the officer.
3. Authorized officers needing front money for an operation shall withdraw such funds at the beginning of the shift.

C. Accounting for Expended Funds

1. All officers receiving confidential fund monies shall prepare a written expense report accounting for all monies withdrawn from the fund, as soon as practical. The report should include:
 - a. Item or informant control number on which the monies were expended;
 - b. Date and place of the expenditure
 - c. Copies of receipts;
 - d. Type of investigation; and
 - e. Case number, where applicable;
 - f. Photo copy of bills used.
2. The written expense report with all supporting documents and receipts shall be submitted to the appropriate supervisor for review and approval.
3. For all funds expended, the officer issuing payment shall ensure that an appropriate receipt is obtained, unless such an action would jeopardize a transaction or operation.

**INVESTIGATION
CONFIDENTIAL FUNDS AND PETTY CASH
VOL. VIII, CH. 10**

4. All unexpended funds shall be returned to the confidential fund custodian by the officer as soon as practical. The fund custodian shall issue the officer a ledger if needed, acknowledging that such funds were re-deposited as unexpended.
5. The Chief of Police or his designee shall conduct a quarterly audit of the confidential fund to ensure that all funds and documentation of credits and debits from the fund are accounted for.

**AUTHORITY
COURT GUIDELINES and COURT TESTIMONY
VOL. VII, CH. 3**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 08-21-2002	REVISION DATE: 9/13/04	PAGE #: 3 4	SECTION: I-K, L, M II,D,1& 2	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 9					CHAPTER 3
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: COURT APPEARANCE AND TESTIMONY						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

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.

POLICY:

Before trial, each police officer should carefully review the incident report or copy of summons which he prepared long in advance of the proceedings. It should be the goal of the officer to be able to testify without the need to refer to the report or summons. Nevertheless, it cannot be overly emphasized that the report or summons should be as complete as possible. Furthermore, the officer should review all other significant facts not contained in the report or summons about which he may be expected to testify.

This policy will provide guidance to officers in their performance as it relates to court procedures. This policy will incorporate the various directives issued by the judge or court clerk on different procedures.

AUTHORITY
COURT GUIDELINES and COURT TESTIMONY
VOL. VII, CH. 3

Officers will sign in at court on time, Road Supervisor will respond to the court at the start time or as soon as practical to do so and sign the book. An incident report should be prepared by the Road Supervisor when an officer fails to show up for court or is late.

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 policy to familiarize himself with the operational concepts.
- B. The legal requirements set forth in those sections should allow the officer to articulate those factors which led him to act as he 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. If the prosecutor feels a pre-trial conference is not required he will so advise the officer how he plans to proceed with the case.
- E. The officer should also request a copy of his grand jury testimony, if available, for review.
- F. If the officer believes that there are strengths and weaknesses to his case, he should discuss his analysis with the prosecutor.
 - 1. Thereafter, if in cross-examination or at any time during the proceeding, the officer is asked whether he 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. Any requests for court adjournment shall be made directly to the court liaison officer. The court administrator is not to be contacted by officers.
- H. It shall be the court liaison officer's responsibility to submit a list of witnesses needed for court a least four (4) working days prior to the court date.
- I. It shall be the testifying officer's responsibility to submit a notice to the Property/Evidence Officer of any evidence needed for the court date, prior to the court date.

**AUTHORITY
COURT GUIDELINES and COURT TESTIMONY
VOL. VII, CH. 3**

- J. When an officer is notified by a supervisor or the court liaison officer that his appearance is not needed, or that the case is postponed, that officer is not to respond to court.

- K. Any officer that calls in sick on a court date will not respond to court on that date. When calling the desk, the officer should also advise the desk officer that he is scheduled for court on that date. If there are extenuating circumstances (such as a family member being sick etc) and the officer is unable to report for his tour of duty, but will be able to respond for court later the same day, then this should be approved by a shift captain as soon as possible, and the court liaison officer shall be notified immediately.
 - 1. Officers calling in sick for court, when they are off duty will call the desk at least 3 hours prior to the court time and advise the tour commander that they are sick for court.
 - a. The tour commander will contact the court liaison officer and advise him that the officer is sick.
 - b. The tour commander will then make a notation in his/her activity report of the sick call.

- L. Any officer that has been approved for vacation should also advise the court liaison in writing that they will be unavailable for court during that time period.

- M. Court appearances will take precedence over any other personal scheduled events or appointments.

II. CONDUCT:

- A. While awaiting the commencement of trial in the courtroom, the officer should act with respect 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.
 - 1. Officers may be able to wait in the lounge area (which will be kept clean, all officers will clean up after themselves, if the room is found dirty the court liaison should be notified) for their case to be heard, this is depending on the wishes of the judge on the bench. If the judge requests that all officers wait in the court room, then this should be adhered to.
 - 2. No officers are to leave the court without checking with the liaison officer, this includes leaving to pick up a meal or to retrieve a summons or report at headquarters.
 - 3. Officers waiting for a trial in Superior Court should wait outside the courtroom, until summoned into the court by the Assistant Prosecutor or a court security officer. Following the officer's testimony, he/she should not leave until told to due so by the Assistant Prosecutor.

**AUTHORITY
COURT GUIDELINES and COURT TESTIMONY
VOL. VII, CH. 3**

4. Officers waiting for a Grand Jury appearance should stand by in the witness waiting area, until summoned by the Assistant Prosecutor assigned to the case, after testimony the officer should not leave until told that it is OK to do so by the Assistant Prosecutor.
 5. Officers attending Superior Court should have their subpoenas signed by a Court Security Officer, Grand Jury Administrative Office personnel, the Assistant Prosecutor, or Agent prior to leaving for the day. A copy of the Subpoena should be submitted with the officer's court sheet for compensation of any off duty time.
- B. Generally, contact with the defendant or any defense witness should be avoided.
- C. If a witness sequestration order is in effect, the officer should determine whether he/she is affected and how he is affected.
- D. During the trial, each police officer should utilize care in ensuring that his uniform or other attire is in order, that the officer is well groomed and that the officer appears neat.
1. For Superior Court, male officers will dress in uniform of the day or a suit and tie. Female officers will dress in uniform of the day or business dress, pants suit or dress pants and blouse.
 2. For Municipal Court, they will dress in the uniform of the day or dress slacks, collared shirt and tie. Female officers will dress in the uniform of the day or an appropriate dress, dress slacks and blouse.
 3. In all instances business appropriate footwear will be worn and on duty grooming standards apply to all official appearances.

Officers are not to wear golf shirts, jeans, BDU type slacks, painter's pants etc of any color.

III. TESTIMONY

- A. 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.
- B. By manner and bearing, the police officer should make it clear that he/she considers his courtroom appearance to be an important duty.
- C. 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.

AUTHORITY
COURT GUIDELINES and COURT TESTIMONY
VOL. VII, CH. 3

- D. 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 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.

- E. 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 is 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.

- F. The officer should attempt to be exact and logical, pointing individually to each factor, however trivial, that led to his conclusion.
 - 1. Nevertheless, it must be emphasized that judges and juries may be alienated by "robot-like" testimony, which 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.

- G. 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, which require a response.

- H. 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.

AUTHORITY
COURT GUIDELINES and COURT TESTIMONY
VOL. VII, CH. 3

- I. 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 judgement", 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.

IV. 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.

V. BOROUGH OF FORT LEE PROSECUTOR: ASSIGNMENT OF CASES

A. Court Clerk's Office

1. The Court Clerk's Office will be responsible to notify the Borough of Fort Lee Prosecutor of the following:
 - a. All drunk driving cases. (39:4-50)
 - b. All cases, wherein the defendant will be represented by legal counsel.

B. Police Department

1. All Borough of Fort Lee cases will be reviewed by the Borough of Fort Lee Prosecutor.

**AUTHORITY
COURT GUIDELINES and COURT TESTIMONY
VOL. VII, CH. 3**

2. The Police Department will provide the Borough of Fort Lee Prosecutor with whatever documents are required to properly prosecute each case.
3. At all times police personnel will follow department policy and procedure in handling, preservation of evidence and in handling and distribution of reports.
4. **Borough of Fort Lee Ordinance** - All sworn officers, when completing a Borough of Fort Lee Ordinance complaint on the small Borough of Fort Lee Ordinance complaint form, can receive the oath from another officer. Make sure that the complaint officer signs in both places required and that the officer taking the oath also signs. **This is not necessary if the officer signs the certification side (right side) of the ordinance summons.**
5. Do not hold traffic summonses and complaints that have been issued. They must be delivered to the court as quickly as possible, the officer should turn them in to the tour commander as soon as possible and they will then be disseminated properly by the tour commander.
6. Any officer that is scheduled for court shall be in court on time.
7. On any summonses regarding registration, licenses and inspections, the officer should:
 - a. Write somewhere on the ticket how long they are overdue.
8. On all traffic summonses, be sure to circle the violation number, write the statute number and describe the offense.
9. Locations of violation should be the location where the violation occurred, the time should be the time of the violation.
10. **INDICTABLE CRIMINAL COMPLAINTS**
 - a. Procedures should be followed as listed in Criminal Complaint policy VOL VII, CH 19.

C. Borough of Fort Lee Prosecutor

1. The Borough of Fort Lee Prosecutor, after notification of specific court cases outlined under the Court Clerk's Office, will contact the Police Department Records Section to coordinate the particular cases and distribution of required reports.
2. Will coordinate all required reports and information with the Police Department Records Supervisor and court liaison officer.

VI. MOTOR VEHICLE WARRANTS

**AUTHORITY
COURT GUIDELINES and COURT TESTIMONY
VOL. VII, CH. 3**

A. When there is an arrest for any motor vehicle warrants from the Fort Lee Municipal Court, the following steps should be taken by the officer accepting bail.

1. If defendant is posting his or her own bail only.

Advise the defendant that the bail monies can be applied towards their fines, costs and contempt of court charges and there will be **NO FURTHER COURT DATES REQUIRED. (Only for non-mandatory appearance charges).**

The required bail waiver forms are at the tour commander desk. Cash bail receipt is not to be issued if waiver form is used, the yellow copy is the defendants receipt and the white copy goes to the court with the bail money.

2. If another person is posting bail for the defendant, please give the surety each of the choices below.

a. The court may take the surety money and apply it to the defendant's fine, cost and contempt of court charges and there will be no further court appearance required, yellow copy of waiver is the defendants receipt, no cash bail receipt is to be issued, white copy of waiver goes to the court with the bail money or; **(Only for non-mandatory appearance charges).**

b. The court will list the surety's money as bail and the defendant or surety will have to appear at a bail hearing before the surety will receive his or her money back. Cash bail receipt required.

VII. REPORTS, RECORDS AND EVIDENCE FOR COURT

A. All officers requiring any reports or records for court must adhere to the following:

1. Any case folder should be signed for in the logbook in the records bureau.

a. In reference to criminal cases, all officers are required to document the case disposition on the case folder when appropriate.

b. When an officer is requested to provide copies of records via discovery request, such as summonses to the Records Clerk, the records will be provided without undue delay.

B. Return of reports and records.

1. All items signed out are the responsibility of the officer signing them out. He must assure their security and only use them for official police department business.

AUTHORITY
COURT GUIDELINES and COURT TESTIMONY
VOL. VII, CH. 3

2. No reports or case folders are to be kept out of the police department records room for more than twenty-four (24) hours.
- C. Any evidence required for court, the officer will sign for and will be responsible for unless turned over to the Prosecutors office, at which time the officer will have the Assistant Prosecutor sign for the evidence.
- D. Recording of Dispositions.
1. In Municipal cases, the court liaison officer will make notification of disposition of cases.
 2. The Prosecutor's office will make notification to the department when final disposition is made on a case.

**SERVICE
DOG COMPLAINTS AND CONTROL
VOL X CH 2**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-15-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME X
VOLUME TITLE: SERVICE	# PAGES: 4					CHAPTER 2
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: DOG COMPLAINTS AND CONTROL						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish procedures for handling animal calls involving dogs.

POLICY:

The Borough of Fort Lee Council adopted an ordinance to register and regulate dogs. The ordinance is in the Borough of Fort Lee Boro Ordinance Book, Chapter # 138. Most requests for service relating to dogs are received through the Police Department for assistance or action. It is important that the police officer receiving a request for assistance provide the person requesting, courteous and effective aid. To meet the needs of Chapter # 138, the following procedures will be adhered to by all personnel of the department.

PROCEDURE:

I. DOGS AT LARGE

A. Respond to the call for assistance.

l. Attempt to catch the dog.

a. Animal snares are kept in vehicles ESU-1, ESU-2, 461 and in the Tac-room.

**SERVICE
DOG COMPLAINTS AND CONTROL
VOL X CH 2**

2. If successful, check for license.
 - a. Call owner to pick up.
 - b. If owner is not available or there is no license, have communications call animal control.
- B. Check the department's records on all dogs caught and ID for any violations, the officer may issue an ordinance violation for BH:6-8 dog leash violation.

II. DOG BITE AND ANIMAL BITE

- A. Respond to call
 1. Assist the person bitten and have the bitten person get medical attention.
 2. Attempt to locate and catch the dog.
 3. Advise the owner of the dog to quarantine the dog for ten (10) days.
 - a. Deliver the appropriate Board of Health form to the owner
 4. If no owner can be reached or there is none, have animal control pick up dog and quarantine for ten (10) days.
 5. Officer answering call will complete an investigation report with all information of incident, and fill out a dog bite form.
 6. If the dog or animal is dead, the officer will arrange through animal control to have the head removed and sent to Trenton for testing.
 7. The officer answering the call will provide the Borough of Fort Lee Board of Health with necessary information to complete the Notice of Bite and Quarantine of Animal Report.
 - a. The Borough of Fort Lee Board of Health will issue the ordinance violation summons.
 8. Should it become necessary to destroy a vicious animal, which presents a danger to the public, care should be taken to refrain from damaging the animals head, so that it may be medically examined at a later time.

III. BARKING DOGS

- A. Respond to call.
 1. Make out incident report.

**SERVICE
DOG COMPLAINTS AND CONTROL
VOL X CH 2**

2. Officer will stop at location where disturbance is coming from and advise owner to take action to stop disturbance.
3. Advise complainant to keep track of times and dates of disturbance.
4. If there is a continuing problem, have the complainant sign a Borough of Fort Lee Ordinance Violation for the disturbance.
5. If the officer can show cause by department records or his own knowledge, he should sign a Complaint Ordinance Violation.

IV. INJURED DOGS

- A. Whenever an officer responds to a call for an injured dog (or cat), he will do the following:
 1. Protect the dog in every way possible.
 2. Always try to contact the owner and have them handle the treatment. If owner can't be located, have communications call Animal control.
 3. Complete an Incident Report.
- B. Whenever an officer responds to a call for a dead dog, he will do the following:
 1. Remove dog from roadway.
 2. Attempt to ID owner and contact. If owner is contacted, have them come to scene and pick up the dog.
 3. If no owner can be contacted, contact animal control
 - a. State Highways, call State Department of Transportation.
 4. Complete an Incident Report.

V. TRANSPORTATION:

- A. The patrol officer may transport dogs or animals in the patrol vehicle if the vehicle is equipped with a cage.
- B. Have dogs or animals transported by:
 1. State Department of Transportation.
 2. Animal control
 3. Owner

**SERVICE
DOG COMPLAINTS AND CONTROL
VOL X CH 2**

- C. Should an animal be released to a third party wishing to take control of a stray dog or cat,
 - a. All pertinent information will be taken from individual taking the animal
 - b. They will be informed that if an owner claims the animal, they are to turn it over to the owner on request
 - c. All information will be documented on the investigation report
- D. Should an animal be transported to headquarters,
 - a. It will whenever possible be placed in the holding pen in the police yard
 - b. The tour commander shall ensure that it is properly fed and given water
 - c. When the animal is released to animal control, a confirmation number will be given and entered on the report
 - d. If the animal is picked up by the owner, a property release form will be filled out
 - e. In any event, the investigation report will reflect what happened to the animal
- E. Should the case be unresolved at the end of the tour, the off-going tour commander will notify the incoming tour commander of the situation.

COMMUNITY ASSISTANCE

DOMESTIC VIOLENCE

VOL. III, CH. 1

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-18-2001	REVISION DATE: 10-04-2002 3-26-2004	PAGE #: 6, 7, 13 3, 35	SECTION: II, c. f 3 b(3) I H, VII K	APPROVED	VOLUME III
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REFERENCE:						

PURPOSE:

To ensure that proper procedures are followed when responding to a Domestic Violence incident.

POLICY:

When the police are called to intervene in a family dispute, the responding police officer must remain calm and collected to successfully manage the confused, emotional and often dangerous situation. The police role in the family dispute situation is diversified. The police officer must understand that he/she must assume many roles, mediator, counselor, peacemaker and enforcer of the law. Crucial to this role is neutrality, tact and patience.

The procedures that follow are intended to set out methods of approach that will be of assistance for the successful response to Domestic Dispute calls.

PROCEDURE:

I. POLICE RESPONSE TO THE SCENE OF DOMESTIC VIOLENCE

- A. Police must respond promptly and investigate all calls involving domestic violence. The primary duty of a law enforcement officer is to enforce the laws allegedly violated to protect the victim.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

1. Eliminate the immediate threat of further violence or injury by separating the parties, and apply dispute intervention techniques to gain control of the situation.
 2. Ascertain the extent of physical injuries to either party where appropriate and render immediate first aid. If necessary, trained medical emergency teams should be summoned.
 3. Interview the parties to this dispute separately and determine if the conduct of either of the parties qualifies as an act of domestic violence under the Prevention of Domestic Violence Act.
 - a. The interview should be directed toward obtaining a complete and accurate account of the incident. Where there is probable cause for arrest, give Miranda warnings. The officer should conduct an appropriate preliminary investigation including interviews of available witnesses, collection and photographing physical evidence, and such other appropriate investigative procedures.
 4. It must be recognized that even if the parties fail to qualify under the Domestic Violence Act, the complained conduct should still be treated as criminal where appropriate.
 5. Com-Cen should be advised to check the computer F.A.C.T.S. system for any prior domestics or restraining orders involving both parties.
- B. The police response to domestic violence shall also communicate the attitude that violent behavior will not be excused or tolerated, and shall make clear the fact that the existing criminal laws and civil remedies created under this act will be enforced without regard to the fact that the violence grew out of a domestic situation.
- C. Due to the serious nature of the crime of domestic violence, response should be with the same degree of respect, professionalism and care accorded to all violent crimes.
- D. Domestic violence situations differ from others in that police must disseminate and explain to the victim or victims their rights under the Domestic Violence Act at the scene of domestic violence. In addition, the officer must disseminate to the complainant written instructions regarding contacting the Prosecutor's Office. Responding officers are also required to assist the complainant in obtaining relief from the court. The police should also identify whether and what type of an interpreter may be needed at the time of final hearing.
1. A copy of the Victim's Rights Statement must be given to the victim. The officer shall read it aloud and ensure that the victim understands the rights granted under the Domestic Violence Act at every domestic violence call. Terms such as "T.R.O.," "F.R.O." and other such terms should be explained. Do not assume the victim is aware of what these terms mean.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

The police officer shall have the victim sign or initial the rights form indicating that (s)he understands his/her rights, and whether (s)he desires or declines relief under the Act. The officer should witness the signature or initial with his/her own signature. The Victim's Rights Statement must be kept by the police officer and submitted with the rest of his paperwork at the completion of the investigation, with a copy given to the victim.

- E. The investigating officer is responsible for completing the investigation report.
- F. The officer is responsible for completing the New Jersey State Police Domestic Violence Offense Report.
- G. Notify the Division of Youth and Family Services when children are present during the act of domestic violence, if appropriate.
- H. In the appropriate case, the parties should be advised of the availability of community services. In Bergen County, the most readily available community service resource is through the Bergen County Women's Crisis Center. This agency also provides assistance to male victims of domestic violence. **The Crisis Intervention Team D.V. will be notified as per the Crisis Intervention Team policy, Volume III Chapter 5.**

II. DOMESTIC VIOLENCE

A. Definition of Domestic Violence

- 1. Domestic Violence means the occurrence of one or more of the following criminal offenses upon a person protected under the Prevention of Domestic Violence Act of 1991:

Homicide _____	N.J.S.A. 2C:11-1
Assault _____	N.J.S.A. 2C:12-1
Terroristic Threats _____	N.J.S.A. 2C:12-3
Kidnapping _____	N.J.S.A. 2C:13-1
Criminal Restraint _____	N.J.S.A. 2C:13-2
False Imprisonment _____	N.J.S.A. 2C:13-3
Sexual Assault _____	N.J.S.A. 2C:14-2
Criminal Sexual Contact _____	N.J.S.A. 2C:14-3
Lewdness _____	N.J.S.A. 2C:14-4
Criminal Mischief _____	N.J.S.A. 2C:17-3

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

Burglary _____ N.J.S.A. 2C:18-2

Criminal Trespass _____ N.J.S.A. 2C:18-3

Harassment _____ N.J.S.A. 2C:33-4

Stalking _____ N.J.S.A. 2C:12-10

2. Victim of Domestic Violence means a person protected by the Domestic Violence Act and includes any person:
 - a. Who is 18 years of age or older, or
 - b. Who is an emancipated minor, and who was subjected to domestic violence by:
 - (1) Spouse
 - (2) Former Spouse
 - (3) Any other person who is a present or former household member.

Note : This individuals same sex roommates sharing a residence, unrelated boarders or household members and homosexual relationships.

- c. Who, regardless of age, has been subjected to domestic violence by a person:
 - (1) With whom the victim has a child in common, or
 - (2) With whom the victim anticipates having a child in common, if one of the parties is pregnant, or
- d. Who, regardless of age, has been subjected to domestic violence by a person with whom the victim has had a dating relationship.
 - (1) A victim may be below the age of 18.
 - (2) The domestic violence assailant must be over the age of 18 or emancipated at the time of the offense. See Paragraph g below for criteria for determining whether a person is emancipated.
- e. The Prevention of Domestic Violence Act does not define a victim of domestic violence by age, physical or psychological condition or sex.
- f. AN UN-EMANCIPATED MINOR WHO COMMITS AN ACT OF DOMESTIC VIOLENCE MAY NOT BE PROSECUTED AS A DOMESTIC VIOLENCE DEFENDANT BUT CAN BE

COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1

PROSECUTED UNDER THE JUVENILE DELINQUENCY LAWS. THE ENTRY OF PRE OR POST-DISPOSITIONAL RESTRAINTS CAN ALSO BE CONSIDERED.

- (1) The effect of this provision is to specifically exclude parent versus minor child disputes from being classified as domestic violence, unless one of the other listed qualifying criteria is present.
 - g. A minor is considered emancipated from his or her parents when the minor:
 - (1) Has been married;
 - (2) Has entered military service;
 - (3) Has a child or is pregnant; or
 - (4) Has been previously declared by a court or an administrative agency to be emancipated.
 - h. Domestic Violence does not cover:
 - (1) Child Abuse
 - i. Domestic Violence also includes the violation of a properly served court order issued under the Act.
- B. Mandatory Arrest. A police officer must arrest and take into custody a domestic violence suspect and must sign the criminal complaint against that person if
1. The victim exhibits signs of injury caused by an act of domestic violence. N.J.S.A. 2C:25-21a(1).
 - a. The word, "exhibits," is to be liberally construed to mean any indication that a victim has suffered bodily injury, which shall include physical pain or any impairment of physical condition. Probable cause to arrest also may be established when the police officer observes manifestations of an internal injury suffered by the victim.
 - b. Where the victim exhibits no visible sign of injury, but states that an injury has occurred, the officer should consider other relevant factors in determining whether there is probable cause to make an arrest.
 - c. In determining which party in a domestic violence incident is the victim where both parties exhibit signs of injury, the officer should consider:

COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1

- (1) The comparative extent of injuries suffered;
 - (2) The history of domestic violence between the parties, if any, or
 - (3) Other relevant factors.
- d. Police shall follow standard procedures in rendering or summoning emergency treatment of the victim, if required.
2. There is probable cause to believe that the terms of a no contact court order have been violated. If the victim does not have a copy of the court order, the officer may verify the existence of an order with the appropriate law enforcement agency.
 3. A warrant is in effect.
 4. There is probable cause to believe that a weapon as defined in N.J.S.A. 2C:39-1r has been involved in the commission of an act of domestic violence.

If the incident involves a mandatory arrest, all charges shall be on a complaint warrant.

C. Discretionary Arrest.

1. Pursuant to the Bergen County Prosecutor's Guidelines, a police officer may arrest a person, or may sign a criminal complaint against that person, or may do both, where there is probable cause to believe that an act of domestic violence has been committed but none of the conditions in Section B applies.
2. In cases where a police officer determines there is insufficient probable cause to arrest, the officer should advise the victim of his/her right to make independent application to the municipal court or family part of the Superior Court, Chancery Division for the issuance of a criminal complaint.
 - a. A complaint can be drawn up and signed, however it will not be served until after a probable cause hearing has been conducted.

In either case the following procedures will be adhered to when processing a domestic violence arrest, or a restraining order:

DOMESTIC VIOLENCE CENTRAL REGISTRY

The Fort Lee Police Department has access to the DOMESTIC VIOLENCE CENTRAL REGISTRY, this is an inquiry system accessing the FAMILY AUTOMATED CASE TRACKING SYSTEM "F.A.C.T.S." database.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

This provides law enforcement officers with a history of restraining orders and domestic violence contempt cases.

Access to this system can be made through Communications computer terminal. There is a step by step guide in each location, only those who have access to ACS or ATS can access this.

This system should be checked when processing a domestic violence arrest, when there is an application for a restraining order or when there is an accusation of violation of a restraining order.

Before an arraignment on a domestic violence and prior to the Judge issuing a TRO, this system should be checked to inform the Judge of the history involved with either the defendant or the plaintiff. A printout of this information can be placed in the case jacket.

F.A.C.T.S. Will show the following in regard to restraining orders:

“ACTIVE”

“DISMISSED” No restraining order in effect.

“ACTIVE/RO” Restraining order in effect.

“ACTIVE/FRO” Final restraining order in place.

“ACTIVE/TRO/EXT” Temporary restraining order extended indefinitely.

“ACTIVE/AMD/TRO” Active / Amended temporary restraining order.

“ACTIVE/AMD/FRO” Active / Amended final restraining order.

F.A.C.T.S. Will also show different events where a party was involved in domestic violence complaints and restraining orders as a defendant or plaintiff, and the disposition of each incident.

This system is STATEWIDE and should be up to date within the last business day.

Information in this system is put in by the County Court Domestic Violence Section, it is of the utmost importance that these complaints are forwarded to the County within 24 hrs of the next business day. Records personnel will see that this is done.

If a jacket is not complete, but the TRO and DV Complaint have been signed by the Judge, then the TRO and Complaint should be forwarded to records as soon as possible.

D. Seizure of Weapons.

1. A police officer that has probable cause to believe an act of domestic violence has been committed must:

a. Question all persons present to determine whether there are weapons as defined in N.J.S.A. 2C:39-1r on the premises. If an officer sees or learns that a weapon is present within the premises of a domestic violence incident and reasonably believes that the weapon would expose the victim to a risk of serious bodily injury, the officer should attempt to gain possession of the weapon.

b. If the weapon is in plain view, the officer should seize the weapon.

c. The weapon may be seized incidental to arrest.

COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1

- d. If the weapon is not in plain view or seized as incidental to an arrest, but is located within the premises jointly possessed by both the domestic violence assailant and the domestic violence victim, the officer should obtain written consent, from the domestic violence victim to search and seize the weapon. In situations where the victim can give valid consent to search for and seize all possessory documentation (i.e. firearms I. D. cards and pistol purchase permits).
 - e. If the weapon(s) or possessory documents are located elsewhere upon other premises, the officer should attempt to obtain possession of the weapon and possessory documents from the possessor of said weapon, or the defendant, by a voluntary surrender of the weapon.
 - f. Weapons seized as evidence to the underlying crime are to be listed on a Property/Evidence report and retained by the arresting agency. The Property/Evidence report is to be included with the faxed material forwarded to the Bergen County Prosecutor's Office.
2. In the event an officer is unable to obtain a weapon(s) as above, and the victim obtains a temporary restraining order, the officer should request a document or documents, seizure or surrender of the weapon(s) and possessory documents at any location be ordered by the issuing judge in the TRO. Upon the issuance of such an order, if the defendant refused to surrender-said weapon and or documents, then the officer should:
- a. Inform the person that the court order authorizes a search and seizure, of the premises or mandates surrender of the named weapons and documents, and
 - b. Arrest the person, if the person refuses to surrender the named weapon and documents, for failing to comply with the order, N.J.S.A. 2C:29-9(b), and
 - c. Conduct a search of the named premises for the named weapons and documents, and
 - d. Append an inventory of seized weapons and documents to the domestic violence offense report and provide a copy of said inventory to the defendant and the issuing court.
3. In the event the victim declines a TRO, the officer still has the obligation to apply the protection of the statute and should seek seizure of the weapons and documents through a search warrant, on forms distributed by the Attorney General. An inventory of all weapons seized must be listed in the police report and the report forwarded to the domestic violence unit in the Bergen County Prosecutor's Office.

COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1

4. Weapons seized should be processed in accordance with Evidence/Property Procedures.
5. Where the defendant is a law enforcement officer, the decision whether to seize the defendant's firearm shall be made without regard to the defendant's status as a law enforcement officer. Law enforcement officers are to be treated no differently than any other defendant.
 - a. When a law enforcement officer's firearm is seized, the responding officer or his/her supervisor shall immediately notify the Domestic Violence Assistant Prosecutor. During the day, the Domestic Violence Assistant Prosecutor can be reached at (See v3c7 tab 3). At night, the Domestic Violence Assistant Prosecutor can be reached through the Communications Center at (See v3c7 tab 3)
 - b. The responding officer or his/her supervisor shall immediately tele-fax all pertinent reports to the Prosecutor's Office at (See v3c7 tab 3).
 - c. Within forty-eight (48) hours of the receipt of the pertinent reports, the Domestic Violence Assistant Prosecutor will evaluate the case and recommend to the Prosecutor, First Assistant Prosecutor and the Chief of Investigations the return or confiscation of said firearms.
 - d. After this determination is made, the Bergen County Prosecutor's Office will promptly apply to the Superior Court for a hearing on the return or confiscation of the subject firearms. This application for a hearing will ordinarily be made within 10 days of the seizure of the weapons.
 - e. All efforts will be made to determine initially if, at the very least, the defendant's duty weapon can be made available to him/her for his/her on-duty use only. In such cases, the defendant's Chief of Police, or his/her designee, shall be responsible for the security of the defendant's duty weapon.
6. Pursuant to recently enacted federal legislation, when a final restraining order under the Domestic Violence Act, N.J.S.A. 2C:25-1, et seq., is entered against any police officer, the Chief of Police, or his/her designee, shall immediately confiscate that officer's duty weapon if the officer is off-duty. If the officer is on duty, the police chief, or designee, shall confiscate the officer's duty weapon as soon as the officer's shift ends.
 - a. Any Police officer who is served a final restraining order shall immediately notify his supervisor or provide a copy of said order to the chief. If the chief is unavailable, notification shall immediately be given to the department's ranking supervisory officer.

COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1

- b. An officer who is subject to a final restraining order may possess his or her department issued duty weapon only while on duty. This restriction will continue as long as the final restraining order remains in effect.
- c. The police chief shall institute procedures to ensure that an officer who is subject to a final restraining order is disarmed at the end of each shift. These procedures shall include:
 - (1) Written memorialization of the officer's receipt of the duty weapon at the beginning of each shift and its return at the end of the shift; and
 - (2) Written acknowledgment by the shift commander or other appropriate ranking officer of the receipt and return of the duty weapon.
- d. The police chief shall ensure that the officer's duty weapon is appropriately secured at the end of each shift.
- e. If the police department knows or believes that an officer who is subject to a final restraining order has any personally owned firearms, the police chief, or designee, shall contact Prosecutors office immediately. This office will determine what steps should be taken to ensure that these firearms will not be possessed in violation of federal law.

**** This policy set forth above has been promulgated in response to the Violent Crime Control and Law Enforcement Act of 1994, P.L. 103-322 (Sept. 13, 1994). This legislation forbids the receipt, possession or transportation of firearms by anyone subject to a final restraining order under the Domestic Violence Act. The Bureau of Alcohol, Tobacco and Firearms has provided a written opinion that this legislation applies to police officers with regard to the off duty receipt, possession or transportation of duty firearms and personally owned firearms, but does not apply to the possession of a duty weapon while the officer is on duty.

It is imperative that all police departments comply with this legislation, since the failure to do so will constitute a violation of federal law and may expose the municipality, the police department and/or police officials to civil liability. ****

E. Weapons Forfeiture Protocol

- 1. If the parties eventually ask for firearms to be returned, refer them to the Evidence/Property Officer, who will then notify the Bergen County Prosecutor's Office. If a prosecutor determines that the weapon should not be returned to the owner, the prosecutor within 45 days of seizure will:

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

- a. File a petition, with notice of weapon, with the Family Part of the Superior Court, Chancery Division, to obtain title to the seized weapons, and
 - b. File a petition, with notice to the owner of the weapon, with the Family Part of the Superior Court, Chancery Division, to revoke any and all permits, licenses and other authorizations for the use, possession or ownership of such weapons.
2. If a prosecutor determines that a weapon may be returned to the owner, the prosecutor shall promptly inform the victim, if necessary the court, that the state will not object to the return of the weapon.
- a. If the domestic violence assailant or the possessor of the weapon refuses to surrender the weapon, the officer should
 - (1) Inform the person that the court order authorizes a search and seizure of the premises for the named weapon, and
 - (2) Arrest the person, if the person refuses to surrender the named weapon, for failing to comply with the court order, N.J.S.A. 2C:29-9, and
 - (3) Conduct a search of the named premises for the named weapon.
3. The officer must attach an inventory of seized weapons to the domestic violence offense report.
4. When weapons are seized, the officers must also require the defendant to surrender his/her firearms purchase I.D. card.
5. Weapons seized should be processed in accordance with Evidence/Property Procedures.
6. Notification of such seizure must be promptly made to the Prosecutor's Office for purposes of forfeiture actions.
7. If the parties eventually ask for firearms to be returned, refer them to the Evidence Property Officer, who will then notify the Bergen County Prosecutor's Office.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

F. Domestic Violence Complaint

1. When a police officer responds to a call of a domestic violence incident, the officer must
 - a. Give and explain to the victim the domestic violence Notice of Rights which advises the victim of available court action and victim services N.J.S.A. 2C:25-23.
 - b. Ensure the victim has the opportunity to sign the Victim Rights form.
 - c. Provide the victim with the telephone number of the
 - (1) Victim/Witness Unit of the Bergen County Prosecutor's Office (See v3c7 tab 3), and
 - (2) The Jersey Battered Women's Service Hotline (See v3c7 tab 4)
 - d. Provide the victim with any available literature regarding victims services and rights.
2. The victim may file:
 - a. A domestic violence complaint alleging the defendant committed an act of domestic violence and asking the court assistance to prevent its recurrence by asking for a temporary restraining court order (TRO) or other relief;
 - (1) The officer cannot sign a domestic violence complaint
 - (2) Temporary restraining order cannot be issued without a domestic violence complaint.
 - b. A criminal complaint alleging the defendant committed a criminal act. See Section B - Mandatory Arrest for when a police officer must sign the criminal complaint;
 - (1) Victim's decision not to sign a domestic violence complaint does not effect any criminal complaint that must be filed by the officer.
3. Jurisdiction for filing domestic violence complaint by the victim.
 - a. During regular court hours,
 - (1) The victim should be transported or directed to the Family Part of the Superior Court.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

- (2) Where transportation of the victim to the Superior Court is not feasible, the officer should telephone the Municipal Court Judge by telephone for an emergent temporary restraining order.
 - b. On weekends, holidays and other times when the court is closed.
 - (1) The victim may file the domestic violence complaint before a Bergen County Municipal Court Judge.
 - (2) The Judges may be contacted: using the current list of municipal court judges , or the emergent list may be used.
 - (3) The Domestic Violence Central registry should be checked for any past involvement of domestic violence (See Section II, C.).
 - c. The victim may file a domestic violence complaint:
 - (1) where the alleged act of domestic violence occurred.
 - (2) where the defendant resides, or where the victim resides or is sheltered.
4. Jurisdiction for filing a criminal complaint by the victim in connection with filing a domestic violence complaint.
 - a. A criminal complaint may be filed against the defendant in locations indicated in Section 3, c.
 - b. A criminal complaint filed pursuant to Section 3, c shall be investigated and prosecuted in the jurisdiction where the offense is alleged to have occurred.
 - c. A domestic violence complaint may be filed pursuant to the provisions of Section 2.
5. Jurisdiction for filing a criminal complaint but no accompanying domestic violence complaint.
 - a. During normal court hours, the victim may file a criminal complaint with the municipal court or police department where the alleged act occurred.
 - b. On weekends, holidays and other times when the court is closed, the victim may file a criminal complaint with the law enforcement agency where the alleged act occurred.
 - c. If the police officer believes that a no-contact order should be issued, the officer should inform the court of the circumstances

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

justifying such request when the criminal complaint is being processed and bail is about to be set. The officer should include in the domestic violence offense report the reasons for the request and the court's disposition of the request.

6. Victim/Witness Notification Form
 - a. When either a criminal or domestic violence complaint is signed, a Victim/Witness Notification form is to be completed by the police officer assisting the victim.
 - b. The victim should be informed that for the victim's protection, the prosecutor or the court must have the ability to contact the victim on short notice to inform the victim about the defendant's
 - (1) Impending release from custody, or
 - (2) Application to reduce bail.
 - c. The victim should be instructed to contact the appropriate office to provide new telephone numbers if the victim changes telephone numbers from the numbers listed on the Victim/Witness Notification Form.

G. Emergent Temporary Restraining Court Orders

1. Where a police officer determines that an immediate court order is necessary to protect the victim from further acts of domestic violence or the victim requests an immediate court order, the tour commander shall contact the designated judge by telephone. If the Judge does not respond to Headquarters, the officer should:
 - a. Assist the victim in preparing a statement to be made to the judge.
 - b. Explain that the judge will place the person under oath and will ask questions about the incident.
 - c. If the judge issues a temporary restraining order, the police tour commander will be instructed to enter the judge's authorization on a prescribed form.
 - d. The tour commander also will be instructed to print the judge's name on the temporary restraining order.
 - e. The officer will then be instructed to serve the restraining order upon the alleged offender,
 - (1) Upon issuance the tour commander will make two copies of the TRO

COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1

- (2) The tour commander will have one copy of the TRO , along with a Domestic Violence MARS entry form hand delivered to Com-cen for entry into the Municipal Arrest Records System (MARS). After the entry is made, Com-cen will retain the D.V. MARS entry form
- (3) On the other copy of the TRO, the tour commander will note the time, date and to whom the MARS entry form was handed to in Com-cen, he will then place the copy in the domestic violence files at the police desk.
- (4) After entry Com-Cen will return paperwork to the tour commander. This copy will remain at the police desk until sufficient time has past, whereas all oncoming tours have been made aware of the TRO.
- (5) Original TRO will be forwarded immediately to the records room, it will then be immediately forwarded by records to the Family Court.

H. Service of In or Out of County Restraining Orders:

1. Service in County:

- a. In the event the defendant resides in the municipality where the Temporary Restraining Order has been issued, that police agency shall be responsible for the service of the Restraining Order upon the defendant, and, the forwarding of all related documents to the Family Court.
- b. Where the defendant has not been arrested by police and is present at the scene, officers should:
 - (1) Escort the victim to his or her home
 - (2) Read the conditions of the restraining order to the defendant if the defendant is present
 - (3) Order the defendant to vacate the premises, if in the restraining order.
 - (4) Give the defendant a reasonable period of time to gather personal belongings, unless the court order includes specific limits on time or duration.
 - (5) Arrest the defendant if defendant refuses to comply (contempt) with the order.
- c. Where a restraining order had been issued but was not served upon the defendant because the defendant could not then be located, but

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

the defendant is now at the scene, police should follow Paragraphs G. 1, (a-e) above.

- d. Where the defendant cannot be located for an immediate service of the TRO, the police agency shall make every effort to locate the defendant for purposes of service of the order.
- e. In the event the defendant resides outside of the locality of the issuing authority (but within Bergen County), then the restraining order, along with the complaint and any other relevant documents (e.g. search warrant, etc.) must immediately be brought or faxed to the local police department where the defendant resides, works or both, so they can execute service accordingly.
- f. It shall remain the responsibility of the Police Department to confirm service of the order on the defendant.
 - (1) When information is received that an order was served, the desk officer should contact the victim and advise them that it was served.

2. Service Out of County During Normal Business Hours:

- a. When a temporary or final restraining order is issued that requires service outside the issuing county, the restraining order, along with the complaint and other relevant documents (e.g. search warrant, etc.) must immediately be brought or faxed to the Bergen County Sheriff's Department.
- b. The Bergen County Sheriff's Department must similarly bring or fax the order and related documents to the Sheriff's Department in the county of the defendant's residence or business.
- c. The Sheriff's Department in the receiving county, pursuant to local policy, will either
 - (1) Execute service on the defendant or;
 - (2) Will immediately bring or fax the order and related documents to the police department in the municipality in which the defendant resides or works so that it can execute service accordingly.
- d. The return of service should then be faxed back to the Bergen County Sheriff's Department, which in turn must immediately deliver or fax the return of service to the Family Division Court.
- e. The restraining order, along with the complaint and any other relevant documents (e.g. search warrant, etc.) must immediately be

COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1

faxed to the police department in which the defendant resides, or works, or both, so that it can execute service accordingly.

- f. The sending agency shall also fax the above documents to the Bergen County Sheriff's Department with a notation indicating the actions taken by the sending agency concerning the forwarding of the related documents as described in "b" above.
- g. The sending agency shall have the responsibility for insuring the service of the Restraining Order until such time as the Bergen County Sheriff's Department resumes normal working hours.
- h. Transfer of responsibility to the Bergen County Sheriff's Department for service is not to be relinquished by the sending agency until such time as telephone confirmation is made with the Bergen County Sheriff's Department.
- i. Once service on the defendant is attempted, successfully or unsuccessfully, the return of service portion of the TRO (located on the back of the last page of the multi-part TRO form) must be filled out by the police or Sheriff's Department and immediately returned to the Family Division prior to the scheduled final hearing date.

3. Service Out of County During Non-Business Hours

- a. The restraining order, along with the complaint and any other relevant documents (e.g. search warrant, etc.) must immediately be faxed to the police department in which the defendant resides, or works, or both, so that it can execute service accordingly.
- b. The sending agency shall also fax the above documents to the Bergen county Sheriff's Office with a notation indicating the actions taken by the sending agency concerning the forwarding of the related documents.
- c. The sending agency shall have the responsibility for insuring the service of the Restraining Order until such time as the Bergen County Sheriff's Office resumes normal working hours.
- d. Transfer of responsibility to the Bergen County Sheriffs Office for service is not to be relinquished by the sending agency until such time as telephone confirmation is made with the Bergen County Sheriff's Office.
- e. Once service on the defendant is attempted, successfully or unsuccessfully, the return of the service portion of the TRO (located on the back of the last page of the multi-part TRO form) must be filled out by the police or Sheriff's Office and

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

immediately returned to the Family Division prior to the scheduled final hearing date.

- f. When the Desk officer receives information that the order was served, he should contact the victim and advise them of the order being served.

I. Court Order Violations

1. Where a police officer determines that a party has violated an existing restraining order either by committing a new act of domestic violence or by violating the terms of a court order, the officer must
 - a. Arrest and transport the defendant to the police station.
 - b. Sign a criminal contempt charge concerning the incident on a complaint- warrant (CDR-2).
 - c. The officer should sign the complaint warrant (CDR 2). A Superior Court Judge must authorize the warrant. Bail will be set by a Superior Court Judge only after the arrest has been made. During normal business hours, contact the Bergen County Prosecutor's Office for assistance in reaching a Superior Court Judge. At night, on weekends and on holidays, the on-duty Superior Court Judge should be contacted through the Sheriff's Communication Center.
 - d. If the defendant cannot make bail, transport him/her to the Bergen County Jail. The officer shall complete the Victim/ Witness Form. The victim shall receive a copy of the form. The criminal complaint(s) should be forwarded by the Municipal Court Clerk on the next working day.
 - e. The criminal contempt complaint to be signed shall be a fourth degree indictable offense 2C:29-9(a) if the underlying offense which gave rise to the violation is indictable or a disorderly persons offense. If the underlying offense is a petty disorderly persons offense, then the criminal contempt is a disorderly persons offense. (For example, if a defendant breaks into his/her spouse's house and points a gun at him/her and a Restraining Order is in effect, the police should sign complaints for Burglary, Aggravated Assault and a fourth degree Contempt. If the defendant calls his/her spouse in violation of a Restraining Order, then the underlying charge may be a petty disorderly persons offense, Harassment, and the Contempt charge 2C:29-9(b) would be a disorderly persons offense.) In all cases, the complaint(s) should be forwarded to the Municipal Court Clerk on the next working day.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

- f. The officer should sign a criminal complaint for all related criminal offenses. (The criminal charges should be listed on the same criminal complaint form that contains the contempt charge.)
- g. Contact the Prosecutor's Office to request that a Superior Court Judge set bail on the contempt charge.
 - (1) During regular court hours, bail should be set by the emergent duty Superior Court Judge that day.
 - (2) On weekends, holidays and other times when the court is closed, bail should be set by the designated emergent duty Superior Court Judge.
 - (3) When bail is set by a judge when the courts are closed, Records shall arrange to have the clerk of the Family Part notified on the next working day of the new complaint, the amount of bail, the defendant's whereabouts and all other necessary details.

NOTE: All Domestic Violence Contempt of Court complaints both indictable and non-indictable should be forwarded to the Record Room as soon as possible so that arrangements can be made to have them brought to the Bergen County Prosecutor's Office Screening Unit on this department's regular screening day. All contempt complaints where the suspect is incarcerated, the complaints should be brought to the screening unit within 24 hours of arrest, or on the next business day.

Once accepted by screening, the assigned Assistant Prosecutor will determine which complaints remain with the Prosecutor's Office and which are to be forwarded to Domestic Violence Intake Office.

- (4) If a Municipal Court Judge sets the bail, the arresting officer shall notify the clerk of that Municipal Court of this information
- h. If the defendant is unable to post bail, take appropriate steps to have the defendant incarcerated at the county jail
- i. There will be situations where an officer is confronted with an apparent reconciliation between two parties, but the restraining order is still in effect. Under case law in New Jersey, a reconciliation between two parties may result in eventual voiding of a domestic violence restraining order. However, the determination of whether the order is voided can only be done by a Superior Court Judge after a hearing. Until that point, the order is in full force and in effect. When confronted with this situation the officer must;

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

- (1) Inform the parties that the restraining order is in effect and must be complied with.
- (2) Inform the parties that the only way the order can be modified is to respond to the Domestic Violence Intake Unit of the Bergen County Courthouse and apply for such relief.
- (3) Contempt is a mandatory arrest situation, and as there is probable cause that a violation exists, the defendant must be taken into custody pursuant to N.J.S.A. 2C:25-31.

Note: All domestic violence contempt complaint, both indictable and non-indictable must be entered into MARS.

2. It is important to note that most contempts of a Domestic Violence Restraining Order, which is supported by probable cause, mandate the custodial arrest of the defendant. Allegations that the defendant has violated a Court Order do NOT JUSTIFY ARREST if the alleged violation relates to:
 - a. Visitation
 - b. Monetary compensation for losses suffered by the victim as a result of a domestic violence
 - c. Rent or mortgage payments
 - d. Temporary possession of personal property

J. Reports

1. The Domestic Violence Rights of Victims form is to be completed and signed by the victim involved.
 - a. The original copy is to be returned and attached to the Investigation Report.
 - b. The copy is to be given to the victim.
2. An Investigation Report will be completed.
 - a. The Domestic Violence Checklist will be completed by the Investigating Officer.
 - b. The officer will complete the State Police Form (UCR-DVI) and forward it to the Case Management Officer, the Case Management Officer will then forward it to the Records Room, records personnel will then forward it to:

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

- (1) New Jersey State Police
 - (2) Bergen County Sheriff's B. C. I.
 - (4) Municipal Court or Superior Court
3. If a Restraining Order has been issued, a copy shall be attached to the Investigation Report.
- a. A copy is to be filed at the Desk in the Domestic Violence files.

The Restraining Order is not to be removed until it has been dismissed.

4. Records division must immediately telefax all Domestic Violence Reports and paperwork if there has been a criminal complaint or TRO issued to both the Bergen County Prosecutor's Office, Domestic Violence Unit (See v3c7 tab 3) and to the Bergen County Probation Department (See v3c7 tab 4).
5. All Domestic Violence Reports where there are no criminal complaints signed will be reviewed by the Tour Commander and subsequently be faxed to the Bergen County Prosecutor's Office and the Bergen County Probation Department after review.

K. General Guidelines

1. Investigate the complaint as thoroughly and professionally as any other criminal complaint.
2. Arrest in these matters should probably be the rule - not the exception.
3. Advise victim of his/her rights.
4. Complete an Investigation Report.
5. You may contact New Jersey Battered Women's Services for assistance in shelter, transportation and counseling. Office number is 455-1910 and 24-hour HOTLINE number is 267-4763.
6. You may contact the Office of the Prosecutor at (see Vol. 7 Tab 3) for legal assistance during business hours. Contact Duty Prosecutor through the Sheriff's Communication Center at night and on weekends.
7. The Act has set up immunity from damages in a civil suit for a police officer that has acted in good faith in enforcing the provisions of this Act.
8. Give the procedures under the Domestic Violence Act a chance. They may cut down on the instances of Domestic Violence in our county.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

9. If officers are subpoenaed by private counsel to testify in a Domestic Violence hearing, they are to make themselves available and follow court appearance procedures Vol.X Ch 10. Contact the issuing attorney to discuss your schedule and cooperate to the fullest.
 10. All officers shall receive, biannually, In-Service Training in the dynamics of Domestic Violence appropriate handling, investigation and response procedures concerning reports of Domestic Violence.
 11. All telecommunications operators shall receive biannual training on handling Domestic Violence calls.
 12. The on-call detective shall not be notified to respond to headquarters to complete the Criminal complaint investigation unless:
 - a. Serious Injury to victim
 - b. Weapon involved or threatened to be used
- L. Police Involvement with Interference with Custody Matters
1. Four (4) ways an actor can criminally interfere with custody. (N.J.S. 2C:13-4)
 - a. The actor takes or detains the child for the purpose of concealing the child and thereby depriving the other parent of custody or visitation.
 - b. The actor takes, detains, entices or conceals the child for purposes of depriving the other parent of custody or visitation or to evade the jurisdiction of the New Jersey Courts after a divorce or custody action has been filed; but before a temporary or permanent custody or visitation order has been entered.
 - c. The actor takes, detains, entices or conceals a child for the purpose of evading the jurisdiction of the New Jersey Courts after a protective-service action is filed; but before any temporary or final order affecting custody is entered.
 - d. The actor takes, detains, entices or conceals a child in violation of an existing custody or visitation order. A violation of this provision might also constitute contempt of court.
 2. Police may take a child into protective custody if they have reasonable cause to believe:
 - a. That a person is likely to flee the state with the child, or evade the jurisdiction of the New Jersey Courts by flight or concealment.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

- b. Police may turn the child over to the parent with custody or to a court in which a custody hearing is pending.
 - c. Notify DYFS immediately.
 - d. Document reasonable cause that spurred them to take the child into protective custody in their report.
3. Defenses: An actor is not liable if he or she reasonably believed that his or her actions were necessary to preserve the child from imminent danger to his welfare. To activate this defense, the actor must
- a. notify one of several agencies, including the police department of the municipality where the child resides or the county prosecutor, within 24 hours of the actions. The actor is required to tell the agency the current location of the child.
 - b. It is also a defense if a parent who has custody rights takes the child based on a reasonable belief that he or she was fleeing from imminent physical danger from the other parent. The acting parent must notify the appropriate agency, including the police department of the municipality in which the child resides or the county prosecutor, as soon as practicable. This notice must include the child's current whereabouts. The parent with custody can also activate this defense by going to court concerning the custody or visitation.
 - c. It is a defense if the actor reasonably believed the other parent consented to his actions or that an authorized State agency consented.
 - d. It is also a defense if the child is 14 or older, voluntarily goes and the actor has no purpose to commit a crime with or against the child.
 - e. Since the applicability of these defenses will depend on proper notice, it is important that the officer accurately log the information conveyed on an Investigation Report:
 - (1) Name of Caller
 - (2) Name of Child
 - (3) Status of Custody
 - (4) Current Location of Child
 - (5) Date Called
 - (6) Time Called

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

(7) Any Additional Information Conveyed

M. Criminal Offenses against the Elderly and Disabled

1. Where the actions or omissions against an elderly or disabled person do not meet the domestic violence conditions, police may file appropriate criminal charges against the defender. (N.J.S.A. 2C:24-8), Endangering the Welfare of the Elderly or Disabled.
 - a. A legal duty to care for or has assumed continuing responsibility for the care of a person who is:
 - (1) 60 years of age or older,
 - (2) Emotionally, psychologically or physically disabled,
 - (3) The person unreasonably neglects or fails to permit to be done,
 - (4) Any act necessary for physical or mental health of the elderly or disabled.
2. Adult Protective Services
 - a. Adult Protective Services provide services to non-institutionalized adults who are abused, neglected, exploited or self-neglecting.
 - b. If criminal action is not warranted, then notification can be made on weekdays from 8:30 A.M. to 4:30 P.M. by calling (See v3c7 tab 4) After hours, notification can be made by calling the Sheriff's Communication Center at (See v3c7 tab 4)

N. Guidelines for the Seizure of Weapons from a Law Enforcement Officer Involved in a Domestic Violence Incident.

Whenever an act of domestic violence as defined in N.J.S.A. 2C:25-19 has been alleged to have been committed by a law enforcement officer all weapons, department issued and personal, possessed by that officer shall immediately be:

*Seized by the law enforcement officer responding to the domestic violence call if the responding officer reasonably believes that the presence of weapons would expose the victim to a risk of serious bodily injury, or

*. Surrendered by the officer involved when served with a domestic violence restraining order, search warrant or bail condition which requires the surrender of weapons.

1. Whenever an act of domestic violence as defined in N.J.S.A. 2C:25-19 has been alleged to have been committed by a law enforcement officer resulting in the seizure of the officer's weapons, or the officer has been

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

served with a domestic violence restraining order or a domestic violence warrant for the seizure of weapons or there is a bail condition which requires the surrender of weapons, the officer must:

- a. Immediately report that fact to the officer's departmental supervisor who must promptly notify the prosecutor's office in the county where the officer is employed
- b. Voluntarily surrender all weapons to the law enforcement officer responding to the domestic violence call or in response to a requirement in a domestic violence restraining order or a domestic violence warrant for the seizure of weapons or in a bail condition.
- c. Where weapons have been seized from an officer, the arresting officer shall immediately report the police response to the domestic violence incident involving a law enforcement officer to the arresting officer's departmental supervisor who must notify the prosecutor's office in the county where the charge had been filed.

O. Custody and Control of Seized or Surrendered Weapons

1. Any department issued weapon, which is seized or surrendered in connection with a domestic violence incident, is to be returned to the custody and control of the department which issued that weapon.
2. All other weapons owned, possessed, or controlled by the officer, which are seized or surrendered, are to be promptly forwarded to the county prosecutor's office in the county where the seizure of weapons took place in accordance with procedures set forth in the Attorney General's Guidelines on Police Response Procedures in Domestic Violence Cases and the county prosecutor's procedures for the seizure and transportation of firearms to the prosecutor's office in accordance with the provisions of N.J.S.A. 2C:25-21d
 - a. Prosecutors Office will have constructive possession , we will store the actual weapons.
3. Where the weapons have been seized pursuant to a court order, domestic violence search warrant, condition of bail or at the scene pursuant to N.J.S.A. 2C:25-21d, the county prosecutor's office where the civil and/or criminal charge was filed or incident occurred shall conduct an immediate investigation of the incident and determine whether the officer should be permitted to carry a weapon and what conditions, if any, should be recommended to the court for the return of the weapons to the law enforcement officer pending the disposition of the domestic violence proceedings.
 - a. Where the officer involved is a member of the State Department of Corrections, the Division of Criminal Justice, or the State Police,

COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1

the Operations Bureau, Division of Criminal Justice, shall be notified and shall conduct the investigation and determine what conditions, if any, should be recommended to the court for the return of the weapon to the officer pending disposition of the proceedings.

b. Where the domestic violence charges, either criminal or civil, which resulted in the seizure of weapons from a law enforcement officer have been dismissed or withdrawn before a hearing, the procedures in Paragraph P. 4., listed below, should be followed for the return of the weapons to the law enforcement officer.

4. The chief of the law enforcement agency where the officer is employed shall:

a. Conduct an investigation into the officer's background and shall recommend to the appropriate county prosecutor's office whether the officer should be permitted to carry weapons and what conditions, if any, should be imposed for the return of the weapons.

b. If necessary, reassign the officer charged with committing an act of domestic violence or served with a restraining order so that the officer will not have contact with the domestic violence complainant.

c. Where the officer involved is a member of the State Department of Corrections, the Division of Criminal Justice or the State Police, the Operations Bureau, Division of Criminal Justice, shall receive the report from the officer's agency.

5. The appropriate county prosecutor's office generally should confer with the domestic violence complainant regarding the complainant's position on the return of weapons. However, the recommendation or determination whether the weapons should be returned rests with the county prosecutor, not the victim or the law enforcement agency where the officer is employed.

a. Where the officer is a member of the State Department of Corrections, the Division of Criminal Justice or the State Police, the Operations Bureau, Division of Criminal Justice, shall confer with the domestic violence victim and shall be responsible for determining or recommending whether the weapon shall be returned to the officer.

P. Return of Seized Weapons

1. When a court had specifically directed that the officer's weapons be seized either pursuant to a domestic violence restraining order or a domestic

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

violence warrant for the seizure of weapons, or as a condition of bail, the officer whose weapons have been seized because of a domestic violence incident may request an expedited court hearing to determine the officer's status regarding the possession of weapons.

2. When a court order, either criminal or civil, which prohibits a law enforcement officer from possessing weapons is in effect, no weapons are to be returned to the officer subject to the domestic violence proceedings without a court order. If the domestic violence charges or complaint are withdrawn or dismissed prior to a court hearing, the provisions in Paragraph P. 4., listed below, should be followed.
3. If it is determined by the county prosecutor that the officer may carry weapons in accordance with that officer's duty assignments while the domestic violence proceedings, either criminal or civil, are pending court action, the county prosecutor may recommend to the appropriate court that:
 - a. The officer be permitted to carry a department issued handgun during on duty hours (duty hours means an officer's daily active duty shift) but not carry a handgun off duty, and
 - b. The officer is directed not to enter his or her residence which is shared with the complainant while on duty and armed, or meet with the complainant or any other person covered by the restraining order, while armed.
 - c. The department owned weapons are to be issued by the department to the officer at the beginning of the officer's daily active duty shift and the weapons are to be returned to the custody of the department at the end of the officer's daily active duty shift.
 - d. Where the officer is a member of the State Department of Corrections, the Division of Criminal Justice or the State Police, it shall be the responsibility of the Operations Bureau, Division of Criminal Justice, in consultation with the officer's agency, to determine whether the officer may carry weapons in accordance with the officer's duty assignment while the domestic violence proceedings are pending court action and what conditions, if any, should be recommended to the court.
4. When a weapon has been seized from a law enforcement officer involved in a domestic violence offense but no criminal charges, court order or warrant has been issued or is pending regarding possession of weapons, a county prosecutor may authorize the return of the seized weapons subject to conditions, if any, the prosecutor determines necessary.
5. Where the officer is a member of the State Department of Corrections, the Division of Criminal Justice, or the State Police, it shall be the

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

responsibility of the Operations Bureau, Division of Criminal Justice, to determine whether a seized weapon shall be returned to the officer and

6. What conditions, if any, should be imposed for the return of the weapon to the officer.

Q. Restrictions on Return of Firearms

1. Pursuant to the provisions of the federal crime bill, 18 U.S.C.A. 922(g), if a final domestic violence restraining order is issued, and for the duration of that order:
2. A law enforcement officer may be authorized by a court to possess a department issued firearm under conditions recommended by the appropriate county prosecutor, and
3. The officer may not possess any personally owned firearms.

R. If the defendant/police officer is not employed by this department, the Duty Sergeant or the next highest ranking officer above sergeant shall be notified immediately.

1. The Duty Sergeant or the next highest ranking officer shall immediately notify the defendant/officer's Captain, Deputy Chief or Chief.
2. On the next workday, the Chief shall, by letter, notify the defendant/officer's Chief of Police.

S. If the defendant/police officer is a member of this department, the Chief or designee shall be notified immediately.

1. The Chief of Police is to be advised by the next day.

T. When the defendant/officer is a member of this department, the Internal Affairs Officer shall initiate an Internal Affairs Investigation.

U. Any firearm seized shall not be returned to any officer until approval is granted by the Bergen County Prosecutor's Office and the Chief of Police.

1. All effort will be made to determine initially if, at the very least, the defendant's duty weapon can be made available to him/her for his/her on-duty use only. In such cases, the defendant's Chief of Police, or his designee, shall be responsible for the security of the defendant's duty weapon.

V. After the Internal Affairs Officer completes his/her investigation, a recommendation shall be included for the officer to receive professional counseling.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

1. If the incident was of a serious nature, a recommendation for mandatory evaluation shall be recommended.

W. Police Officers who are subject to a Final Restraining Order.

1. When a Final Restraining Order is entered against any police officer, he/she may possess his/her departmental issued duty weapon only while on duty.
2. The subject officer is prohibited by Federal Law to receive, possess or transport a duty weapon or any personally owned firearm while off duty.
3. The Chief of Police or his/her designee shall ensure that the subject officer is disarmed at the end of each shift.
 - a. The weapon will be signed in and out at the beginning and end of each shift by the Chief of Police or his/her designee.
 - b. The weapon shall be appropriately secured at the end of each shift.
4. If the Chief of Police knows or believes that a subject officer has any personally owned firearms, he/she shall contact the Bergen County Prosecutor's Office to determine what steps should be taken to ensure that these firearms will not be possessed.
5. Any police officer whom a Final Restraining Order is entered against shall immediately notify the Chief of Police as soon as possible and shall forward a copy of said order to his/her attention.
 - a. If the Chief is unavailable, notification shall immediately be given to the Captain or other ranking officer.
6. This disability to possess an off duty firearm shall continue as long as the Final Order remains in effect.

III. Domestic Violence Liaison Officers

- A. The Police Department will have two police officers designated who will serve as a liaison between the agency and the Bergen County Prosecutor's Office.
- B. Where possible, one officer shall be selected from the supervisory ranks.
 1. Following an initial training session, the Liaison Officers will be responsible for training all officers and telecommunication operators within their agency concerning the appropriate responses to domestic violence incidents.
 2. Whenever possible, Liaison Officers shall be utilized on all incidents involving violations of the Prevention of Domestic Violence Act.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

- C. On an annual basis, the Liaison Officers shall select a sample of their agency's Domestic Violence Incident Reports for review. The results of the analysis shall be reported to the Chief of Police of the Police Department and address any deficiencies or training needs. A copy of the report, with a plan of action to correct any deficiencies, shall be forwarded to the Bergen County Prosecutor by January 31 of each year. Each annual report shall include an updated list of Liaison Officers.

IV. ENFORCEMENT OF OUT-OF-STATE RESTRAINING ORDERS

- A. The out-of-state restraining order or order of protection should be presumed valid by the responding officers.
- B. The officers primary responsibility is to ensure the safety of the holder of the out-of-state order and, secondarily, to verify the validity of the order.
- C. Law enforcement officers are expected to protect victims of criminal offenses, regardless whether the victim is a resident of New Jersey or any other state or country.
- D. If the officers respond to a domestic violence call and determine that the actor had committed a criminal offense upon the victim, the officers should follow established police procedure in making an arrest. For example, if the victim had been assaulted by the actor and the officers see signs of injury, the officers must arrest the actor for the assault pursuant to N.J.S.A. 2C:25-21(a)..
- E. In addition, if the victim showed the officers an order of protection from having any contact with the victim, the officers should charge the actor with contempt, N.J.S.A. 2C:29-9(a), if the officers determine that the court order appears valid on its face.

However, if no immediate criminal offense had been committed by the actor but the victim has an order of protection issued by another state, the officers should determine whether the court order appears valid on its face. If the order appears to be facially valid, the officers should arrest the actor on a charge of contempt, N.J.S.A. 2C:29-9(a) for violating the no-contact provision of the order.

No underlying charge is needed on out of state restraining order violations.

- F. An out-of-state order of protection should be considered valid if:
 - 1. The order contains the names of the correct parties,
 - 2. The order has not expired,
 - 3. The victim has informed the officers that the named defendant had appeared at the court hearing when the order was granted or had notice to appear in court but did not show up.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

- G. Defects on the face of the order, such as boxes indicating service not checked, do not invalidate the enforcement of the order. In such cases, the officers should include this information in the officers incident report.
- H. If the victim does not have a copy of the restraining order, and the parties meet the victim and defendant criteria of the New Jersey Domestic Violence Act, the officer should determine whether any of the mandatory arrest provisions contained in N.J.S.A. 2C:25-21(a) have occurred such as signs of injury or a weapon was involved in the act of domestic violence.
1. Where there is an injury, the officer should determine whether the injury meets the criteria of being a "significant bodily injury" which is a third degree crime. This significant bodily injury classification provides a mid-range between the criteria for simple assault, which basically is pain, and aggravated assault, which basically is a serious and permanent injury. Significant bodily injury is defined as meaning "bodily injury which creates a temporary loss of the function of any bodily member or organ or temporary loss of any one of the five senses.
- Where there is no probable cause for the officer to make a mandatory arrest, the officer should consider whether other criminal offenses have been committed.
- If the actor is at the premises of the victim, the officer may be able to charge the actor with being a defiant trespasser. The officer should ask the victim if the victim had ordered the actor to leave the property. The elements for being a defiant trespasser are: :
- a. A person is a defiant trespasser if that person knowing that he or she is not permitted to do so enters or remains in any place as to which notice against trespass is given by actual communication to the actor.
- Thus, if the victim has told the actor to leave the property, and the actor refused and is at the scene, the officers should arrest the actor
4. If an emergent situation exists and the victim wants a temporary restraining order, the officer should follow standard procedure for assisting the victim in obtaining a New Jersey temporary restraining order.
- I. If the victim wants to enforce a provision of a restraining order or an order of protection that does not require immediate action by the law enforcement officer, the officer should refer to the victim to the appropriate court for relief.
- J. When responding to a domestic violence incident involving an out-of-state order of protection or restraining order, law enforcement officers should determine whether any federal laws were violated by the actor.

COMMUNITY ASSISTANCE

DOMESTIC VIOLENCE

VOL. III, CH. 1

V. IMMEDIATE FAXING OR FORWARDING ALL PAPERWORK TO THE APPROPRIATE FAMILY DIVISION

- A. Immediately upon completion of all paperwork related to an act of domestic violence, copies thereof must be faxed or delivered to the following departments:
1. Domestic Violence Unit of the Prosecutor's Office.
 2. Superior Court Family Division Intake.
- B. After a defendant has been served a Final Restraining Order, fax a copy of the receipt of service (Appendix A) with the last page of the FRO to (201)646-3532. Any questions regarding this procedure, please call (201)646-3506. Defendant should also be advised to respond to the County Sheriffs department for fingerprinting.

VI. INTERVIEWING TECHNIQUES IN DOMESTIC VIOLENCE CASES

- A. General Approach: In handling domestic violence incidents, the officer's general approach should reflect the seriousness of the offense and it's consequences for both suspect and the victim. To convey this seriousness, officers should follow these suggestions :
1. Impress upon the parties involved that domestic violence is a crime.
 2. Utilize special interviewing techniques to overcome a victim's reluctance to report the incident
 3. Investigate the incident as thoroughly as any crime not involving family members
 4. Handle the situation in such a manner that the victim views the officer's behavior as positive.
- B. Once officers have arrived at the scene of the incident, the officers should separate the victim and suspect as soon as safely possible and interview them separately. Take the victim out of hearing range and away from eye contact with the suspect. This will greatly decrease the likelihood that he/she will be intimidated by the suspect. It also increases the likelihood of his/her cooperation with the officers.
- C. In general, officers should use the same information-gathering and interviewing skills that they learned in recruit training for sexual assault investigation. Here are additional suggestions and strategies, which have proven effective in obtaining information in domestic violence cases.
- D. The questions asked should be specific and direct and asked in a supportive and matter-of- fact tone of voice.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

- E. Officers should be calm and direct. One of the initial objectives upon entering the residence is to calm all parties.
- F. The officers should be aware of their body language. How an officer stands and holds his or her arms and head, the nature of the officer's facial expression and the officer's tone of voice all convey a clear message to victims and suspects about how the officer perceives the situation.
- G. Many factors affect a victim's ability and/or willingness to cooperate and provide information in an interview. The officers must be aware of these factors and conduct the interview in ways that reassure the victim that his/her concerns are legitimate and are being addressed.
- H. After an episode of domestic violence, the victim will often experience feelings that might hinder a police investigation. This is especially true in cases where there is a history of domestic violence.
- I. To gain the victim's confidence and cooperation, the officers must show themselves to be aware of and responsive to his/her feelings. By reassuring the victim in this way, the officers will increase his/her willingness to reveal the specifics of the crime.
- J. Officers may encounter victims who appear extremely reluctant to cooperate with the investigation. Victims may have a lack of faith in the criminal justice system, genuine confusion, fear of retaliation, economic hardships, social stigma and isolation. Therefore, an officer should expect reluctance and not become impatient, frustrated or hostile when confronted with a victim's confusion or hesitation. Officers should attempt to mobilize and encourage victims and explain all of the relevant criminal justice options.
- K. Officers must be alert to any manipulative language or behavior of the batterer when they question the batterer. Officers should give the suspect Miranda warnings before questioning if the officer has placed the suspect under arrest or restrained his/her freedom of movement like an arrest. The officer should not make any accusatory statements while questioning the batterer. They should allow the batterer to tell his version of the incident before confronting the batterer with contradictory information. They also should not collude or support the suspect's statements as to the reason for the abuse.

Officers should document all spontaneous statements by the batterer, even if the statements appear on their face to be self-serving.
- L. When interviewing children, police should interview them away from the parents and in a comfortable place for the children. The officer also should be at eye level with the child. They should befriend the child and explain why the police are there. It is important not to indicate to the children what response the officers want from the child. The officer should be careful not to use leading questions when questioning children. Lastly, officers must be alert to any indication that the child is fearful of one or both parents or feels responsible for what has

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

happened. They must be alert for any signs of child abuse. In some cases, where there is spousal abuse, there also is child abuse. If the Children were present at the domestic violence incident, D.Y.F.S. must be contacted.

- M. A thorough investigation at the scene is critical to both the current and any future criminal case filed against the suspect. In addition, detailed knowledge of the present incident and past incidents will increase the officers ability to make appropriate decisions about their arrest options and to correctly advise victims on follow-up procedures. Therefore, officers must gather all relevant background information, relevant historical information and always try to get a taped statement from the victim.

VII GENERAL PATROL GUIDELINES

- A. On all domestic calls, a minimum of two (2) officers and a road supervisor will respond. If only one (1) officer is available, that officer will request a back up through the Communications Center, mutual aid may be utilized if needed. If no road supervisor is available, the shift supervisor or tour commander will be apprised of the facts of the matter by the responding officers as soon as they are ascertained. The officer and the supervisor will confer and determine what course of action is to be followed in order to maintain compliance with the Prevention of Domestic Violence Act.
1. Be alert for your safety and the safety of family members present.
 2. Divert the disputants' attention away from each other.
 3. Introduce yourself- name and rank.
 4. Explain that a call was received and that you are there to be of assistance.
 5. Be neutral and respectful.
 6. Restore calm, if possible, separate the disputants' into different rooms but avoid the kitchen.
 7. Gather the facts.
 - a. Listen carefully to each person's story.
 - b. Remain non-judgmental.
 - c. Obtain data to determine possible course of action
 8. As soon as practical, at the scene, disseminate the "Rights of Domestic Violence Victims" to both parties involved, whether or not violence is apparent
- B. The officer(s) or the officer in charge will make sure that all areas of this policy are followed.

COMMUNITY ASSISTANCE

DOMESTIC VIOLENCE

VOL. III, CH. 1

- C. The officer(s) or the officer in charge will make sure that the victim is fully aware of his/her rights under the Domestic Violence Act.
- D. The officer(s) or officer in charge will make sure any injured party is directed and assisted to proper medical help and care.
 - 1. The scene of a domestic violence incident should be properly secured and treated like any other crime scene. This includes, but is not necessarily limited to, the collection and proper handling of physical evidence, taking of photographs, and the calling and consulting with detective personnel or BCI.
- E. The officer assigned to the call will make sure that any arrested person involved in a domestic violence complaint for an indictable offense, is properly processed including the taking of two (2) photographs and four (4) fingerprint cards of all such persons.
 - 1. Fingerprinting for Domestic violence arrests and convictions should follow procedures set forth in fingerprinting policy Vol.7, Ch. 12.
 - 2. When serving Final Restraining Orders, defendant should be advised to report to the Bergen County Sheriffs Department for fingerprinting. See Appendix A.
- F. When the officer calls the assigned judge, the officer will have the completed Domestic Violence Complaint in front of him. This will expedite the process.
- G. Officers will not conduct any conversations they have with the judge within hearing of the plaintiff or defendant. The judge will advise the officer when he needs to speak directly to either one of them.
- H. Collect and record evidence and, where appropriate, take color photographs of injuries and property damage.
- I. Complete all appropriate and required reports and forms necessary to fully document the officer's response, whether or not a crime was committed or an arrest made.
- J. If the offender has left the scene and a crime has been committed, the officer will:
 - 1. Conduct a search of the immediate area;
 - 2. Obtain information from victims and witnesses as to where the offender might be;
 - 3. Insure that the victims are provided with security and assistance until the offender is located.
- K. The Crisis Intervention Team D.V. will be notified as per the Crisis Intervention Team policy, Volume III Chapter 5. If the team does not respond then the officer

COMMUNITY ASSISTANCE

DOMESTIC VIOLENCE

VOL. III, CH. 1

should provide the victim with referral information packet for legal or social assistance and support located in the DV information file behind the desk.

- L. Officer should refer to Family Case Management checklist form and comply with the contents.
- M. Officers should provide victim/witness with the Victim/Witness Notification Form, which shall include the information that may apply to the incident.

**COMMUNITY ASSISTANCE
DOMESTIC VIOLENCE
VOL. III, CH. 1**

APPENDIX A

Recipient's Name

Street Address

Town, State Zip Code

Telephone

I hereby acknowledge receipt of a copy of the Final Restraining Order entered against me by the Superior Court of the State of New Jersey.

In addition, I acknowledge receipt of the NOTIFICATION AND INSTRUCTIONS form instructing me (1) that I must be fingerprinted and photographed; (2) where to appear to submit to fingerprinting and photographing; (3) that refusal to submit to being fingerprinted and / or photographed is punishable as a disorderly persons offense.

Signature

Date

To be completed by law enforcement officer serving the final restraining order:

FV-_____

Served by:

Signature

Law Enforcement Agency

Date

Please Print Name

**APPENDIX A
NOTIFICATION AND INSTRUCTION**

Re: Fingerprinting

To whom it may concern:

You have been served with a Final Restraining Order entered against you by the Superior Court of the State of New Jersey pursuant to N.J.S.A. 2C:25-29. Pursuant to N.J.S.A. 53:1-15 you are required to be fingerprinted and photographed.

Therefore, you are required to respond immediately to:

**BERGEN COUNTY SHERIFF'S DEPARTMENT
BCI BUILDING
160 RIVER ST.
HACKENSACK, NEW JERSEY 07601**

Where you will be fingerprinted and photographed. Failure to appear at the Sheriff's Department and/or failure to submit to being fingerprinted and photographed will result in your being charged with Obstruction of Administration of Law or Other Government Function, a violation of N.J.S.A. 2C:29-1, a disorderly persons offense.

If you have any questions regarding fingerprinting, you may call the Sheriff's Department at 201-678-3333.

**COMMUNITY ASSISTANCE
 DRUG ENFORCEMENT AND EDUCATION
 VOL. III, CH. 10**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-02-2007	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME III
VOLUME TITLE: COMMUNITY ASSISTANCE	# PAGES: 6					CHAPTER 10
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: DRUG ENFORCEMENT AND EDUCATION						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:	Special Instructions					
PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

On July 9, 1987, the 1986 Drug Reform Act became effective. The new law not only set forth stricter penalties for the distribution of drugs, but it also imposed additional penalties for distribution of drugs within one thousand (1,000 ft.) of a school. In 1993 it was upgraded to include community policing programs.

The Attorney General 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 the Borough of Fort Lee Police Department will be to follow the Attorney General's Drug Action Plan.

The suppression of narcotics activity and vice activities is the responsibility of every officer. Illegal narcotics use and its associated crimes such as narcotics sales, obtaining prescription drugs by fraud and money laundering are not limited to any one social group and can exist in any community. The Fort Lee Police Department will concentrate its efforts on illegal narcotics and vice activity under the Direction of the Detective Division Commander and the Narcotics Division Supervisor.

The Police Departments goal will be to identify and investigate potential suspects involved in illegal narcotics and vice activity. By establishing a Narcotic Bureau within the Detective Division, the following objectives are desired:

**COMMUNITY ASSISTANCE
DRUG ENFORCEMENT AND EDUCATION
VOL. III, CH. 10**

1. To increase the number of narcotic and vice related arrests using Narcotic Bureau personnel.
2. To aid and assist members of the department in narcotic and vice related arrests.
3. To establish and maintain a rapport with outside police and government agencies with pending investigations.
4. To aid and assist civilian/school agencies in educational training efforts, so that they may assist our department in combating illegal narcotics and vice activities.

PROCEDURE:

I. The Borough of Fort Lee Police Department shall develop programs that educate people about the danger of drugs.

- A. The D.A.R.E. program shall be implemented in our school system and community:
- B. The department's Crime Prevention Officer shall maintain membership in the following organizations:
 1. North Jersey Regional Crime Prevention Police Officers Association.
- C. The Community Policing and juvenile supervisors will provide the Chief of Police with a periodic update 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.

- A. During school hours school resource officers will check the schools.
- B. School checks will be made at least once during an officer's tour of duty during non-school hours, officers will call in these school checks for an entry in to the CAD system.
- C. Any suspicious person(s) will be checked thoroughly, background checks are to be conducted to determine prior drug convictions.
- D. Any suspected drug distribution operation identified by the patrol officer should be referred to the Investigative Division Commander.
- E. Anyone found with drugs shall be charged, unless it would effect an ongoing investigation.
- F. A map of all school safety zones is attached to this policy for easy reference.

**COMMUNITY ASSISTANCE
DRUG ENFORCEMENT AND EDUCATION
VOL. III, CH. 10**

G. Procedure for Arrests That Occur for N.J.S.A. 2C:35-7 (distribution, dispensing or possessing CDS on or within 1,000 feet of school property or school buses):

1. The arrest should describe the location of the criminal activity by street address or by reference to at least two street intersections or other identifying landmarks.
2. 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
3. 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.

III. The Investigative Division Commander is the intelligence gathering, enforcement and case coordinator for all narcotic violations. The Commander shall serve as the liaison to the Prosecutor's County Narcotic Task Force and the Statewide Narcotic Task Force.

See Narcotics division and Supervisor Policy Volume VIII, Chapter 16 for further.

IV. The Operations Division Commander will ensure that the patrol officers enforce all narcotic laws. The Operations Division 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 Investigative Division Commander. The circumstances and reasons as to why no arrest was effected will be thoroughly explained.

- A. The Operations Division Commander shall recommend officers for attendance in specialized Drug Enforcement Training Courses.
- B. Supervisors shall review the computer readout and assign personnel to locations where drug activity is prevalent.
- C. Assign police officers to school activities.
 1. Major Sporting Events
- D. All officers shall complete training that explains the provisions of the Drug Reform Act.
- E. 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.
- F. Parking regulations within the school safety zones shall be strictly enforced.

**COMMUNITY ASSISTANCE
DRUG ENFORCEMENT AND EDUCATION
VOL. III, CH. 10**

V. Investigation Report

- A. The Investigation Report should describe the location of the criminal activity by street address or by reference to at least two street intersections or other identifying landmarks.
- 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 Investigation Report
- 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 Investigation Report should so indicate.

VI. (SNAP) Statewide Narcotics Action Plan Directives

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.

**COMMUNITY ASSISTANCE
DRUG ENFORCEMENT AND EDUCATION
VOL. III, CH. 10**

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. Clandestine Laboratory Investigation Safety Procedures (See Volume VIII Chapter 4)

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.

AT THE FIRST SIGN OF SUCH A LAB, CONTACT THE DETECTIVE DIVISION COMMANDER AND NARCOTICS SUPERVISOR, WHO WILL CONTACT COUNTY NARCOTICS TASK FORCE OR THE NEW JERSEY STATE POLICE.

Transportation and disposal of toxic chemicals can be hazardous and expensive.

Contacting the ALERT Team (Active Laboratory Emergency Response Team) to intervene in such removal and disposal can reduce your liability.

The ALERT Team can be reached at New Jersey State Police Headquarters, **(609) 882- 2000.**

THE COUNTY NARCOTICS TASK FORCE HOT LINE TO CONTACT IS:

Bergen County Narcotics Task Force Telephone: **(201) 556-2500** Evenings and weekends through the Bergen County Police **646-2700**

* 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.

**COMMUNITY ASSISTANCE
DRUG ENFORCEMENT AND EDUCATION
VOL. III, CH. 10**

- V. 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.**

- VI. Effective June 28, 1988, Senate Bill S2026 was signed into law by Governor Kean. The Prosecutor clarified each section of the act to assist our department in complying with areas that affect our areas of responsibility.**

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03/29/2005	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 20					CHAPTER 4
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: DRUG SCREENING FOR POLICE OFFICERS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL: AG 8-1 Revised June 2001		Special Instructions				
PROSECUTOR'S OFFICE: A29 V-1 C-4						
REFERENCE:						

PURPOSE:

The critical mission of law enforcement justifies maintenance of a drug free work environment through the use of a reasonable employee drug-testing program.

The law enforcement profession has several uniquely compelling interests that justify the use of employee drug-testing. The public has a right to expect that those who are sworn to protect them are at all times both physically and mentally prepared to assume these duties. There is sufficient evidence to conclude that the use of controlled substances, and other forms of drug abuse will seriously impair an employee's physical and mental health, and thus, their job performance.

Where law enforcement officers participate in illegal drug use and drug activity, the integrity of the law enforcement profession and public confidence in it are destroyed. This confidence is further eroded by the potential for corruption created by drug use.

Therefore, in order to ensure the integrity of the department, and to preserve public trust and confidence in a fit and drug-free law enforcement profession, this department shall have a policy to implement a drug-testing program to detect prohibited drug use by sworn law enforcement officers.

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

DEFINITIONS

- A. **Sworn Employee** - Those employees who have been formally vested with full law enforcement powers and authority. (**Sworn Law Enforcement Officer**)
- B. **Supervisor** - Those sworn law enforcement officers assigned to a position having day-to-day responsibility for supervising subordinates, or who are responsible for commanding a work element.
- C. **Drug Test** - The compulsory production and submission of urine by an employee in accordance with departmental procedures, for chemical analysis to detect prohibited drug usage.
- D. **Reasonable Suspicion** - That quantity of proof or evidence that is more than a hunch, but less than probable cause. Reasonable suspicion must be based on specific, objective facts and any rationally derived inferences from those facts about the conduct of an individual that would lead the reasonable person to suspect that the individual is or has been using drugs while on or off-duty.
- E. **Probationary Employee** - For the purpose of this policy only, a probationary employee shall be considered to be any person who is conditionally employed with the department as a law enforcement officer.
- F. **Random Testing** A method of selection in which each and every member of the law enforcement agency, regardless of rank or assignment, has an equal chance to be selected for drug testing each and every time a selection is conducted.

POLICY:

- I. Applicability
 - A. This policy applies to:
 - 1. Applicants for a position as a law enforcement officer who, if appointed, will be responsible for the enforcement of the criminal laws of this State and will be authorized to carry a firearm under N.J.S.A. 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 the criminal laws of this State, come under the jurisdiction of the Police Training Act and are authorized to carry a firearm under N.J.S.A. 2C:39-6.

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

- B. This policy does not require law enforcement agencies to drug test applicants, nor does it require law enforcement agencies to implement a random drug testing program for sworn officers. However, law enforcement agencies have an independent obligation to undertake the drug testing of individual officers when there is reasonable suspicion to believe that the officer is illegally using drugs.

******* Procedure for Random Testing will be formulated when it is decided by the Chief of Police to implement such a program.**

******* A Medical Questionnaire will be filled out prior to any testing, by :
sworn officers, trainees and in some situations, applicants.
Questionnaire will include all prescription medications and over the
Counter medications the officer is taking for the previous 14 days.**

II. Types of drug testing

A. Applicants for a position as a law enforcement officer

1. Applicants 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 for testing when there exists reasonable suspicion to believe that the trainee is illegally using drugs. A trainee shall 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 the 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 the law enforcement agency, regardless of rank or assignment, has an equal chance to be selected for drug testing each and every time a selection is conducted.

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

3. Urine specimens may be collected from law enforcement officers during a regularly scheduled and announced medical examination or a fitness for duty examination. However, the collection and analysis of these specimens are not governed by this policy.

III. Notification of drug testing procedures

A. Applicants

1. Agencies that choose to test applicants for law enforcement positions must 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; and
 - c. Preclude the applicant from being considered for future law enforcement employment for a period of two years from the date of the drug test. 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 result in:
 - a. The officer's termination from employment; and
 - b. Inclusion of the officer's name in the central drug registry maintained by the Division of State Police; and
 - c. The officer being permanently barred from future law enforcement employment in New Jersey.
2. Newly appointed officers shall be further informed that the refusal to submit to a drug test shall result in their dismissal from employment and a permanent ban from future law enforcement employment in New Jersey.

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

3. Each police academy will include in its rules and regulations a provision implementing drug testing during basic training.
- C. Sworn law enforcement officers: reasonable suspicion testing
1. Each municipal law enforcement agency shall include in its rules and regulations as defined in N.J.S.A. 40A:14-118, and every county and state law enforcement agency shall include in appropriate standard operating procedures, a provision that individual law enforcement officers will be ordered to submit to a drug test when there is a reasonable suspicion to believe that 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 report shall be reviewed by the county prosecutor or the chief executive officer of the law enforcement agency 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. The agency's rules and regulations or appropriate standard operating procedures shall also provide that a negative result is a condition of employment as a sworn officer and that a positive result will result in:
 - a. The officer's termination from employment;
 - b. Inclusion of the officer's name in the central drug registry maintained by the Division of State Police; and
 - c. The officer being permanently barred from future law enforcement employment in New Jersey.
 4. The agency's rules and regulations 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. A sworn law enforcement officer who resigns or retires after receiving a lawful order to submit a urine specimen for drug testing and who does not provide the specimen shall be deemed to have refused to submit to the drug test.
- D. Sworn law enforcement officers: Random drug testing
1. Law enforcement agencies may choose to implement a random drug-testing program for their sworn law enforcement officers. Law enforcement agencies, which establish a random drug testing program must do so by rule and regulation as defined in N.J.S.A. 40A:14-118 for municipal law enforcement agencies or by

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

appropriate standard operating procedures for county and state law enforcement agencies. Random drug testing cannot be implemented until rules and regulations establishing such a procedure have been in effect for a minimum of 60 days.

2. Each agency's rules and regulations or appropriate standard operating procedures will, at a minimum:
 - a. State that all sworn members of the agency are eligible for random drug testing, regardless of rank or assignment.
 - b. State the number of officers to be selected each time a random selection takes place. This can be expressed as either a number of sworn officers or a percentage of the sworn officers, which in every case shall be less than the total number of sworn officers employed by the agency.
 - c. Establish a method of random selection, which ensures that every sworn officer in the agency has an equal chance to be selected for a testing each and every time a selection takes place.
 - d. Establish a system by which the selection process can be verified and documented.
 - e. Permit a representative of the collective bargaining unit(s) to witness the selection process.
 - f. Provide that any member of the agency who discloses the identity of an officer selected for random testing or the fact that a random selection is scheduled to take place prior to the collection of urine specimens shall be subject to discipline.
 - g. Establish a system to collect urine specimens from selected officers in a prompt, efficient and confidential manner.
 - h. The agency's rules and regulations or appropriate standard operating procedures shall further provide 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. A sworn law enforcement officer who resigns or retires after receiving a lawful order to submit a urine specimen for drug testing and who does not provide the specimen shall be deemed to have refused to submit to the drug test.

IV. Specimen acquisition procedures

A. Preliminary acquisition procedures

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

1. The law enforcement agency shall 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 the agency collecting the specimens, the agency may request that a member of the same sex from another law enforcement agency serve as monitor of the process.
2. The monitor of the specimen acquisition process shall be responsible for:
 - a. Ensuring that 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 submission to the New Jersey State Toxicology Laboratory within the Division of Criminal Justice for analysis.
4. 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. (Attachment A) The form shall also advise the applicant 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; and
 - c. Preclude the applicant from being considered for future law enforcement employment for a period of two years. Applicants shall not complete a medical questionnaire (Attachment B) prior to the submission of a specimen unless they have already received a conditional offer of employment. However, applicants who have not received a conditional offer of employment can be required to complete a medical questionnaire if, following the submission of their specimen to the State Toxicology Laboratory for analysis, the law enforcement agency receives a report indicating that the specimen tested positive for a controlled substance.
5. Prior to the submission of a urine specimen, a trainee enrolled in a basic training course shall execute a form (Attachment C) 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;

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

- 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 reported to the central drug registry maintained by the Division of State Police; and
 - d. Cause the trainee to be permanently barred from future law enforcement employment in New Jersey. The form shall also advise trainees that the refusal to participate in the test process carries the same penalties as testing positive. Trainees shall also complete a medical questionnaire (Attachment B) 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 (Attachment B) 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 shall take possession of the

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

specimen and ensure that it is delivered to the State Toxicology Laboratory for analysis.

4. Individuals will void without the 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 production of a specimen may be directly observed by the monitor. Law enforcement agencies must document the facts underlying their belief that an individual may adulterate a specimen or 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 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. The law enforcement 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 the law enforcement agency under the following circumstances:
 - (1). The law enforcement agency is notified by the State Toxicology Laboratory that the first specimen tested positive for a controlled substance; and
 - (2). The law enforcement agency is informed by the individual whose specimen tested positive that the individual wishes to have the specimen independently tested; and

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

- (3). The officer must designate a laboratory that is licensed as a clinical laboratory by the New Jersey Department of Health under the New Jersey Clinical Laboratory Improvement Act to conduct the independent test; and
- (4). 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.

V. Submission of specimens for analysis

- A. The New Jersey 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 as soon as possible after their collection. In the event a specimen cannot be submitted to the laboratory within one working day of its collection, the 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 the law enforcement agency or commercial courier.
 2. Should a law enforcement agency choose to have specimens delivered to the State Toxicology Laboratory by commercial courier, the following procedural safeguards must be taken:
 - a. All submissions must be by "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 the 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:

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

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. The medical review officer may direct the agency that collected the specimen to obtain further information from the individual being tested concerning the medications listed on the questionnaire. In the event the questionnaire does not explain the test result, the medical review officer shall issue a report indicating that specimen tested positive.
4. The State Toxicology Laboratory shall analyze each specimen for the following substances and their metabolites:
 - a. Amphetamine/methamphetamine;
 - b. Barbiturates;
 - c. Benzodiazepine;
 - d. Cannabinoids;
 - e. Cocaine;
 - f. Methadone;
 - g. Phencyclidine; and
 - h. Opiates.
5. The analysis of each specimen shall be done in accordance 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

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

- A. The State Toxicology Laboratory shall notify the submitting law enforcement agency of test results from the specimens submitted for analysis. All reports shall be in writing and sent to the agency within 15 working days of the submission.
- B. The State Toxicology Laboratory shall not report a specimen as having tested positive for a controlled substance until the 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 of the results of a positive test result as soon as practical after receipt of the report from the State Toxicology 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 re-tested.

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 employment by any law enforcement agency in New Jersey for a period of two years.
 - 4. Where 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 maintained by the Division of State Police.
- 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 authority;

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

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 maintained by the Division of State Police; 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 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 by his or her employer to Central Drug Registry maintained by the Division of State Police; 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 for future law enforcement employment for period of two years from the date of the refusal. In addition, the appointing authority shall forward the applicant's name to the Central Drug Registry and note that 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 trainee 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 that 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 reasonable suspicion or random selection shall be immediately suspended from employment. Upon a finding that the officer did in fact refuse to submit 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 that the individual refused to submit to a drug test.

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

- X. A sworn law enforcement officer who tests positive for illegal drug use or refuses to submit to a drug test, and who resigns or retires in lieu of disciplinary action or prior to the completion of final disciplinary action, shall be reported by his or her employer to Central Drug Registry and shall be permanently barred from future law enforcement employment in New Jersey.
- XI. Record keeping
- A. Each law enforcement agency's Internal Affairs Unit shall maintain all records relating to the drug testing of applicants, trainees and law enforcement officers.
- B. Each agency's drug testing records shall include but not be limited to:
1. For all drug testing:
 - a. The identity of those ordered to submit urine samples;
 - 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; and
 - h. For any positive result or refusal, appropriate documentation of disciplinary action.
 2. For random drug testing, the records will 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.

ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4

- C. Drug testing records shall be maintained with the level of confidentiality required for I internal affairs files pursuant to the New Jersey Internal Affairs Policy and Procedures.

XII. 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 a urine sample on the form prescribed in Attachment D.
- B. Notifications to the Central Drug Registry shall include the following information as to each individual:
 - 1. Name and address of the submitting agency, and contact person;
 - 2. Name of the individual who tested positive;
 - 3. Last known address of the individual;
 - 4. Date of birth;
 - 5. Social security number;
 - 6. SBI number (if known);
 - 7. Gender
 - 8. Race
 - 9. Eye color
 - 10. Substance the individual tested positive for, or circumstances of the refusal to submit a urine sample;
 - 11. Date of the drug test or refusal;
 - 12. Date of final dismissal or separation from the agency; and
 - 13. Whether the individual was an applicant, trainee or sworn law enforcement officer.
- C. The certification section of the notification form must be completed by the chief or director, and notarized with a raised seal.

ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4

D. Notifications to the central registry shall be sent to:

Division of State Police
State Bureau of Identification
Central Drug Registry
P.O. Box 7068
West Trenton, New Jersey 08628-0068

E. 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 criminal justice agency as part of the background investigation process for prospective or new personnel.
2. In response to a court order.

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

ATTACHMENT A

**DRUG TESTING
APPLICANT NOTICE AND ACKNOWLEDGMENT**

I, _____, understand that as part of the pre-employment process, the _____ 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 drug testing through urinalysis.

I understand that a negative drug test result is a condition of employment.

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, 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 the Central Drug Registry maintained by the Division of State Police. Information from that registry can be made available by court order or as part of a confidential investigation relating to employment with a criminal justice agency.

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 from the date of the test. After this two year period, the positive test result may be considered in evaluating my fitness for future criminal justice 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 addition, I will be dismissed from my law enforcement position and I will be permanently barred from law enforcement employment.

I have read and understand the information contained on this "Applicant Notice and Acknowledgment" form. I agree to undergo drug testing through urinalysis as part of the pre-employment process.

Signature of Applicant Date

Signature of Witness Date

**ADMINISTRATION
 DRUG SCREENING FOR LAW ENFORCEMENT
 VOL. I, CH. 4**

ATTACHMENT B

**DRUG TESTING
 MEDICATION INFORMATION**

As part of the drug testing process, it is essential that you inform us of all medications you have taken in the last fourteen (14) days. Please carefully complete the information below.

Check mark all that apply:

- 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, diet medication, nutritional supplements, etc.)

	Non-Prescription Medication	Date Last Taken
1		
2		
3		

- C. During the past 14 days, I have taken **NO** prescription or non-prescription medications.

 Social Security Number & Initials

 Date

 Signature of Witness

 Date

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

ATTACHMENT C

**DRUG TESTING
TRAINEE NOTICE AND ACKNOWLEDGMENT**

I, _____, understand that as part of the program of training at _____, I will undergo unannounced drug testing 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 from my law enforcement position.

I understand that if I produce a positive test result for illegal drug use, I will be dismissed from the academy.

I understand that if I produce a positive test result for illegal drug use, the academy will notify my employer of the positive test result. In addition, I will be permanently dismissed from my law enforcement position.

I understand that if I produce a positive test result for illegal drug use, that information will be forwarded to the Central Drug Registry maintained by the Division of State Police. Information from that registry can be made available by court order or as part of a confidential investigation relating to employment with a criminal justice agency.

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.

I have read and I understand the information contained on this "Trainee Notice and Acknowledgment" form. I agree to undergo drug testing through urinalysis as part of the academy training program.

Signature of Applicant Date

Signature of Witness Date

**ADMINISTRATION
DRUG SCREENING FOR LAW ENFORCEMENT
VOL. I, CH. 4**

**ATTACHMENT D
NOTIFICATION TO THE CENTRAL DRUG REGISTRY**

Type or Print

AGENCY SUBMITTING						
AGENCY				PHONE		
ADDRESS		CITY		STATE	ZIP	
CONTACT PERSON		TITLE		PHONE		
PERSON TO BE ENTERED						
LAST NAME		FIRST NAME	INITIAL	GENDER	RACE	EYE COLOR
DOB	SSN		SBI NUMBER (IF KNOWN)			
THIS PERSON WAS: <input type="checkbox"/> APPLICANT <input type="checkbox"/> TRAINEE						
<input type="checkbox"/> SWORN OFFICER - RANDOM <input type="checkbox"/> SWORN OFFICER - REASONABLE SUSPICION						
ADDRESS						
CITY		STATE		ZIP		
REASON FOR NOTIFICATION						
THE PERSON LISTED ABOVE <input type="checkbox"/> TESTED POSITIVE FOR _____ <div style="text-align: right; margin-right: 100px;">(IDENTIFY SUBSTANCE)</div> <p style="text-align: center;">OR</p> <input type="checkbox"/> REFUSED TO SUBMIT A URINE SAMPLE						
DATE OF THE DRUG TEST OR REFUSAL			DATE OF FINAL DISMISSAL OR SEPARATION FROM AGENCY			
CERTIFICATION (Must be completed by Chief or Director. Must be notarized with raised seal)						
I hereby affirm that the above information is true and correct to the best of my knowledge.						

Print Name Title Signature						
Sworn and subscribed before me this _____ day of _____, _____						
(Seal) _____						

(6/01)
 Mail to: Division of State Police
 State Bureau of Identification
 Central Drug Registry
 P.O. Box 7068
 West Trenton, New Jersey 08628-0068

TRAFFIC / DWI

VOL. IX. CH 5 APPENDIX "A"

12-HOUR MANDATORY IMPOUNDMENT OF VEHICLES, N.J.S.A. 39:4-50.23

N.J.S.A. 39:4-50.23 mandates that the law enforcement agency which has arrested a driver for a DWI or a Refusal violation is required to take two actions.

- The arresting law enforcement agency **shall impound** the vehicle that the person was operating at the time of the arrest. *N.J.S.A. 39:4-50.23(a)*
- The vehicle "**shall be impounded for a period of 12 hours after the time of arrest** or until such later time as the arrestee claiming the vehicle meets the conditions for release" under *N.J.S.A. 39:4-50.23(d)*. *N.J.S.A. 39:4-50.23(b)*
 - A vehicle **cannot be impounded** if there is another person who is present at the scene of the arrest & that person has permission to take the vehicle, a valid driver's license, & is capable of operating the vehicle or is making arrangement for removal.
- The police **MUST** inform the person or party taking responsibility for the removal & impoundment of the vehicle of the time of the arrest of the operator of the vehicle & that the vehicle cannot be released for 12 hours following the time of arrest, unless otherwise authorized.
- Release of a vehicle before the expiration of the 12-hour period of impoundment expires is allowed **ONLY** under the following conditions. Failure to comply with any of these requirements will prohibit the release of the impounded vehicle before the 12-hour period of impoundment has elapsed.
- Regardless of the ownership of the vehicle, *N.J.S.A. 39:4-50.23(d)* requires that the person claiming the vehicle **MUST** present & satisfy the documentation, authority & criteria below.
 - Have a valid driver's license.
 - Have proof of ownership of the vehicle or evidence of authority to operate that vehicle.
 - Show proof of valid insurance for the vehicle.
 - The person must be able to operate the vehicle in a safe manner.
 - The person would not be in violation of Title 39 by operating the vehicle.
 - The person has met any other conditions for the release of the vehicle as established by the law enforcement agency, including but not limited to the payment of the reasonable fees for any towing and/or storage of the vehicle.
- If the vehicle is **NOT** owned or leased by the person arrested, then the owner or lessor can claim the vehicle at any time, provided that the owner or lessor satisfies the requirements listed above.
- If the vehicle **IS** owned or leased by the arrested person, the vehicle may be released to another person **ONLY** if the following conditions and requirements are **FULLY** satisfied.
 - The person to whom permission has been given, **has acknowledged, in writing**, receipt of the **POTENTIAL LIABILITY WARNING** - *N.J.S.A. 39:4-50.22*.
 - The arrestee has given permission to the other person to operate the vehicle.
 - The person to whom permission has been given has met all of the conditions for release of the vehicle under the provisions of *N.J.S.A. 39:4-50.23(d)*.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-04-05	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 22					CHAPTER 5
ACCREDITATION STANDARD(S):61.1.5	REFERENCE: V9C5					
SUBJECT: DRIVING UNDER INFLUENCE "DWI"						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL: AG 2001-5						Special Instructions
PROSECUTOR'S OFFICE: I-5, I-15, E-5						
REFERENCE: NJSP DWI Course, NJAC, Romano v. Kimmelman, Morey V. Palmer, 26:2B-16, 59:3-2, 59:3-5						

PURPOSE:

To establish guidelines for conducting a DWI countermeasures program designed to reduce alcohol/drug-related crashes.

To provide guidance and direction for all officers and supervisors concerning DWI investigations, arrests and processing.

GOALS:

It is the goal of The Fort Lee Police Department to protect the lives, property, safety and well being of the public. The Fort Lee Police Department recognizes the research that shows that driving while intoxicated is a major contributing factor in motor vehicle accidents and deaths related to motor vehicle accidents.

To increase deterrence of DWI violations, and thereby reduce the number of accidents, deaths and injuries through aggressive DWI detection and enforcement of alcohol related laws (Title 39).

DISCUSSION:

Drivers impaired by 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 is essential if the program is to have long term success in combating the DWI problem.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

Enforcement is one of the key elements in the DWI countermeasures program. If the department does not detect and apprehend impaired drivers, the rest of the system cannot function.

The detection and arrest of impaired drivers differs significantly from other traffic law violators. Specific statutes and regulations govern driving while under the influence of alcohol and/or drugs, implied consent, chemical tests for intoxication, and establish legal limits of impairment or intoxication. These statutes and regulations include many provisions that affect an officer's authority and establish procedures for conducting chemical tests and initiating the DWI sanction process.

POLICY:

The department fully supports a comprehensive cooperative DWI countermeasures program, and has established DWI enforcement as one of its highest priorities.

Sworn officers of the Borough of Fort Lee Police Department 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 effect a physical arrest of the subject.

Officers will not release a DWI suspect or arrange for alternate transportation in lieu of arrest.

Chemical test(s) will be conducted in accordance with state requirements.

Officers are reminded that chemical breath tests are supplemental tools only, and a refusal to submit to a chemical test shall not constitute cause to issue a citation for a lesser offense.

If the DWI driver was involved in a Fatal or potentially fatal accident the scene will be handled as per the Accident Investigation Policy (Vol. 9 Ch. 22).

A DWI driver will be handled and processed in accordance with other established department policies.

A DWI driver will be photographed and assigned a Rouges Gallery number. DWI driver will not be fingerprinted for the DWI charge.

Vehicle will be towed in accordance with the Towed Vehicle policy (Vol. 5 Ch. 8). Vehicles can not be released to the driver until they are sober, minimum of 12 hours, see attached "Johns Law".

The arresting officer may be the Breathalyzer Operator. If another Breathalyzer Operator is available they may be utilized.

No portable radios or cell phones are to be in the room where the Breathalyzer is being conducted.

If a DWI driver appears incapacitated or has a Breathalyzer result of .30% BAC or higher they will be transported to an area hospital under the ATRA Laws for their safety.

If a DWI driver is involved in any collision, which results in injury to anyone, including himself, an investigation should be conducted into charges involving assault by auto 2C:12-1C.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

A DWI driver must be released to a responsible adult escort willing to accept responsibility for the intoxicated person's safety, (potential liability waiver form must be given to person accepting responsibility, see attached form) or remain in custody until sober. DWI prisoners will not be released to the driver of a taxi. No on-duty member of this department will drive a DWI driver home.

No off-duty officer will drive a DWI driver home unless that officer has completed a potential liability form.

PROCEDURE:

I. TRAINING

- A. All department personnel conducting preliminary or evidential chemical tests for intoxication shall complete operator training programs, and appropriate in-service training as required.
- B. All department personnel conducting preliminary or evidential chemical tests shall be certified in accordance with state/local requirements.

II. DWI DETECTION AND PRE-ARREST SCREENING

- A. 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 the arrest decision is based. Officers should 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 / drugs, proof of operation and evidence of influence.
 - a. **Elements:** all three (3) must be present.
 - (1) Establish operation of the vehicle by any of the following:
 - (a) Direct observation
 - (b) Self admission
 - (c) Witnesses
 - (2) Impairment of the operator by any of the following:
 - (a) Observation of driving
 - (b) Witnesses

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

- (c). Physical test on road
 - (d). Observation of driver
 - (3) Alcohol or drugs are suspected based upon any of the following:
 - (a) Odor of an alcoholic beverage emanating from the breath.
 - (b) Observe evidence of impairment
 - (c) Self admission
 - (d) Paraphernalia
 - (e) Witnesses
 - (4) The officer must formulate an opinion as to the operator's sobriety at the scene and the operator shall be placed under arrest at the scene, not after the breath test.
- 2. Recognize and identify specific driving or other behaviors 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 due care and caution in stopping impaired drivers and be alert for unusual or inappropriate reactions from the driver.
- 5. The time between observation and the motor vehicle stop should not be prolonged, apprehension should be made as soon as possible in a safe location utilizing the vehicles emergency lights, siren and if equipped, the Mobile Video Recorder.
- 6. Notify communications of location, vehicle description, and reason for the stop.
- 7. Summon assistance if necessary.
- 8. Once the vehicle has stopped and the driver is determined to be impaired, they will not be allowed to move the vehicle.
- 9. Approach the vehicle with caution, but with minimal delay.
- 10. Obtain driver license and other appropriate documents (e.g., registration, insurance card).

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

11. Interview driver and passengers.
12. Recognize and identify specific characteristics, attitudes and actions commonly manifested by impaired drivers during face-to-face contact.
13. Note all observations (violation, odor of alcoholic beverage, etc.) leading to the suspicion that the driver may be impaired. If articulable facts exist to support your suspicion, request the driver to exit the vehicle for further investigation.
14. If vehicle was not observed in motion, determine if operation is established and probable cause exists to charge driver. As per 39:5-25, an officer does not have to personally witness the driver operate the vehicle to justify an arrest.
15. Request the subject to exit the vehicle and move to a safe location to conduct field sobriety tests. The officer should make observations as to the driver's balance as they exit the vehicle and / or stand in the area.

NOTE: Officers **shall not** conduct interviews or field sobriety tests in the space between the patrol vehicle and the subject's vehicle.

16. Field Sobriety Tests – No less than 3 tests and no more than 4 tests should be conducted.
 - a. The following NHTSA Standardized Field Sobriety Tests should be utilized by trained officers at the scene to assess impairment:
 - (1) Walk and Turn
 - (2) One-Leg Stand
 - (3) Horizontal Gaze Nystagmus
 - b. The following Fort Lee Police Department Psychophysical Tests may be utilized by officers that are not trained in the NHTSA Standardized Field Sobriety Tests to assess impairment:
 - (1) Finger to Nose
 - (2) Erect Stand
 - (3) Waist Bend
 - (4) Heel to Toe Walk
 - (5) Recitation of ABC's
 - c. The tests should be given on level ground, on a hard, dry, non-slippery surface, under fair conditions.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

- d. Test consideration should be given to:
 - (1) People who are over 60 years old, over 50 pounds overweight or have physical impairments that affect their ability maintain their balance.
 - (2) People wearing high-heels or uncomfortable shoes should be allowed to remove their shoes.
 - e. The officer should, based upon his observation, determine to arrest the subject for operating under the influence.
 - f. If a test is not conducted or completed the reason should be listed on the form.
 - g. Preliminary Breath Testing devices are not authorized for use in New Jersey at this time as it presents complications with Breathalyzer Refusal cases.
17. Formulate appropriate arrest decision based on the evidence accumulated in the above steps.
18. Probable cause for a DWI arrest can not be established solely by the Breathalyzer readings.

B. ARREST AND PROCESSING

- 1. If all elements of the DWI violation (e.g., operation or actual physical control, on a highway in the state, while impaired by alcohol and/or drugs) have been clearly established, officers shall effect a physical arrest of the subject at scene.
- 2. Notify subject of his rights and responsibilities (e.g., implied consent, Miranda).
- 3. Handcuff and search the subject in accordance with department policy.
- 4. Secure the vehicle and property; arrange for transportation/safety of any passengers.
 - a. The vehicle operated by the person placed under arrest shall be impounded by the law enforcement agency making the arrest for 12 hours from the time of the arrest. *N.J.S.A. 39:4-50.23.*

See Appendix "A" regarding the impounding of a vehicle in a DWI arrest for 12 hours following the arrest.

- 5. Transport the subject to headquarters for evidential testing and processing.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

- a. Make observations of subject on the way to headquarters and from patrol car into headquarters. Note these on appropriate department forms.
 - b. The subject is to be secured and processed as per the department policies.
6. Evidential chemical testing:
- a. Arrange for Breathalyzer operator and reading the Implied Consent form.
 - (1). Arresting officer must read the implied consent form.
 - b. Conduct evidential chemical test(s) in accordance with state requirements.
 - c. If subject's BAC does not substantiate impairment, check for drugs or medical condition that may cause impairment. Medical treatment should be obtained if appropriate. A Drug Recognition Expert (DRE) evaluation may be conducted by a certified DRE.
 - d. If subject refuses to submit to the evidential chemical test, complete appropriate forms to invoke the implied consent sanction.
 - (1) Issue summons for 39:4-50 and 39:4-50.2.
 - e. In any instance, wherein, a driver charged with DWI requests that they be given the opportunity to have a blood test independent of any test conducted by the Borough of Fort Lee Police Department, the arresting officer should follow the procedures under Section M.
7. Determine whether to incarcerate or release. The officer's decision to incarcerate or release is based on several factors:
- a. Specific statutory or bail requirements, if there are anyailable offenses.
 - b. Level of intoxication.
 - (1) If a DWI driver appears incapacitated or has a Breathalyzer result of .30% BAC or higher the following step should be taken:
 - (a) They should be immediately transported to an area hospital under the ATRA Laws for their safety.
 - (b) The DWI driver will be served the motor vehicle summonses at the hospital and released.
 - (c) The DWI driver may be processed at a later date if needed.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

- c. Release of an arrestee from custody will be permitted only after all the arrest procedures have been completed and one of the following occur:
 - (1) The arrestee's blood alcohol level has decreased to a level below the statutory limit and shows no visible signs of intoxication.
 - (2) The appearance of a responsible escort who is willing to and does assume responsibility for the arrestee's safety. This does not include a taxi or other form of public transportation hired on a single trip basis.
 - (3) The responsible adult's name, address and phone number should be included in the narrative report, arrest report and the cell log book.
 - (4) Any person summoned by or on behalf of a defendant charged with a driving while intoxicated (DWI) or refusal to submit to chemical breath testing (Refusal) violation must be provided with a written statement advising that summoned person of his or her "potential criminal and civil liability for permitting or facilitating the arrestee's operation of a motor vehicle while the arrestee remains intoxicated." *N.J.S.A. 39:4-50.22*.

NOTE: Department policy requires release to a responsible third party whenever possible and/or practical. The responsible party should not allow the suspect to drive. **See Appendix "B" regarding potential liability form to be filled out and given to person picking up arrestee.**

C. CONDITIONS FOR DRAWING BLOOD

1. An arresting officer may request blood to be drawn by an authorized person when probable cause exists of operating a motor vehicle while under the influence of:
 - a. Intoxicating liquor and the defendant is incapable of submitting to a breath test for alcohol determination.
 - b. A Controlled Dangerous Substance (CDS) or medication effecting their ability to operate a motor vehicle.
2. Blood will not be requested by the arresting officer for alcohol determination because a defendant refused a breath test or because a defendant prefers a blood test.
3. Blood will be drawn at the defendant's request only after he has been given a proper chemical breath test (see Section L).
 - a. Blood drawn at the defendant's request will be at his expense and the doctor should be so advised.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

4. Regardless of who requests the blood sample, the arresting officer will attempt to get a sample of blood as evidence to be analyzed at a State laboratory.
 - a. All blood samples that are requested by the arresting officer should be handled as per the Evidence Policy (Vol. 7 Ch. 11).
5. Procedure for drawing blood
 - a. Blood must be drawn by a qualified individual, need not be a doctor, only licensed by the State Board of Medical Examiners.
 - (1) The officer requesting the drawing of blood must indicate the exact time of the drawing in their police report.
 - b. A non-alcoholic antiseptic will be used on the skin prior to the drawing of blood.
 - c. Grey top vials of blood should be drawn and submitted for alcohol analysis and/or drug analysis.
 - (1) Two 10 ml. (10 cc) of blood, or four 5 ml vials.
 - d. The vials should contain an anticoagulant and preservative.
 - e. As per 2A:62A-11, the officer requesting the blood sample from the medical staff should receive a certificate stating that the specimen was obtained under medically acceptable manner. The certificate shall be signed under oath before a notary public for use in the prosecution of the driver.
 - f. A blood sample may be involuntarily taken from a subject arrested for DWI when probable cause exists. A subject that resists may be restrained in a medically acceptable manner.

D. BREATHALYZER OPERATOR

1. An arresting officer (if he is a certified operator) may take a breath sample from a suspect that they have arrested. If possible, another officer should witness the percent blood alcohol reading. This will corroborate the testing officer's testimony in court, if needed.
2. Must be certified by the New Jersey State Police (attorney general)
 - a. Must attend a one-day refresher class as required in N.J.A.C. 13:51-1.6 (d)
3. Conduct breath tests in accordance with approved methods as outlined in the State Police training.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

4. Submit proper reports as required.
 - a. For every breath test conducted the operator will complete the Borough of Fort Lee Police Alcohol Influence Report.
5. Testify in court where appearance is required in contested cases.

E. BREATHALYZER TEST

1. The Operator should ensure that the Implied Consent Law (DWI 10 Paragraph Statement Form) was read to the driver by the arresting officer.
2. Anyone arrested for operating under the influence shall be requested to voluntarily submit to a breath test. An officer shall read the "Refusal" Statement. If answer is "Yes", a Breathalyzer Operator shall conduct the chemical breath test. If the answer is anything other than yes, the second section of the Implied Consent Law is to be read. Record everything completely and issue summons for 39:4.50.
 - a. The accused shall be requested to submit to a chemical breath test consisting of a minimum of two breath samples. If after the two-part test, the accused refuses, the subject is to be issued a summons for Refusal to Submit to a Breath Test. Any answer or action other than providing the required proper breath samples constitutes a refusal.
 - b. If the accused refuses to take the breath test, the Alcohol Influence Report Form should be filled out. All applicable boxes should be filled in to exhibit that the Breathalyzer was operating in good order. All questions that are on the Alcohol Influence Report should be asked after the accused has been given their Miranda Warnings.
2. The prisoner must be under constant observation for 20 minutes, by police personnel, prior to the Breathalyzer tests being conducted.
3. The prisoner may have nothing to eat or drink during this period, including medication, candy, gum etc.
4. A certified Breathalyzer Operator will conduct at least 2 complete tests with in .01% BAC of each other, within 15 minutes of each other (as per training NJ Administrative Code). Any response other than a yes and 2 proper breath samples constitutes a Refusal to submit to Breathalyzer testing (39:4-50.2).
5. If required Breathalyzer Tests may be conducted at another departments facility. A note of this should be included in the reports so the proper records may be obtained at a later date. A certified operator from another law enforcement agency may conduct test using our equipment.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

7. Charging of DWI drivers
 - a. A motor vehicle summons will be issued for the initial observed violation that established probable cause for the motor vehicle to be stopped.
 - b. If the BAC is very low for the impairment observed and there are indications of possible drugs then the actor should be checked for being under the influence of a Controlled Dangerous Substance (CDS).
 - (1) The officer should request the driver to give a urine specimen in the sterile packaged urine cup, located in the Supply Cabinet.
 - (a) The urine specimen will not be used in lieu of a Breathalyzer or blood analysis.
 - (b) The officer should take universal precautions by wearing rubber gloves at all times when handling the specimen cup.
 - (c) The specimen should be secured and marked as evidence as per the Evidence Policy.
 - (d) The officer will complete a narcotics Evidence invoice as required.
 - (e) The specimen will be taken in the cell area **only** in the presence of the officer, or if in the case of a female prisoner, in the presence of the matron or female officer.
 - (f) The officer should obtain as much of a urine specimen as possible from the driver.
 - (g) The driver will be charged with DWI prior to the results returning on the analysis, based upon the observations and evaluation of the driver.
 - (h) If a driver of a vehicle is found to be Under the Influence of CDS then the driver should be processed as a criminal arrest and charged with 2C:35-10b, Under the Influence of CDS, on a CDR Complaint in addition to 39:4-50 CDS DWI, on a MV Summons.
 - (i) The CDS DWI driver does not have to be read the Implied Consent Law DWI 10 Paragraph form as mentioned in Section II Paragraph G.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

(State V. Woomer, State V. Mercer).

- c. 21 years or older regular driver's license.
 - (1) If the driver has a BAC of .08% or higher they will be charged with DWI, 39:4-50.
 - (2) If the driver has a BAC below .08% and the officer has observations which establish the elements of the DWI offense, operation, alcohol and impairment then the driver would be charged with DWI, 39:4-50.
 - (3) If the driver refused to provide 2 breath samples as required by law they will be also charged with Refusal, 39:4-50.2.
 - (4) If the driver was found to have an open container of alcohol in the vehicle they may be charged with Open Alcohol, 39:4-51a, on a MV Summons.

- d. Under the legal age of 21
 - (1) If the driver has a BAC of .08% or higher they will be charged with DWI, 39:4-50
 - (2) If the driver has a BAC between .01% and .07% they will be charged with DWI 39:4-50 and DWI Under the Legal Age 39:4-50.14.
 - (3) If the driver refused to provide 2 breath samples as required by law they will be also charged with Refusal, 39:4-50.2.
 - (4) If the driver was found to have an open container of alcohol in the vehicle they may be charged with Open Alcohol, 39:4-51a, on a MV Summons and Underage Possession of Alcohol, 2C:33-15, on a CDR Complaint

Note: a DWI arrest is needed to put someone on the breathalyzer

F. Moped DWI

- 1. Any person under the influence operating a motorized bicycle will be charged with 39:4-14.3g, operating a motorized bicycle under the influence.

G. Alcohol Level

- 1. A complaint for 39:4-50 or 39:4-14.3g, Operating While Under the Influence of Intoxicating Liquor, shall be initiated when:

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

- a. Evidence is based on Officer's Observation and there has been a Refusal to Submit to a Breath Test or when no chemical test was administered because of injuries, etc. In which case blood may be taken.
 - b. Chemical test is administered and the result is .08% Blood Alcohol or more.
 - c. Chemical test is administered and the result is less than .08% Blood Alcohol, but there is independent evidence to establish probable cause of operating under the influence of alcohol or drugs.
2. Complaint may be initiated for "Allowing" to operate while under the influence of intoxicating liquor or narcotic, hallucinogenic, or habit-producing drug when the elements of the offense are established.

H. JUVENILE ARRESTS

1. Any juvenile, who has been arrested for a violation of the drinking-driving law, shall be charged and the complaint shall be issued a regular traffic summons and it should be forwarded to the municipal court.
2. DWI reports shall be completed and forwarded according to procedures set forth in this order.
3. A Juvenile DWI driver will be photographed and entered in the Juvenile RG Book.
4. The juvenile will be served with a MV Summons, processed and released as per the Juvenile Policy (Vol. 7 Ch. 2).
5. If a Juvenile is found to have an open container of alcohol in the vehicle they should be charged with Open Alcohol, 39:4-51a, on a MV Summons and Underage Possession of Alcohol, 2C:33-15, on a Juvenile Complaint.
6. Juvenile DWI Charging Guide:
 - a. Juvenile drivers with a BAC of .08% or higher will be charged in the same manner as adults with DWI, 39:4-50,
 - b. If a juvenile DWI driver refuses to provide 2 breath samples, as required by law then the juvenile DWI driver will be as required by law then the juvenile DWI driver will be charged with Refusal, 39:4-50.2.
 - c. If a Juvenile driver has a BAC between .01% and .07% then they will be charged with DWI, 39:4-50 DWI Under the Legal Age, 39:4-50.14.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

I. BREATHALYZER MAINTANANCE

1. The security and maintenance of the departments Breathalyzer, and related equipment and materials, will be the responsibility of the officer(s) designated by the chief in accordance with the Breathalyzer Policy (Vol. 9 Ch. 17).

J. GENERAL GUIDELINES

1. You can arrest on private property for 39:4-50 and 39:4-14.3g.
2. Refusal report **not** applicable on private property.
3. Miranda Warning is required for DWI arrests.
4. A summons for the initial violation should be issued in addition to the 39:4:50 summons.
5. A non-resident violator refusing a breath test will be processed and reports filed in the same manner in which resident violators are processed.

K. CHEMICAL BREATH TEST OF OPERATORS WITH COMMERCIAL DRIVERS LICENSES (C.D.L.) OPERATING COMMERCIAL VEHICLES

1. Presumption:

- a. .04% or higher is presumed under the influence of alcohol.

2. Refusals:

- a. An arresting officer shall reread the Miranda rights, read the C. D. L. Refusal statement, Standard Refusal statement and document all responses.
- b. Should the accused refuse to submit to the chemical breath tests after having been read the C. D. L. Standard Statement by the arresting officer, or fail to give satisfactory breath samples as determined by the Breathalyzer Operator, the arresting officer shall issue a summons for refusal pursuant to **N.J.S.A. 39:3-10.24**. Full documentation of the refusal shall be made on the D. W. I. Report.
- c. If the accused refuses to submit to the breath test, the officer will issue a summons for **39:4-50** in addition to the refusal under **39:3-10.24**.
- d. In the event the accused refuses to give samples of their breath, the Breathalyzer Operator or arresting officer shall not end the investigation at

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

that point, but shall continue gathering evidence on the suspect's impairment.

3. Breath Test

- a. If the accused performs the breath tests, and it is determined that the alcohol concentration is 0.04% or more, the arresting officer shall issue a summons for **N.J.S.A. 39:3-10.13**, a per se violation.
- b. If the accused performs the breath tests, and it is determined that the alcohol concentration is .08% or more, the officer shall issue a summons to the accused for **N.J.S.A. 39:3-10.13**, a per se violation and shall also issue a summons to that accused charging a violation of **N.J.S.A. 39:4-50**, operating a motor vehicle under the influence of alcohol. The **N.J.S.A. 39:4-50** summons will be supported by the observations of the arresting officer and the results of the chemical breath test.

4. General Guidelines

- a. In order to charge for a violation of 39:3-10.13, Driving While under the Influence of Alcohol and/or Drugs in a Commercial Vehicle, the arresting officer must have either a breath, blood or urine reading of .04% or higher.
- b. Under the law, a person with a C. D. L. operating a Commercial Vehicle as described in the statute can be charged twice for D. W. I. as long as the breath reading is over .08% substantiated by the officer's observations.

c. **Examples:**

(1) 21 years and older Commercial Drivers License.

- (a) If the driver has a commercial driver license (CDL), was operating a commercial vehicle and has a BAC above .04% but below .08% BAC then they should be charged with CDL DWI, 39:3-10.13 (affects CDL endorsement only).
- (b) If the driver has a CDL, was operating a commercial vehicle and has a BAC of .08% or higher they should be charged with DWI, 39:4-50 and CDL DWI 39:3-10.13.
- (c) If the driver has a CDL, was operating a commercial vehicle and presented signs of alcohol intoxication then refused to provide the required breath samples as required by law then they should be charged with DWI 39:4-50 and Refusal, 39:4-50.2.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

- (d) If the driver has a CDL, was operating a commercial vehicle and presented signs of alcohol impairment then refused to provide the required breath samples as required by law, then they should be charged with CDL Refusal, 39:3-10.24 (affect drivers license and CDL endorsement). A CDL DWI driver can not be charged with 39:3-10.24 if they were operating on private property, but may be charged with 39:4-50.
 - (e) An operator involved in an accident and is transported to the hospital, if the arresting officer determines alcohol is involved, blood samples shall be obtained. The arresting officer should issue a motor vehicle summons for DWI 39:4-50 and a second summons for CDL DWI 39:3-10.13.
 - (f) If the driver was found to have an open container of alcohol in the vehicle they may be charged with Open Alcohol, 39:4-51a, on a MV Summons
- (2) Under the Legal Age of 21 with a CDL License
- (a) If the driver has a commercial drivers license (CDL), was operating a commercial vehicle and BAC of .08% or higher they should be charged with DWI, 39:4-50.
 - (b) If the driver has a CDL license and was operating a commercial vehicle and has BAC between .04% and below .08% they should be charged with CDL DWI, 39:3-10.13, (affects only CDL endorsement).
 - (c) If the driver has a BAC between .01 and below .04% they should be charged with DWI, 39:4-50, and Under the Legal Age DWI 39:4-50.14.
 - (d) If the driver was found to have an open container of alcohol in the vehicle they should be charged with Open Alcohol, 39:4-51a, on a MV Summons and Underage Possession of Alcohol, 2C:33-15, on a CDR Complaint.

L. INDEPENDENT TEST REQUESTS

1. Upon completion of the arrest procedures (after submitting samples of Breath, Urine or Blood to Law Enforcement) and at the request of the arrestee, the arrestee shall be permitted reasonable access to a telephone for the purpose of arranging to have a person or physician of their own selection, at their expense, take independent samples and conduct independent chemical tests of the arrestee's breath, urine, or blood.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

2. The Borough of Fort Lee Police will not assume responsibility or undertake any transportation of the arrestee once release for the purpose of exercising their right to obtain independent testing. The officer should:
 - (a) Advise the individual that they are free to make whatever arrangement for independent testing that they wish. Arrangements for conducting the independent testing shall be the sole responsibility of the arrestee or their escort.

3. In the instance where an arrestee is unable be released and they request that they be given the opportunity to have a blood test independent of any test conducted by the Borough of Fort Lee Police Department, the arresting officer should do the following:
 - (a) The officer will indicate on his report that the individual so requested an independent test and also indicate what facility or whom they contacted to assist them in obtaining independent testing.
 - (b) If the arrestee will not soon be released, the arrestee must be given an opportunity to arrange for independent testing at their own expense.
 - (c) If arrangements are made the arrestee must be securely transported to the facility to obtain an independent testing.
 - (d) Since the arrestee has not yet been released, the Prisoner Policies (Vol. 7 Ch. 8 & 9) shall be followed.

M. At no time is a person that has been arrested for Operating Under the Influence to be allowed to have the keys to a vehicle. The keys are to be turned over to the person that has accepted responsibility for the driver.

N. STATIONARY SOBRIETY CHECKPOINTS

1. The Operations Division Commander Responsibilities
 - a. The Operations Division Commander should be designated the locations where sobriety checkpoints will be conducted.
 - b. The Operations Division Commander may have a Work Schedule and plan developed by a Patrol Division Supervisor, as the supervisor in charge of the operation.
 - c. The supervisor in charge will be responsible to prepare a news release two weeks prior to the operation and submit it to the Chief for approval. Once approved, one news release will be given to the local paper and the other

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

to the local radio station. These releases must be published or announced one week prior to the operation.

- d. The supervisor in charge, when organizing the operation, will have at least one Breathalyzer Operator assigned with additional manpower needed for the sobriety checkpoint.

2. Patrol Supervisor's Responsibilities

- a. The supervisor will be responsible for the proper utilization of the D. W. I. Road Check signs and highway flares at the checkpoint.

- b. The supervisor will be responsible to ensure that officers assigned to the operation complete the After Action Report. At the completion of the operation, the report shall be completed and submitted to the Operations Division Commander. A copy will also be forwarded to the Administrative Division Commander.

- (1) After action report may include, but is not limited to:

- a. Time, date, and location of checkpoint.
- b. Weather conditions.
- c. Number of vehicles passing through checkpoint.
- d. Average time delay to motorists.
- e. Predetermined order of selecting motorists.
- f. Number and types of arrests.
- g. Number of motorists detained for field sobriety testing.
- h. Identification of unusual incidents such as safety problems/other concerns.

- c. Supervisor is responsible to ensure that all the officers are properly entered in the blotter.

3. Sobriety Checkpoints

- a. The DWI operations should be scheduled for the hours of the detail.

- b. D. W. I. Road Check Assignments:

- (1) Minimum manpower shall consist of:

- (a) One (1) Supervisor in charge of the operation
- (b) Three (3) Uniformed Officers
- (c) One additional supervisor if the four or more uniformed officers are scheduled for the operation.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

- c. The predetermined sequence of vehicles that will be stopped will be determined based upon the traffic flow presented on the day selected.
Example: every third car, every fifth car, etc.
 - (1) Once a "stop sequence" has been determined for an evening, it shall be conducted until the conclusion of the operation.
 - (2) Locations should be selected based upon:
 - (a) Alcohol related accidents and arrests.
 - (b) Safety issues such as visibility, lighting and equipment.
- d. Proper lighting, signs, flares and other equipment should be utilized. Personnel shall wear their reflective Traffic vests.
- e. Officers making the stops should be courteous and it is imperative that they advise the motorist of the purpose of the stop.
- f. All attempts should be made not to delay traffic for any prolonged period of time. Ideal circumstances are to have no lines of stopped traffic other than a few cars to be checked.
- g. The plate numbers of all stopped and checked vehicles shall be recorded.
- h. Addition police vehicles may be positioned in the area to stop vehicles that either attempt to avoid or refuse to stop for the checkpoint.

O. ROVING D. W. I. PATROL

- 1. The Drunk Driving Enforcement detail will announced and scheduled by the Supervisor in charge of the detail.
- 2. Upon completion of the detail, each assigned officer, regardless of the results, will be responsible to complete and forward a report containing the following information to the Detail Supervisor:
 - a. Grant Number for the Detail in the Heading of Report
 - b. Total Number of Motor Vehicle Stops
 - c. DWI Arrests Including Summons and Case Numbers
 - d. Open Alcohol Summonses Including Summons Number
 - e. Speeding Summonses

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

- f. Seatbelt/Child Restraint Summonses
 - g. Criminal Arrests including Complaint and Case Numbers
 - h. Other Motor Vehicle Summons Violations
 - i. Total Number of Summonses Issued
 - j. Other incidents involved in during the shift.
- 3. This report should be submitted to the Detail Supervisor with the officer's original overtime sheet.
 - 4. Any reports not completed to the above format will be returned for completion prior to submitting of overtime sheet for payment.
 - 5. This report is in addition to any arrest reports completed.

P. INJURED DRIVERS UNDER THE INFLUENCE OF ALCOHOL

- 1. If the operator of a motor vehicle is injured requiring transportation to a hospital, and if the investigating officer has determined that the driver is under the influence of alcohol, the:
 - a. The VAC will decide which New Jersey area hospital to transport the arrestee to for treatment.
 - b. As per the Prisoner Transportation Policy, at least one officer is to escort the arrestee to and remain with the arrestee until such time that a blood sample is obtained as evidence.
 - c. The Supervisor may assign another officer to follow the ambulance to the hospital to obtain a blood sample and assist with prisoner security.
 - d. The officer will advise the emergency room doctor that they request that blood samples be taken from the driver.
 - (1) The officer will request a blood sample be drawn as per Section D.
 - (2) The officer will document the doctor, nurse or technician's name who draws the blood and obtain a notarized certification that the sample was obtained in a medically acceptable manner.
 - (3) The officer will return the blood samples to police headquarters where the blood samples will be logged as evidence and placed into the Evidence Refrigerator.

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

- (4) An Evidence Detective will forward the blood samples to the State Police Lab for analysis.
2. At no time will an officer request that the blood samples recovered be tested by hospital personnel for a B.A.C. level.
3. If the suspect may be admitted to the hospital or stay in the emergency room for a prolonged time the following procedures should be followed:
 - a. The officer at the hospital should advise the Tour Commander of the suspect's condition and approximate time of release or admission status.
 - b. Once the officer has finished collecting evidence (blood, identification, verbal statements, etc.) the Tour Commander may direct the officer to issue the summons to the suspect and request that the hospital notify the department upon the suspect's release.
 - c. The suspect may be processed (photographed, etc.) after their release from the hospital.
4. Investigating officer should determine whether additional charges under 2C:12-1C assault by auto may be appropriate.

Q. PERSONS INJURED BY OTHER DWI DRIVER

1. An investigation shall be conducted to determine whether additional charges under 2C:12-1C assault by auto may be appropriate.

III. REPORTS AND CASE JACKETS

- A. A narrative report will be written documenting all the observations made by the officer at the scene, enroute to HQ and while processing the DWI driver at HQ. This documentation is required to sustain a conviction even if the Breathalyzer results are suppressed and found inadmissible in court. As per the Video in Patrol Vehicles policy, the MVR tape is to be secured as evidence and noted in the reports and on an Evidence Report.
- B. Departmental forms must be completed as required, thoroughly documenting all evidence gathered during the investigation and indicating the results of chemical tests administered. In addition to all other reports as required for arrests, the DWI jacket will contain the following:
 1. Drinking - Driving Report
 2. Implied Consent Law- DWI 10 Paragraph Statement Form or DWI 10 Paragraph Statement Form for Commercial Vehicle

**TRAFFIC
DRIVING UNDER INFLUENCE "DWI"
VOL. IX, CH. 5**

3. Psychophysical Evaluations Report or Standardized Field Sobriety (Horizontal Gaze Nystagmus) Report
 4. Alcohol Influence Report
 5. Breathalyzer Operator's certification card (copy)
 6. NJ State Police Breath Test Inspection Certificate (before and after the date of arrest)
 7. Ampoule Assay Certificate
 8. Any other certifications or reports to be used in court (RADAR, DRE, etc.)
 9. Potential liability form
 10. Drinking and driving questionnaire
 11. Accident reports as related
- C. Related charges/offenses
1. Assault by auto 2C:12-1C
 2. Endangering children 2C:24-4
 3. Possession of alcohol be a minor 2C:33-15
 4. Possession of alcohol be a minor on school property 2C:33-16
 5. Narcotic offenses 2C:35 et al
 6. DWI Bicycle 39:4-14.1
 7. DWI Moped 39:4-14.3g
 8. DWI with minor in vehicle 39:4-50.15
 9. Alcohol consumption in motor vehicle 39:4-51.a
 10. Open/unsealed containers of alcohol 39:4-51b
 11. Driving suspended, or allowing to drive 39:3-40

**TRAFFIC
 ABANDONED MOTOR VEHICLE TITLES
 (PUBLIC SALE)
 VOL. IX, CH. 7
 DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES**

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-14-01	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 4					CHAPTER 7
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: ABANDONED MOTOR VEHICLES TITLES (PUBLIC SALE)						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The purpose of this policy is to establish legal guidelines for requesting a title from the Division of Motor Vehicles for an unclaimed motor vehicle and to hold a public auction for the sale of these vehicles.

POLICY

The procedures set forth in this policy will follow the guideline of Title 39, Chapter 10A-1 to 7. These procedures will be followed when dealing with abandoned motor vehicles that are to be held for public auction.

DEFINITIONS

Junk Title - Any vehicle which is incapable of being operated safely or of being put in safe operational condition, except at a cost in excess of the value thereof.

Regular Title - Any vehicle which can safely be operated on the road.

**TRAFFIC
ABANDONED MOTOR VEHICLE TITLES
(PUBLIC SALE)
VOL. IX, CH. 7**

PROCEDURE

I. Towing Agency

- A. Whenever a vehicle is towed by an authorized tow company upon request of the police and is left unclaimed for thirty (30) days, the tow company will notify the police department in writing (Appendix D) and request that either a Junk Title or a Regular Title be obtained from the Division of Motor Vehicles.
- B. An abandoned vehicle that is taken into possession and held as department property or to be auctioned by the police, must be immediately reported to the director of the Division of Motor Vehicles on a form prescribed and also entered into the National Auto Theft Bureau (NCIC).

II. Titles

A. Junk Titles (Form CO-ISM/SS-87)

- 1. Information needed from the tow company:
 - a. Make of the vehicle
 - b. Year
 - c. Body Type
 - d. Full Serial Number
 - e. Model
- 2. The name and address of the owner of the vehicle, if known by either the tow company or from police records, will be obtained by the Traffic Bureau.
- 3. The serial number of the vehicle will be run through N.C.I.C. to determine its status.
- 4. If the name and last known address of the owner is known, a certified letter will be sent to the owner indicating that the owner has thirty (30) days from the date of the letter to reclaim his vehicle, or a Title will be obtained from the Division of Motor Vehicles. (See Form Letter, App.A & App.B)
- 5. Certified Letter.
 - a. Undeliverable
 - (1) If the Certified Letter is delivered back to Traffic Bureau as "Undeliverable", the Tow Unit will fill out the Junk Title form, (See Appendix. C). This form will be sent to the Division of Motor Vehicles. For each Junk Title requested, a \$2.00 Postal Money Order will be enclosed.

**TRAFFIC
ABANDONED MOTOR VEHICLE TITLES
(PUBLIC SALE)
VOL. IX, CH. 7**

- (2) When the Junk Title is received from the Division of Motor Vehicles, Traffic Bureau Tow Unit will arrange for a Public Sale.
- (3) **Public Sale**
 - (a) The Traffic Bureau will provide to the Chief of Police the vehicle description, serial number and minimum bid which is to be sold at public auction. The Chief of Police will give this vehicle information to the Borough Clerk who will be responsible to have the ad placed into the local newspaper.
- (4) **Minimum bid requirement**
 - (a) When a vehicle is to be sold at public auction, the Traffic Bureau Tow Unit will obtain from the wrecker service an updated bill on the vehicle. This bill will include towing and storage charges up to the date of the sale.
- (5) The public sale must be printed in the paper at least five (5) days prior to the sale.

b. Deliverable

- (1) After the thirty (30) day period and the owner has not made arrangements to reclaim the vehicle from the tow company, Traffic Bureau Tow Unit will follow steps #5a.
- (2) When the title is received from the Division of Motor Vehicles, Traffic Bureau Tow Unit will send the owner of the vehicle a Certified Letter stating that his vehicle will be sold at public auction on a particular date. The owner has the legal right to reclaim the vehicle prior to the public sale, if the owner makes restitution to the wrecker service and pay any court costs or penalties assessed against him/her for a violation which gave rise to the police taking possession of said vehicle.

B. Regular Titles (CO-ISM/SS-89 Form)

1. The same procedure will be followed as for Junk Titles, except there is no fee requirements from the Division of Motor Vehicles when requesting a Regular Title.

**TRAFFIC
ABANDONED MOTOR VEHICLE TITLES
(PUBLIC SALE)
VOL. IX, CH. 7**

C. Public Sale

1. The public sale will be held in the Borough of Fort Lee, the location of the sale will be determined by the Chief of Police.
2. If no bids are over the minimum bid, the vehicle will be turned over to the tow company. If the tow company receives a Junk Title, the title is valid as is, there is no need for further action. If the wrecker service receives a Regular Title, the form (CO-89) must be filled out by the owner of the tow company using their business name and address. This form, along with the \$5.00 money order, is sent to the Division of Motor Vehicles, and in turn, the Division of Motor Vehicles will send the tow company a Regular Title for the vehicle. This function will be performed by the Traffic Bureau Tow Unit.
3. If any bid is over the minimum bid, a Certified Check will be made out to the tow company in the amount of the minimum bid. The Borough of Fort Lee would receive a Certified Check for the remainder of the balance.
 - a. The purchaser of the vehicle will fill out the title (CO-89) and the Borough Clerk will sign the title. The same procedure is followed as spelled out in Section C2.

D. Address:

Division of Motor Vehicles

State of New Jersey
Division of Motor Vehicles
CN 017
Trenton, New Jersey 08625

Licensing and Registration

Attention: Supervisor

**TRAFFIC
ACCIDENT INVESTIGATION
VOL. IX, CHAP. 21**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04/21/01	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 9					CHAPTER 21
ACCREDITATION STANDARD(S):	REFERENCE: V9C21					
SUBJECT: ACCIDENT INVESTIGATION						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE: Op. Man. RE1, COL7						

PURPOSE:

The purpose of this policy is to establish areas of responsibility for those officers answering calls to motor vehicle accident scenes.

POLICY:

The primary function at a scene is to give immediate first aid to the injured; protect life and property; secure the scene and preserve evidence; handle traffic and crowd control in safeguarding those agencies and persons authorized to assist at the scene. The secondary function is to gather all information to make a complete report.

No officer is to attempt or talk either party out of filing a report.

No accident report is to be changed by anyone except the original reporting officer. Should circumstances exist, an officer may prepare a supplemental report and forward it attached to the original. The original reporting officer should be advised of the supplemental report and the reason it was filed.

Motor vehicle accident reports are prescribed by the Director of the Division of Motor Vehicles pursuant to N.J.S.A. 39:4-131. All police departments are to investigate and submit detailed information with reference to a motor vehicle accident, including the cause, the existing conditions, the persons involved and such information as the director may require.

**TRAFFIC
ACCIDENT INVESTIGATION
VOL. IX, CHAP. 21**

Instructions in a manual have been prepared to provide guidance for filling out the prescribed State of New Jersey Police Accident Report Form. In designing the police accident report, every effort has been made to facilitate the completion of the form in the easiest and quickest manner possible. Every attempt should be made on the officer's part to obtain factual information on all items required on the report form.

Each additional report is a display of your ability as a professional traffic accident investigator. Compliance with instructions in the manual will help assure that reports are filled out completely and in a uniform manner.

Incidents involving any police agency vehicle or suspect involved in a pursuit which resulted in an injury to any involved party are to be handled as per the Accidents Involving Police Vehicle Policy (Vol. 9 Ch. 20).

DEFINITIONS:

- I. Accident shall mean a motor vehicle collision which is a sequence of events which usually produces unintended injury, death or property damage.
- II. At-Scene measurements are taken of roadway evidence during the initial investigation.
- III. At-Site measurements are taken of the roadway and adjacent area if relevant. They may be taken during the initial investigation or at a later time.
- IV. The Borough of Fort Lee Accident Investigation Unit (AIU) is a specialized unit utilizing personnel from divisions that demonstrate special knowledge and skills in conducting a professional investigation. This unit will be responsible for investigating all serious or fatal motor vehicle accidents.

PROCEDURE:

I. COMMUNICATIONS CENTER RESPONSIBILITIES

- A. The dispatcher receiving a report of a motor vehicle accident should:
 1. Determine the location, injuries, seriousness of accident, type of accident, caller's name and phone number.
 2. If an accident is reported to the department that has occurred outside the jurisdiction, then appropriate agency will be notified. If persons are injured and a marked unit is immediately available, a marked unit may be dispatched to render assistance until the appropriate agency responds.
- B. Immediately advise patrol unit(s) via radio, and/or telephone, of the location of accident and all known details. If appropriate, 3 alert tones may be used to alert all units.

**TRAFFIC
ACCIDENT INVESTIGATION
VOL. IX, CHAP. 21**

- C. If injuries are unknown, so advise. If injuries are known, advise the responding units the status of the ambulance and paramedics.
- D. Advise the dispatched unit if the accident is not of a serious nature ("fender- bender" type).
- E. If the dispatcher receives information that one or both vehicles has left the scene of the accident, the dispatcher will attempt to get a description and direction of travel and give this information to the patrol.

II. PATROL RESPONSIBILITIES

- A. Upon receiving notification of any motor vehicle accident call, the assigned patrol unit(s) should:
 - 1. If not given, request the exact location of the accident and if there are any known injuries.
 - 2. The responding unit(s) should check for any damaged vehicles leaving the area that may have been involved. If such a vehicle is observed leaving the scene, the officer can quickly stop the fleeing vehicle or notify other responding units of the description, plate number and direction of travel.
 - 3. If an officer comes upon an accident scene they should advise Com-Cen of the location and injuries if known.
- B. Upon arrival, the officer should:
 - 1. Scan the scene for hazards.
 - a. If a possible hazardous material incident is present the officer should:
 - (1) Resist rushing into the scene! Approach the incident from upwind while staying clear of all spills, vapors, fumes and smoke.
 - (2) Follow Haz-Mat Accident Scene Policy (Vol. 5 Ch. 10-1)
 - 2. Park their vehicle patrol, with the emergency lights activated, so it will serve to protect the accident scene. The vehicle's position should not to hinder the accident scene investigation or destroy roadway evidence.
 - 3. Verify the jurisdiction. If the accident occurred outside the jurisdiction, then appropriate agency will be notified. If persons are injured and a marked unit should render assistance until the appropriate agency responds.
 - 4. Observe short-lived evidence that may assist with the accident investigation.

**TRAFFIC
ACCIDENT INVESTIGATION
VOL. IX, CHAP. 21**

Note: The MVR system may be used to document the accident scene which may assist with the accident investigation.

- C. The officer should advise Com-Cen of:
 - 1. Any injuries and request additional equipment (Fire, EMS, Tow Trucks) as needed.
 - 2. The best approach and desired locations for additional responding units.
 - 3. The registration number(s) of the involved vehicle(s).
- D. When ever possible the officer should immediately administer first aid to the injured and request additional personnel to control traffic flow.
- E. If the injured person request that a family member be notified or the injured person accepts the officer's offer to attempt to notify a family member, then the officer should obtain the family member's name and phone number. All available information should be given to Com-Cen, who shall make the notification. If notification can not be made the injured party should be advised.
- F. The officer(s) should turn all first aid procedures over to the VAC upon their arrival and assist in whatever way possible.
 - a. Officers should not transport injured persons to the hospital in a police vehicle.
- G. Officers should seek out witnesses of the accident and keep all unauthorized bystanders clear of the accident.
 - a. The officer at the scene will take special care to quell any disturbances by the driver(s) involved. If an argument starts between the drivers, they should separated.
- H. If required, a tow truck will be called out to remove the vehicles involved in the accident. (See Vol. 5 Ch. 8)
- I. Once the injured are provided medical attention, the assigned officer should begin the investigation.
 - 1. Officers responding to the scene of any reported accident will take a report unless:
 - a. The damage is so minor that the damage will not exceed \$500.00, and
 - b. All involved parties agree not to file a report.

**TRAFFIC
ACCIDENT INVESTIGATION
VOL. IX, CHAP. 21**

2. Check for eyewitnesses of the accident. Record full information from the witnesses (i.e. name, address, age, and phone number) and exactly what they observed and their vantagepoint.
 3. Sworn affidavits may be obtained from witnesses.
 4. If appropriate, a qualified officer may take detailed at-scene measurements of the roadway evidence using either the coordinate or triangulation method for measuring points. If possible, measurements should be obtained for skid marks, point of impact and other roadway evidence. A qualified officer may take detailed at-site measurements of the roadway using either the coordinate or triangulation method for measuring points.
 5. The officer shall make diagram of accident scene. The qualified officer may prepare a scaled diagram utilizing the at-scene and at-site measurements.
 6. Conditions of the vehicles or the roadway should be noted if they may have been contributing factors to the accident.
 7. Prepare a NJTR-1 state accident report form, computerized or if not available then a hard copy report.
 8. Assist the tow company with the removal of the vehicles. See to it that the tow operator clears the entire roadway of debris upon the removal of the vehicles. If the tow operator fails to or refuses to properly clear the road, the incident should be documented in a report, submitted and forwarded to the Tow Unit in the Traffic Bureau so that it can be placed in the tow company file.
 9. The officer should secure all valuables left at the accident scene according to Property and Inventory Policy (Vol. 7 Ch. 10). Said valuables can later be returned to the respective owner.
 10. The officer should secure the scene so that traffic can flow in a normal and safe manner, this may include lane closures or detouring traffic. If there are any particular hazards still remaining, the officer should not leave the scene until the proper authorities are notified and the hazard has been cleared. An officer may be relieved from the scene by another officer.
 11. The officer investigating the accident should give each driver a Report Case # Slip so the driver will have the information necessary to obtain a copy of the report from the Records Bureau.
- J. The Traffic Bureau Commander should be contacted for the following:
1. Any accident involving serious injury that could possibly result in a fatality or serious bodily injury as defined in 2C:11-1b.

**TRAFFIC
ACCIDENT INVESTIGATION
VOL. IX, CHAP. 21**

2. Fatalities
 3. Serious traffic hazards, or other conditions, needing immediate attention or authorization by administration.
 4. Anytime an officer needs specialized assistance that is beyond the on duty supervisors ability or responsibility.
- K. The Chief of Police will be contacted for the following:
- a. Fatalities
 - b. Anytime a Division Commander or a supervisor needs the Chief's assistance.
- L. The Prosecutors Office Fatal Accident Investigation Unit will be contacted for all fatalities.
- M. If an accident involved serious injury, the officer investigating the accident may request that photographs be taken at the scene. An on-duty detective should be dispatched to the scene. If not available, then the Road Supervisor or a Accident Investigation Unit member may photograph the scene. The seriousness of the injuries will be determined by the investigating officer, or officer-in-charge. Injuries requiring photographs would not include a small cut on the hand, small cut on the face.
- Note:** It should be clear that an officer should be very cautious of signs of internal injuries and without question, when this is indicated, photographs must be taken.
- N. The next of kin notification, for anyone killed in a motor vehicle accident, shall be conducted according to the Death Notification Policy (Vol. 4 Ch. 14). The investigating officers should be consulted prior to notification being made.

III. MOTOR VEHICLE ACCIDENT REPORTS

- A. All personnel of the police department will use either the computerized accident program or the following forms:
1. On scene investigation: State of New Jersey Police Accident Report
 - a. Reportable (NJTR-1)
 - b. Non-Reportable (NJSR-1)
 - c. Supplementary page, motor vehicle accident description (NJTR-1A)
 - d. Supplementary page, motor vehicle diagram (NJTR-1B)

**TRAFFIC
ACCIDENT INVESTIGATION
VOL. IX, CHAP. 21**

Note: The computerized program contains the NJTR-1 and NJTR-1A forms in addition to bus seating forms.

2. Department Non-Investigated, Non-Reportable Report (Walk-In Report)
 - a. This form (SR-1) is to be completed when the police were not called to investigate a traffic accident that is not required by state law to report or if the vehicles have left the accident scene and later request a report (See Section V below) .
- B. All motor vehicle accidents investigated shall have a case number assigned by Com-Cen.
- C. All of the required reports should be neat, concise, accurate and submitted in a timely manner.
- D. It is the responsibility of each officer going on patrol to check and maintain a supply of necessary accident forms if a laptop computer is not available.
- E. All motor vehicle accident reports should contain a diagram depicting the scene. If the vehicles have been moved the officer should still complete the diagram and note that the vehicles were moved prior to arrival. This section shall not apply to AIU reports where a scaled diagram was completed.
- F. Motor vehicle accident reports should be completed with all the obtainable information at the scene. If there were injuries resulting from the accident or a moving violation summons was issued, it is to be listed on the motor vehicle accident report.
- G. Completed reports are to be either filed utilizing the computer system or placed in the Completed Motor Vehicle Accident Report slot. If a report is incomplete, a photocopy shall be made. The copy shall be marked "Incomplete" and submitted to the Tour Commander. The copy shall be forwarded to the Records Bureau for filing. The original shall be placed in the "Incomplete Report" rack behind the Tour Commander's Desk. If a Traffic Officer or a AIU member has an incomplete report the above steps will be followed except that the original will be kept in the Traffic Bureau.
- H. After completing the motor vehicle accident report, the officer should submit the motor vehicle moving violation summons to the Tour Commander. The summonses will then be forwarded to the Borough of Fort Lee Municipal Court.
- I. Corrections
 1. Any required corrections are to be made by the officer that completed the report.
 2. A supervisor should directly advise an officer of the required correction.
 3. Forward the corrected report / case jacket to the Records Bureau for filing.

**TRAFFIC
ACCIDENT INVESTIGATION
VOL. IX, CHAP. 21**

IV. TOUR COMMANDER RESPONSIBILITY

- A. The Tour Commander should check every motor vehicle accident report for completeness and any type of unusual circumstances that may need further investigation before the end of their tour of duty.
- B. The Tour Commander should initial the reviewed section on the bottom of the report, block #109, before being forwarded to the Records Bureau.
- C. The Tour Commander should see that all department procedures have been followed and assure that the report is accurate and complete.
- D. If there are any questions when completing the accident report, please refer to the state's Motor Vehicle Accident Report GuideBook.

V. NON-INVESTIGATED ACCIDENT REPORT (SR-1), NON-INJURY

- A. Tour Commander Responsibility
 - 1. When a person comes into headquarters or calls on the phone, they should be advised that if they wish to report a non-injury accident, they may do so by responding to HQ to pick up the non-injury accident report.
 - 2. The Tour Commander should determine that the accident occurred in Fort Lee. Once the jurisdiction is verified then a case number will be obtained from Com-Cen. The case number should be written in the blank space along the top edge of the form.
 - 3. The person should be directed to follow the instructions on the form.
 - 4. Upon completing the report, the person making the report will submit the report to the Tour Commander who will review for completeness.
 - 5. A photocopy of the form is to be made and then forwarded to the Records Bureau.
 - 6. The original will be returned to the person completing the form and advised to follow the mailing instructions on the form.
 - 7. Because the SR-1 Form is generic throughout the state, the Tour Commander may give a SR-1 form to a person requesting one when the accident occurred in another jurisdiction within the state. The Tour Commander does not have to obtain a case number, review or obtain a copy of the form. The person should be instructed to return the form to the police department where the accident occurred.

**TRAFFIC
ACCIDENT INVESTIGATION
VOL. IX, CHAP. 21**

VI. RECORDS BUREAU RESPONSIBILITY

- A. All accident reports are to be entered on-line into the computer system and / or filed in the Records Bureau.
- B. Reportable Accidents
 - 1. The original is retained in the Records Bureau
 - 2. The two state copies of a reportable motor vehicle accident report are sent to the New Jersey Division of Motor Vehicles, using the pre-addressed envelope provided for that purpose.
 - 3. If the accident occurred on a county roadway then the county copy is sent to them. If not then the county copy is destroyed.
- C. Non reportable Accidents
 - 1. The original is retained in the Records Bureau all other copies are destroyed.

VI. COMPUTER DIVISION RESPONSIBILITY

- A. In addition, the Computer Division Supervisor will assure that all indexing and recording is completed through the department computer system.

Borough of Fort Lee Police Department

VEHICLE INSPECTION REPORT

To:

Inspection Date:

You are hereby authorized to make a physical inspection and examination on the following listed motor vehicle:

Make:		Model:		Year:	
Registration:		State:		Serial No.	
Motor No.			Date of Last Inspection:		
Body Type:			Color:		
Veh. Length:		Width:		Height:	
Vehicle involved in accident at:				Date:	
Vehicle impounded on:				By Officer:	
Vehicle moved to:				Wrecker:	
REPORT					
Examination and Inspection by:					
Started on:		Completed on:			
List all physical damage to vehicle:					
BRAKE LININGS:					
Left Front:		Right Front:			
Left rear:		Right Rear:			
Break lining information:					
Break Master Cylinder:					
Steering:					
Miscellaneous Information Not Covered:					
Lights:					
In my opinion this vehicle was serviceable/not serviceable at the time of the accident; based on the following reasons:					
Speedometer reading "Mileage":					
Speedometer Information:					
Vehicle Last Serviced:					

Where:		Mileage:		
TIRES:	Condition	Size	Tread Depth	Make
Left Front:				
Right Front:				
Left Rear:				
Right Rear:				
Miscellaneous Tire Information:				
WHEELS:				
Left Front:				
Right Front:				
Left Rear:				
Right Rear:				
Miscellaneous Wheel Information:				
BRAKES:				
Left Front:				
Right Front:				
Left Rear:				
Right Rear:				
Miscellaneous Brake Information:				

I submit this report of inspection and examination to the Borough of Fort Lee Police Department of my own free will and accord without fear, threat or promise of reward, knowing full well in the event of a criminal or civil hearing, it will be used and that I will appear in court to testify from it.

I fully realize the importance of this report to all concerned, to the state, as well as those involved; and I certify that all facts are true and correct to the best of my ability and knowledge.

Signed: _____ Date: _____

Name: _____

Address: _____

Telephone: _____

Home Phone: _____

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22
APPENDIX #C**

DEATH BY AUTO INVESTIGATION STATEMENT GUIDE

To insure that a death by auto investigation is professional and complete, it is necessary that sworn written statements be taken by a police officer.

Statements should be taken from witnesses, passengers in the vehicle(s) driver(s) and witnesses not directly involved in the accident.

The statements should be of a factual context as to what happened and they should not be opinionated by the officer taking the statement.

Do not use preprinted fill-in-the blank statement forms.

Be sure to obtain the full names, dates of birth, social security numbers, as well as, residence addresses, mailing addresses, and home and work telephone numbers at the time the statements are taken.

Some typical questions that may be used in a statement are:

- 1) State your full name and date of birth
- 2) State your residing address and mailing address, if different
- 3) Who is your employer and at what address do you work?
- 4) What is your home telephone number?
- 5) What is your employment telephone number?
- 6) What is your social security number?
- 7) Are you a licensed driver, and if yes. for how long and in what state?
- 8) What did you see or hear?
- 9) Where were you when the accident occurred?
- 10) What were you doing when the accident occurred?
- 11) Where were you going at the time?
- 12) Where were you looking when the accident occurred?
- 13) What is the condition of your vision and hearing?
- 14) Can you provide the names of anyone else who may have any information regarding how this accident happened?

Typical questions which may be used when interviewing occupants of vehicles involved.

- 1) State your full name and date of birth
- 2) State your residing address and mailing address, If different
- 3) Who is your employer and at what address do you work?
- 4) What is your home telephone number?
- 5) What is your employment telephone number?
- 6) What is your social security number?
- 7) Are you a licensed driver, and if yes, for how long and in what state
- 8) Where were you sitting?

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22
APPENDIX #C**

- 9) What were you doing at the time of the accident?
- 10) Where was the car when you were first aware that you were in trouble?
- 11) What did the driver do before the accident?
- 12) Did the driver complain of a vehicle defect or component failure?
- 13) Was the driver warned or criticized about any aspect of the vehicle's condition?
- 14) Did the driver appear to have difficulty controlling the vehicle?
- 15) Did you hear or see anything that may have indicated a vehicle malfunction?
- 16) Were there other occupants in the car, and if no, what are their names and addresses?
- 17) Was there any conversation in the car between the driver and yourself or any of the other occupants of the car prior to the accident, and if so, what was said?
- 18) What is your opinion as to the speed of the vehicle?
- 19) What is your opinion as to the defendant's ability to drive the vehicle with regard to intoxication?
- 20) How long were you in the accompaniment of the driver of the vehicle prior to the accident?
- 21) Did you observe the driver of the vehicle drink any intoxicating beverages, and if so, in what quantity and where?
- 22) Did you observe the driver of the vehicle take any pills or ingest any possible narcotics prior to the accident, and if so, where did this happen?
- 23) In what manner was the driver operating the vehicle?
- 24) How long have you know the driver of the vehicle, and what is your relationship. if any, to the driver?

DRIVER'S STATEMENT

(NOTE: This statement should be preceded by an advisement of Miranda Warnings to the driver(s) and waiver thereof)

- 1) State your full name and date of birth
- 2) State your residing address and sailing address, If different
- 3) Who is your employer and at what address do you work?
- 4) What is your home telephone number?
- 5) What is your employment telephone number?
- 6) What is your social Security number?
- 7) Art, you a licensed driver, and if yes, for how long and in What State
- 8) On were you involved in an accident on street in , New Jersey?
- 9) How much sleep did you get the day or night before the accident?
- 10) What time did you get up on the date of the accident?
- 11) Describe exactly what you did from the time you got up until the time of the accident.

Certain questions will be developed from this answer. Try to determine if the driver got enough rest. if the driver's mood was good, If the driver was depressed due to an argument at home or work or at school and maybe the driver has a wife or boy/girlfriend problems, and how hard did he work during the day, where he had lunch, dinner, the time he ate, what he ate, and how much he had to drink while he ate and what, In fact. he did drink. Find nut if he is on any type of medication and how it would affect his driving mood. Find out his hours of employment and the time of employment and those he associates with during the course of his employment for possible social contacts after employment hours.

- 12) Prior to the accident, describe where you started from, what time you left, the routes you took, and

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22
APPENDIX #C**

your final destination

- 13) Did anything unusual happen from the time you left until the time you had the accident?
- 14) Describe your vehicle make, model, color, vehicle registration plate number and license
- 15) When was the vehicle last inspected? Did it pass? If not, why not?
- 16) What was your direction of travel on street prior to the accident?
- 17) Name the persons that were in your vehicle at the time and where they were seated.
- 18) Describe in your own words what happened. Start with the direction you were going and when you first noticed the danger. (Develop as much as you can here, getting the driver to say if he had on his lights, were there any streetlights, were they on. was the road clear and dry, wet, snow, etc. Was there a curve, a hill, anything to affect his vision of the other vehicle, such as, high shrubbery, parked cars, dirty windshield, a defective windshield. Ice or fog on the windshield, etc. How many lanes were in the roadway, his position in the roadway, any traffic controls. such as, signals, stop signs. Find out if he known what the posted speed limit is in that particular area, etc.)
- 19) Where were you when you first saw the other car, object, etc.?
- 20) What were you doing at the moment you first saw the other car, object. etc.?
- 21) Where were you when you first realized you were in trouble?
- 22) Exactly what did you do to avoid the accident?
- 23) What happened next?
- 24) Exactly where did the collision occur?
- 25) Where did you stop after the collision?.
- 26) What is the last thing you remember before the accident?
- 27) What was the first thing you remember after the accident?
- 28) Who did you first see after the accident and what did you say to this person?
- 29) What was your vehicle speed prior to the accident? (Determine how he determined this speed. did he see the speedometer, rely on his judgment, experience, etc.)
- 30) At the time you first noticed the danger to the time the crash occurred, how much time elapsed, approximately?
- 31) While you were travelling on (north, south, east or west and name of street), how far from the other vehicle or object were you when you first thought there would be accident?
- 32) Describe the other vehicle or vehicles or object or objects involved in the accident.
- 33) What was the speed of the other vehicles?
- 34) Were there any other vehicles ahead of you, approaching you, or behind you other than the vehicle(s) involved?
- 35) Can you identify any of these vehicle(s) or person(s) in them?
- 36) How long have you owned this vehicle?
- 37) Describe the 'vehicle you owned or operated prior to this one
- 38) Did you consume any alcoholic beverages during the immediate eight hours before the crash?
- 39) Describe. (Find out the time the driver started drinking, what the driver drank, how many drinks he had, who was with him, where he did his drinking, and what time he stopped drinking.)
- 40) How such to you weigh

At this point, you should obtain from the driver as much information about the other vehicle as possible; such an, the make, color, direction of travel, who was in it, were the lights on, was it on the wrong side

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22
APPENDIX #C**

of the road. The more you can get him to talk about the other car, the more you may find out about how the accident happened and you may even uncover some faulty driving on his part.

41) Do you think this accident could have been avoided? By who?, why?

42) Do you read, write, and understand the English language?

43) Is there anything else you would like to tell me about this accident

44) Is all you told me the truth and correct to the best of your knowledge and belief, and after reading the statement and making any corrections that you wish to make, will you sign it and swear to the truthfulness of it?

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 4/22/2001	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 11					CHAPTER 22
ACCREDITATION STANDARD(S): PROSECUTOR REVIEW POLICY	REFERENCE: V9C22					
SUBJECT: FATAL /SERIOUS ACCIDENT INVESTIGATION						DISTRIBUTION ALL
ISSUING AUTHORITY: <hr/> CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The purpose of this policy is to establish areas of responsibility for those officers answering calls to fatal or serious motor vehicle accident scenes.

To provide effective methods and procedures for the investigation of fatal or serious accidents and deploying of specially trained officers in the Accident Investigation Unit (AIU).

POLICY:

The Borough of Fort Lee Accident Investigation Unit (AIU) is a specialized unit utilizing personnel from divisions that demonstrate special knowledge and skills in conducting a professional investigation. This unit will be responsible for and control the investigation of all serious or fatal motor vehicle accidents.

DEFINITIONS:

- I. An accident shall be defined as a motor vehicle collision which is a sequence of events that usually produces unintended injury, death or property damage.
- II. Serious motor vehicle accident shall be defined as:

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22**

- A. The possibility of a fatality or serious bodily injury of any involved driver, passenger, bicyclist or pedestrian. Serious bodily injury as defined in 2C11-1b, as unconscious, major bleeding or other injury causing incapacitation of the involved party.
 - B. DWI or narcotics involvement where at least one of the drivers may be arrested **AND** a serious bodily injury is produced.
 - C. Incidents involving any police agency vehicle or suspect's vehicle involved in a pursuit which resulted in an injury to any involved party (See Accidents Involving Police Vehicle Policy (Vol. 9 Ch. 20).
 - D. Incident is suspect to the result of reckless, purposeful action on the part of at least one involved driver (i.e. vehicular assault, drag racing, etc.).
- III. At-Scene measurements are measurements taken of roadway evidence during the initial investigation.
- IV. At-Site measurements are measurements taken of the roadway and adjacent area if relevant. They may be taken during the initial investigation or at a later time.
- V. The Borough of Fort Lee Accident Investigation Unit (AIU) is a specialized unit utilizing personnel from divisions that demonstrate special knowledge and skills in conducting a professional investigation. This unit will be responsible for and control the investigation of all serious or fatal motor vehicle accidents. For the remainder of this policy the Borough of Fort Lee Accident Investigation Unit and its members will be referred to as AIU.

PROCEDURE:

I. ACCIDENT INVESTIGATION: INITIAL RESPONSE

- A. Respond to the accident scene as specified in the Accident Investigation Policy (Vol. 9 Ch. 21).
- B. Supervisors and responding officers should assess the incident as soon as practical after their arrival on the scene for the following criteria to determine the need for notification and response by other Agencies, Bureaus or Units.
 - 1. If narcotics are involved , the Narcotics Bureau is to be contacted.
 - 2. If a juvenile driver is involved, the Juvenile Bureau is to be contacted.
 - 3. If the incident meets the above definition of a “Serious Accident” and the AIU has not yet been called out, then the Traffic Bureau Supervisor must be notified and the below AIU notification made according to Section IV of this policy.

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22**

- C. Should an officer come upon a serious accident, they should immediately:
 - 1. Advise Com-Cen of the accident as specified in the Accident Investigation Policy (Vol. 9 Ch. 20)
 - 2. Request the Road Supervisor and additional equipment as needed.
 - 3. The scene should be secured as a crime scene, 200 feet in both directions, until the AIU arrives and assumes control.

- D. Involved vehicle(s) should not be moved from its position of final rest until photographs and measurements have been taken. If a vehicle(s) is to be moved to treat an injured party then:
 - 1. The location of the vehicle(s) tires are to be visibly marked.
 - 2. Likewise, parts of the vehicle(s) should not be moved until they are either photographed and measured or their location is visibly marked.

- E. Moving injured persons:
 - 1. If possible, an injured party should not be moved from their position of rest until their location has been visibly marked. Photographs may be taken while they are being treated. In no circumstances is patient care to be delayed or compromised to comply with this section.
 - 2. The body of the deceased should not be removed from the scene until approved by the AIU and ordered by the Incident Commander.
 - 3. Likewise, clothing and other roadway evidence should not be moved until they are either photographed and measured or their location is visibly marked.

- F. The MVR system in the responding units may document the accident scene which may assist with the accident investigation. If the MVR system documented the scene in any manner, then the AIU should be advised of the recording. This information should be forwarded to the Bergen County Prosecutor's Office FAIU if handling the investigation.

II. SUPERVISOR / INCIDENT COMMANDER RESPONSIBILITIES

- A. When the supervisor in charge arrives at the scene, their function is to assume the role of the Incident Commander and oversee the scene and to coordinate responding units.

- B. The Incident Commander is responsible for:
 - 1. Advising responding officers of assignments, traffic, etc.

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22**

2. Directing officers to secure the area as a crime scene, lane closures 200 feet in each direction, or longer as dictated by the scene.
 3. Remove all unauthorized personnel to prevent destruction of evidence and prepare a crime scene log.
 4. Obtain sufficient illumination of night time collision scenes.
- C. The Incident Commander should be the only person at the scene to communicate with Com-Cen or headquarters to assign any units at the scene.
 - D. All further requests for special equipment or personnel should be directed to the Incident Commander. The Incident Commander should use the criteria listed above to determine the necessity of additional resources and advise the Tour Commander or Com-Cen.
 - E. When the need for additional specialized personnel or resources is established, the Tour Commander should ensure that the appropriate personnel are contacted.
 - F. If the need for a General Investigations , Narcotics or Juvenile Bureau detective is established and the incident occurs at a time when the detectives are off-duty, the Detective Bureau Call Out policy should be followed (Vol. 2 Ch. 17).
 - G. After the scene is secure, the Incident Commander should ensure the scene is photographed.
 - H. After the scene is secure, the Incident Commander should ensure that witnesses are identified, interviewed and statements taken.
 - I. The Incident Commander may utilize any department personnel, regardless of division assignment, to achieve objectives during an emergency incident. The Incident Commander should follow Unity of Command principles.
 - J. The final approval to clear the scene will be made by the Incident Commander or the AIU.
 - K. The Incident Commander, with Traffic Bureau Supervisor, may review and critique the field operations at the scene afterwards at headquarters.

III. DETECTIVE RESPONSIBILITIES

- A. Respond to the scene and photograph the vehicle and any roadway evidence, as requested by the AIU.
- B. Locate and identify witnesses. Interviews and witness statements are to be conducted with the AIU as per Section X.
- C. To assist the AIU with follow-up photography and / or witness statements.

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22**

Note: As per the Bergen County Prosecutor's Office Policy I-3, In cases where the BC FAIU criteria is present or suspected and / or where potential indictable cases exist, investigative procedures such as taking of photographs, statements, and technical examinations shall not be undertaken by any police department without prior approval of the Prosecutor's Office.

IV. NOTIFICATION OF ACCIDENT INVESTIGATION UNIT (AIU)

- A. When receiving a report of an accident suspected to meet the above criteria, in addition to dispatching needed emergency equipment, Com-Cen shall:
 - 1. Dispatch an on-duty Traffic Bureau unit, or a patrol unit, to the scene for the report.
 - 2. Dispatch the on-duty Traffic Bureau supervisor, or Road Supervisor, to the scene to coordinate operations.
 - 3. Advise the Tour Commander and an on-duty Detective Bureau supervisor.
 - 4. Dispatch an on-duty Detective Bureau unit to the scene for photographs. If not available, a patrol unit should be dispatched to pick up the camera in HQ for either the AIU or the Road Supervisor.
- B. The AIU will be notified immediately about all accidents resulting in death or "serious" bodily injury that could result in death.
- C. Requests for the AIU will be made to the Tour Commander by the Incident Commander.
- D. The Tour Commander will notify the Traffic Bureau Supervisor, who will make the final determination to call out the AIU. Two members of the AIU should normally be utilized.
- E. The AIU will be called out by the Tour Commander as directed by the Traffic Bureau Supervisor.
- F. If the Traffic Bureau Supervisor is unavailable (vacation etc.) or unable to be contacted, an AIU member should be contacted in the Supervisors place.
- G. Responding personnel who are notified to respond, should inform the Tour Commander of their estimated time of arrival to the scene.
- H. If no AIU members are available or can be contacted, the Bergen County Prosecutor's Office FAIU will be contacted, if required according to their guidelines as listed in Section IV Paragraph C.
- I. The Chief of Police shall be advised by the Tour Commander when the AIU or Bergen County FAIU are notified to investigate an accident.

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22**

IV. ACCIDENT INVESTIGATION UNIT (AIU) RESPONSIBILITIES

- A. The AIU should respond to the scene with the AIU equipment, assume control of and conduct an investigation, consistent with the Bergen County Prosecutor's Office Vehicular Homicide Investigation Manual Procedure (I-3), as a guide in their investigation, and as dictated by the situation based on their training and experience. The investigation may include:
1. At scene investigation.
 2. Communicate with and if appropriate, conduct cooperative investigation with Bergen County Prosecutor's Office FAIU.
 3. Assist with interviewing and taking statements from witnesses and / or involved parties.
 4. Collection, documentation and packaging of any physical evidence.
 5. Assist with supplemental photographing of the scene.
 6. Assisting in obtaining and serving court orders.
 7. Conducting follow-up technical investigation.
 8. Attend Autopsies, when required.
 9. Coordination release of information.
 10. Assisting in follow-up non-technical investigations.
 11. Analysis of physical evidence.
 12. Conduct reconstruction and Cause Analysis.
 13. Obtaining outside experts or services when required.
 14. Prepare Reconstruction Reports and additional case material for court.
- B. The AIU members, assigned by the Traffic Bureau Supervisor, will be responsible for completing all required reports, with the exception of the initial accident report (NJTR-1), the department's Incident and Workman's Compensation Reports.
- C. As soon as possible after arriving on the scene the AIU should determine the need to notify the Bergen County Prosecutor's Office Fatal Accident Investigation Unit, using their guidelines.

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22**

1. When one or more vehicle(s) is involved with a surviving driver:
 - a. DWI /CDS is involved or suspected;
 - b. There are indications of excessive speed;
 - c. A hit and run vehicle is involved;
 - d. There are indications of a moving violation;
 - e. Where on-duty police vehicles are involved;
 - f. Where the death or serious bodily injury resulted from a police pursuit;
 - g. Where any other emergency vehicle is involved;
 - h. Multiple fatalities
 2. Single vehicle accident involving any of the above (1a-g).
 3. Struck pedestrian / bicyclist involving any of the above (1a-g).
- D. Once the body is pronounced dead and the photographs have been taken, the AIU should provide the Incident Commander with the name, if known, of the deceased so that proper notification may be made as specified by the Death Notification Policy (Vol. 4 Ch. 14).
- E. When photographs have been completed, the AIU should make certain diagramming and measurements notes of skid mark(s), damage to property, vehicle position, body position and debris.
- F. When all areas of investigation at the scene have been completed, the scene may be cleared **only** after the AIU has determined that all pertinent information has been collected. The Incident Commander will then order the scene to be cleared and the roadway opened to normal traffic.
- G. If there is a question of mechanical failure, and upon the recommendation of the AIU, All suspected 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.
1. The mechanical inspection of an automobile shall be conducted by an ASE certified mechanic. Assistance may be obtained for inspection of other types of vehicles from the Bergen County Prosecutor's Office FAIU.
 - a. The ASE certified mechanic shall complete the Mechanic's Vehicle Inspection Report documenting the inspection of the automobile.

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22**

2. If the Bergen County Prosecutor's Office FAIU is investigating the accident, the vehicle will be inspected as per their procedures. No Fort Lee officer shall conduct or authorize any actions concerning the vehicle.

Note: On scene brake tests are no longer done. Mechanical issues require the above procedure be followed.

- H. The AIU will be responsible for compiling all accident reports, statements, photos and diagrams. The case jacket will then be submitted to the Traffic Bureau Supervisor for review.

Note: As per the Bergen County Prosecutor's Office Policy I-3, In cases where the BC FAIU criteria is present or suspected and / or where potential indictable cases exist, investigative procedures such as taking of photographs, statements, and technical examinations shall not be undertaken by any police department without prior approval of the Prosecutor's Office.

VI. TRAFFIC BUREAU SUPERVISOR RESPONSIBILITIES

- A. Make certain every phase of investigation has been completed.
- B. When the investigation and reports are completed, they will be submitted to the Traffic Bureau Supervisor for review and approval. The Traffic Bureau Supervisor, with the Incident Commander, may review and critique all phases and data of the investigation afterwards at headquarters.
- C. 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 #B, Format and Sample).
- D. Ensure that the Bergen County Prosecutor's Office and Medical Examiner are notified as soon as practicable.
- E. 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 Bergen County Prosecutor's Office will authorize when the disposition of the summonses can be completed.
- F. All reports must be forwarded to the Bergen County Prosecutor's Office Homicide Unit within three (3) working days.

VII. MEDIA RELATIONS

- A. Media relations and press releases are to be handled as per the Police / Media Relations Policy (Vol. 6 Ch. 6).
- B. As per Vol. 6 Ch. 6 Section 1 Paragraph I:

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22**

News media representatives may be granted access to the outer perimeter of a scene, except as follows:

When open access to the area will interfere with the investigation, the commanding officer may establish police lines and restrict entry. Should such restrictions, become necessary, the commanding officer should explain the circumstances requiring the closure and access should be granted to news media personnel as soon as practical. Preservation of evidence and public safety shall be of paramount importance.

VIII. AUTHORITY NOTIFICATIONS

- A. In the event of any motor vehicle related fatality, the Traffic Bureau Supervisor, if off then the Tour Commander will ensure that the following authorities are notified by the AIU within 24 hours:
 - 1. The Bergen County Medical Examiner's Office.
 - 2. The New Jersey State Police (609) 882-2000
 - 3. The New Jersey Division of Motor Vehicles, Fatal Accident Unit (609) 292-0150.
 - 4. The AIU is to complete the Fatal Accident Teletype Form and submit it to Com-Cen. Com-Cen will immediately send a teletype message File 18.
- B. A copy of the sent teletype is to be included in the case jacket.
- C. Notifications are to be documented in written form including the officer making the notification, the date and time.

IX. PHYSICAL ARREST AND CHARGING

- A. When applicable, department personnel may file motor vehicle charges for motor vehicle violations.
- B. When applicable, department personnel may sign criminal charges for criminal violations. However, no complaint should be issued in any case by the investigating officer without prior approval by the Prosecutor's Office.
- C. When an arrest is required, the Incident Commander may direct an officer to make the physical arrest except in the following situations:
 - 1. If the AIU is conducting the investigation, they should be consulted before making a physical arrest.

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22**

2. If the Bergen County Prosecutor's Office FAIU is conducting the investigation, they shall be consulted before making a physical arrest.

X. EVIDENCE

- A. If DWI / CDS are not detectable and death or serious bodily injury is present, then whenever possible, legal written consent should be requested from the driver to draw a samples of their blood and urine.
- B. Getting blood samples at the hospital, securing as evidence, and transportation to State Police Labs for analysis, must follow proper chain of evidence as specified in Evidence Handling Policy (Vol. 7 Ch. 11).
- C. All evidence shall be processed and controlled as specified in Evidence Handling Policy (Vol. 7 Ch. 11)

XI. STATEMENTS / INTERVIEWS

- A. Witnesses to the accident should be located and identified by any officer at the scene.
- B. Witnesses should be briefly interviewed at the scene to determine if further interviews or statements are appropriate.
- C. Victims should be briefly interviewed at the scene to determine the circumstances of the accident.
- D. Victim statements may be obtained at a later time by a detective and the AIU.
- E. The driver may be briefly interviewed at the scene but care should be given regarding their Miranda Warnings if criminal charges may follow. Detailed interviews should be conducted by a detective and the AIU officer assigned to the case.
- F. Statements should be obtained from witnesses, victims and the driver(s).
- G. Every effort should be made by the detective to obtain a witness statement with the involvement of the AIU or their approval. If a witness is unable or unwilling to respond to HQ for a statement an affidavit may be utilized.
- H. Every effort should be made by the detective to obtain a victim statement with the involvement of the AIU or their approval.
- I. If the driver is willing to provide a statement the following procedures are to be followed:
 1. The driver should be advised of their Miranda Warnings before obtaining their statement.

**TRAFFIC
FATAL / SERIOUS ACCIDENT INVESTIGATION
VOL. IX, CH. 22**

2. The Bergen County Prosecutors Office Death by Auto Investigation Statement Guide should be utilized for relevant questions.
3. Driver statements are to be taken by a detective and the AIU in charge of the case or their designee.

**TRAFFIC
ACCIDENTS INVOLVING POLICE VEHICLES
VOL. IX, CH. 20**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 4/20/2001	REVISION DATE: 03-26-09	PAGE #: 6 & 7 & 8 5	SECTION: VIII, C IX, F, 4 IV, I	APPROVED 05-12-2009	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 9					CHAPTER 20
ACCREDITATION STANDARD(S):	REFERENCE: V9C20					
SUBJECT: ACCIDENTS INVOLVING POLICE OR ANY AGENCY VEHICLES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE: Op. Man. COL 5 & 6						

PURPOSE:

The purpose of this policy is to establish areas of responsibility for those officers answering calls to motor vehicle accident scenes involving agency vehicles.

POLICY:

The investigation of traffic accidents that involve police vehicles must be conducted in a manner that is consistent with state guidelines and department policy.

The procedural steps that are outlined in the department's Accident Investigation Policy (Vol. 9 Ch. 21) do not entirely address those instances when a police vehicle is involved in a motor vehicle accident.

This policy will establish clear and precise guidelines that are to be followed when an agency vehicle is involved in a motor vehicle accident.

DEFINITIONS:

- I. Department Vehicle

**TRAFFIC
ACCIDENTS INVOLVING POLICE VEHICLES
VOL. IX, CH. 20**

- A. Any vehicle used for official business which is owned/leased for or by the police department.
- B. A vehicle being operated by an employee while under the terms of their employment.
- II. Department Vehicle Accident is defined as an accident involving a department vehicle subject to the full reporting requirements of this policy.
 - A. It is reportable regardless of injury, property damage, where it occurred, who was responsible or whether or not the department vehicle was occupied.
 - B. This definition specifically excludes those crashes occurring while an employee is participating in a supervised drivers training exercise sanctioned by an academy.
- III. Department/Agency Vehicle Incident - any other happening which results in damage to a department vehicle including, but not limited to the following should be documented in an incident report:
 - 1. Damage from material which falls, drops or is propelled by the movement of a vehicle,
 - 2. Vandalism,
 - 3. Storm damage,
 - 4. Drivers training crashes, or
 - 5. Damage of an undetermined nature.
- IV. Employee - any individual who is acting on behalf of the department, i.e., sworn officers or civilian personnel.
- V. Agency Vehicle is defined as:
 - A. Any vehicle used for official business, which is owned/leased by the Borough of Fort Lee (i.e. DPW, Building Dept., Parking Authority, Fire Dept, VAC).
 - B. A vehicle being operated by an employee while under the terms of their employment.
- VI. Serious MVA definition see Fatal / Serious Accident Policy (Vol. 9 Ch. 22).

PROCEDURE:

I. COMMUNICATIONS CENTER RESPONSIBILITIES

- A. The Com-Cen shall obtain the following information:

**TRAFFIC
ACCIDENTS INVOLVING POLICE VEHICLES
VOL. IX, CH. 20**

1. Location
 2. Injuries
 3. Seriousness of accident
 4. Type of accident
- B. Immediately advise another patrol unit and the Road Supervisor. If there are injuries, advise the VAC.
- C. Give detailed location of accident.
- D. Provide additional assistance as directed by the patrol supervisor.

II. PATROL RESPONSIBILITIES - INITIAL RESPONSE

- A. Upon receiving notification of an accident the initial response should be conducted in compliance with the Accident Investigation Policy (Vol. 9 Ch. 21).
- B. A NJTR-1 should be completed by the assigned officer unless:
1. Another law enforcement entity is required to complete an accident report (if the accident occurred within their jurisdiction), then this step can be omitted.
 2. A copy of the accident report must be obtained from the other law enforcement agency.
 3. The AIU responds to the scene and assumes responsibility for the investigation.
- C. Take charge of all town-owned property if the responsible employee is incapable due to injury or other reasons. The officer's weapon(s) should be turned over to a supervisor to secure.
- D. The officer should secure all valuables and papers left at the scene resulting from the accident, valuables and papers can later be turned over to the respective owners.
- E. Provide the Incident Commander with all information requested.

III. INVOLVED OFFICER'S RESPONSIBILITIES

- A. Any officer involved in an accident involving a department police vehicle, should immediately advise headquarters.
- B. The involved employee should stop immediately, and unless incapacitated and:

**TRAFFIC
ACCIDENTS INVOLVING POLICE VEHICLES
VOL. IX, CH. 20**

1. Provide whatever assistance can reasonably be rendered.
2. Ensure the vehicles involved are not moved, unless a traffic hazard exists or the potential for injury would be increased.
3. Promptly notify Com-Cen to advise the Tour Commander of any accident with a department vehicle operated by them or in their charge, and provide the following information:
 - a. The crash location,
 - b. The involved employee's name and assignment and
 - c. Any other pertinent information.

NOTE: If the involved employee is unable to make the notification, the first officer arriving at the scene should advise Com-Cen.

4. Is to make no verbal comment or written statement regarding the department vehicle accident or liability to anyone other than their supervisor(s) or law enforcement officers handling / investigating the accident, without permission of their supervisor.
5. Is to cooperate in all facets of the investigation and any subsequent investigations and proceedings which do not jeopardize the employee's rights.
6. Complete a Narrative Report detailing the events surrounding the department vehicle accident as soon as possible. The report should also describe any equipment (other than a vehicle) is lost/damaged, or when any employee is injured.
7. Complete the required Workman's Compensation reports as specified in the Personnel Injury Policy (Vol. 4 Ch. 10) at the earliest time possible.

IV. SUPERVISOR / INCIDENT COMMANDER RESPONSIBILITIES

- A. Respond to all accidents involving a police vehicle.
- B. Notify the Tour Commander, when there are any injuries.
- C. Evaluate the need for the AIU. If needed follow the Fatal / Serious Accident Investigation Policy (Vol. 9 Ch. 22).

**TRAFFIC
ACCIDENTS INVOLVING POLICE VEHICLES
VOL. IX, CH. 20**

- D. Removable department equipment (i.e. shotguns, oxygen, Radar units) should be removed by an officer as assigned by a supervisor. The equipment should be secured in HQ.
 - 1. If equipment is secure from a vehicle belonging to this agency then the officer assigned to the task of securing the equipment should prepare an Incident Report describing the equipment that was secured and the location and any notifications made to the responsible department unit.
- E. Ensure that the scene is secured so that the normal flow of traffic can resume. If there are any particular factors that caused the accident the proper authorities are to be notified before the officer leaves the scene. Example: Wires down, holes in roadway, etc.
- F. Complete a Department Incident Report.
- G. Complete the supervisor's portion of the required Workman's Compensation reports as specified in the Personnel Injury Policy (Vol. 4 Ch. 10) at the earliest time possible.
- H. Notifications:
 - 1. Notification to family members that are related to an officer are not to be made by any department employee unless authorized by a supervisor.
 - 2. When an officer is transported to a hospital, the Road Supervisor or designee at the scene should take possession of the injured officer's firearm and duty belt.
 - 3. The name of a deceased officer is not to be put over the police radio.
- I. When a department employee is involved in a collision involving serious bodily injury or death, that employee is to be removed from their line of duty assignment pending administrative review.

V. ACCIDENT INVESTIGATION UNIT (AIU) RESPONSIBILITIES

- A. If notified to respond to the scene, the AIU should follow the applicable portions of Fatal / Serious Accident Investigation (Vol. 9 Ch. 22).
- B. The AIU may prepare the State of New Jersey Accident Report as outlined in the department's Accident Investigation Policy (Volume IX, Chapter 21).
- C. Locate and identify witnesses. Interviews and witness statements are to be conducted with the detectives assigned to the investigation.
- D. To assist the detectives with follow photography and / or witness statements.

**TRAFFIC
ACCIDENTS INVOLVING POLICE VEHICLES
VOL. IX, CH. 20**

- E. Assist the tow company in the removal of the vehicles. Ensure that the tow company clears the entire roadway of debris upon the removal of the vehicles.
- F. All vehicles are to be towed to the impound area and secured if the AIU believes that there is a question of mechanical failure.

VI. DETECTIVE RESPONSIBILITIES

- A. Respond to the scene and photograph the vehicle and any roadway evidence, as requested.
- B. Locate and identify witnesses. Interviews and witness statements are to be conducted with the AIU if conducting the investigation.
- C. To assist the AIU with follow-up photography and / or witness statements.

VII. TOUR COMMANDER RESPONSIBILITIES

- A. Notify the Chief immediately if any of the following exists:
 - 1. Any accident involving serious injury.
 - 2. Fatalities
 - 3. Serious traffic hazards or other conditions that require immediate attention or authorization for correction.
 - 4. Anytime an officer's actions are in question.
- B. Ensure that the equipped police vehicle is towed to the police yard or the unequipped vehicle it towed to the DPW yard.
- C. Forward the Accident Report Case Jacket, containing the original reports, to the Traffic Bureau Supervisor for review.
- D. Forward a photocopy copy Accident Report to the Operations Division Commander for review.
- E. Forward a photocopy marked "Incomplete" to the Records Bureau Supervisor for filing.

VIII. TRAFFIC BUREAU SUPERVISOR'S RESPONSIBILITIES

- A. The Traffic Bureau Supervisor should check over the motor vehicle accident report for completeness and any type of unusual circumstances that may need further investigation.
- B. Advise the Chief of Police of the results of the AIU investigation.

**TRAFFIC
ACCIDENTS INVOLVING POLICE VEHICLES
VOL. IX, CH. 20**

- C. A copy of the completed report will be forwarded to the Borough Administrator for review by the Borough's Safety Committee.
 - 1. The Borough Safety Committee will investigate all of the circumstances of the accident and will determine whether any disciplinary action should be taken.
- D. Forward the Accident Report Case Jacket to the Records Bureau for filing.

IX. DEPARTMENT / BOROUGH AGENCY VEHICLES

- A. Whenever a department vehicle / borough agency vehicle is involved in an accident where any injury or property damage is sustained, a full report will be completed by the assigned officer. Photographs should be taken of the scene and vehicle damage.
- B. If the accident involved a pedestrian or is of a serious nature, the AIU should be notified through the Traffic Bureau Supervisor.
- C. Witness affidavits should be obtained. If the accident is serious then witness statements should be taken.
- D. If the vehicle's operator is uninjured, it will be their responsibility to notify their department head. If the operator is injured and unable to make the notification the Tour Commander should ensure that the operator's department head is notified.
- E. If there is a question of mechanical failure, then the agency vehicle is to be secured for mechanical inspection as specified in the Fatal / Serious Accident Investigation Policy (Vol. 9 Ch. 22).
- F. If the operator of a department vehicle / agency vehicle must be transported to a medical facility, and the vehicle contains official contents, those contents should be secured and safeguarded.
 - 1. If the items can be removed from a department vehicle, they should be secured in HQ. If they cannot, then the vehicle should be towed to HQ and secured. The highest ranking supervisor on-duty should be notified as to the incident, the condition of the employee and the location of the department vehicle.
 - 2. If the items can be removed from an borough agency vehicle, they should be secured in HQ. If they cannot, then the vehicle should be towed to HQ and secured. The borough agency head should be notified as to the incident, the condition of the employee and the location of the borough agency vehicle.
 - 3. If equipment is secure from a department vehicle / borough agency vehicle, then the officer assigned to the task of securing the equipment should prepare an

**TRAFFIC
ACCIDENTS INVOLVING POLICE VEHICLES
VOL. IX, CH. 20**

Incident Report describing the equipment that was secured and the location and any notifications made to the responsible person.

4. A copy of the completed report will be forwarded to the Borough Administrator for review by the Borough's Safety Committee.
 - a. The Borough Safety Committee will investigate all of the circumstances of the accident and will determine whether any disciplinary action should be taken.

X. OUTSIDE AGENCY VEHICLES

- A. Whenever a vehicle belonging to any other Borough, County, State or Federal agency is involved in a motor vehicle accident the following actions should be taken:
 1. The responding officer should complete an accident report as specified in the Accident Investigation Policy (Vol. 9 Ch. 21).
 2. Photographs should be taken if:
 - a. The accident is of a serious nature.
 - b. The operator of the vehicle, their supervisor or the other involved party requests photographs be taken.
 - c. Where the need or requests for photographs cannot be immediately ascertained, photographs may be taken to expedite the removal of the vehicles from the roadway and as an aid to the investigation.
 3. Should the vehicle be incapable of being driven, and the roadway needs to be cleared the following actions should be taken:
 - a. The operator should be given an opportunity to obtain a tow through their agency so long as the vehicle will be removed in a reasonable amount of time.
 - b. If the above can not be arranged, then the vehicle should be towed according to the Towing Policy (Vol. 5 Ch. 8).
 4. If it becomes necessary to tow an outside agency vehicle, the vehicle should be towed to a location as designated by the operator or the outside agency. It is the outside agencies responsibility to secure their agency valuables from the vehicle.
 5. If the operator of an outside agency vehicle must be transported to a medical facility, and the vehicle contains official contents, those contents should be secured and safeguarded. If the items can be removed, they should be secured in

**TRAFFIC
ACCIDENTS INVOLVING POLICE VEHICLES
VOL. IX, CH. 20**

HQ. If they cannot, then the vehicle should be towed to HQ and secured. The outside agency should be notified as to the incident, the condition of the employee and the location of the outside agency vehicle.

- a. If equipment is secure from a vehicle belonging to an outside agency, then the officer assigned to the task of securing the equipment should prepare an Incident Report describing the equipment that was secured and the location and any notifications made to the responsible agency.

Note: In the case of Bergen County vehicles, the Bergen County Police Department should be immediately notified to discuss procedures and possible response from their agency.

This does not relieve this department from its responsibility to handle the accident scene until relieved by the Bergen County Police Department.

XI. CORRECTIONS

- A. Any required corrections are to be made by the officer that completed the report.
- B. A supervisor should directly advise an officer of the required correction.
- C. Forward the case jacket to the Records Bureau for filing.

XII. AGENCY ASSISTANCE

- A. The Chief, at his discretion, may request the assistance of an outside agency in conducting any aspect of any agency investigation.

TRAFFIC
 TRAFFIC DIRECTION PROCEDURES
 VOL, IX. CH 31

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 08-12-08	REVISION DATE: 01-27-09 05-07-2009	PAGE #: 4 4-5	SECTION: II, D II, H	APPROVED 2-24-09 05-19-2009	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 6					CHAPTER 31
ACCREDITATION STANDARD(S): 61.3.2	REFERENCE: V#C#					
SUBJECT: TRAFFIC DIRECTION PROCEDURES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE

The purpose of this directive is to provide guidance in the traffic direction and control functions.

POLICY

It is the policy of this agency to expedite the safe and orderly flow of traffic within the Borough and to maintain a close working relationship with State, County, and local engineering, planning, and public works authorities.

I. PROCEDURES:

- A. The Traffic Commander shall investigate traffic safety complaints, requests for signs, signals, speed reduction, and other traffic safety related requests and forward the findings and recommendations to the appropriate engineering, planning, or public works entity through the Chief of Police.
- B. The Traffic Commander shall act as liaison with the State Department of Transportation, County Engineering Department, local engineering, planning and public works departments to determine the need for signs and signals, etc., on all State, County, and local highways within the Borough of Fort Lee.

TRAFFIC
TRAFFIC DIRECTION PROCEDURES
VOL, IX. CH 31

- C. The approval of traffic control signs or signals will follow the standards set forth in the United States Department of Transportation's Manual on Uniform Traffic Control Devices, and regulations of the State of New Jersey Department of Transportation.

- D. The Traffic Commander shall cause safety surveys on municipal highways located within the Borough utilizing visual observation, traffic classifier/counter devices, or both. These surveys are for the purpose of providing empirical data for recommendations regarding the safe and expeditious movement of vehicles and pedestrians, and to analyze alternatives to traffic control such as traffic control devices. Such data includes, but is not limited to:
 - 1. Crash and enforcement data
 - 2. Traffic volume and speed
 - 3. Pedestrian volume
 - 4. Duration of any special congestion periods
 - 5. The presence or absence of traffic control devices
 - 6. New or revised laws and ordinances
 - 7. New construction (commercial, industrial and residential)
 - 8. Highway and other related engineering improvements

- E. Upon final approval by the Chief of Police, special reports with supporting data completed by the Traffic Commander shall be forwarded to the appropriate engineering, planning, or public works authority. Upon the approval of the appropriate entity, the Traffic Commander shall arrange for the timely installation of any signs, signals, or devices, etc., related to the traffic safety improvement.

- F. When there exists local or regional transportation system management planning committees, this agency will be represented at meetings of these entities by a member of the traffic bureau.

- G. Data from crash investigation reports and enforcement activity provides valuable information for traffic engineering. Data from the crash reports are compiled and tabulated by the New Jersey Division of Motor Vehicles. This agency will provide its crash and enforcement data to those agencies in compliance with the Open Public Records Act NJSA 47:1A-1 et seq.

II. TRAFFIC CONTROL

- A. Personnel directing traffic or who are in the roadway controlling traffic shall wear a reflective traffic safety vest.

- B. Officers shall provide traffic direction around crash scenes in such a way as to:
 - 1. Protect the integrity of the scene
 - 2. Protect emergency response personnel including themselves

TRAFFIC
TRAFFIC DIRECTION PROCEDURES
VOL, IX. CH 31

3. Protect crash victims
 4. Permit the safe ingress and egress of emergency apparatus
 5. Expedite the flow of vehicular traffic around the scene
- C. To minimize potential confusion on the part of the public, manual direction of traffic will employ hand and whistle signals that are consistent with accepted hand/arm signals taught in the Basic Police Course of Instruction. Officers shall stand in such a location where motorists and pedestrians can see the officer clearly and with sufficient sight distance to allow for a safe and effective stopping of traffic. Officers shall stand straight, with their body weight equally distributed. When not signaling, officer's hands should be at their sides. Officers should stand with their side toward oncoming vehicles.
1. TO STOP TRAFFIC, officers should point at the driver to get that motorist's attention; extend their arm(s) toward moving traffic with palms turned toward traffic to be stopped. In addition to hand/arm signals, use the whistle to gain the driver's attention.
 2. TO START STOPPED TRAFFIC, officers should point at the driver to get their attention and with arm(s) outstretched in the stopped position, start traffic by moving the arm at the elbow, moving the arm from the elbow to wrist parallel to ground, indicating to traffic to proceed. Whistle use is encouraged to draw the driver's attention.
 3. RIGHT OR LEFT TURN, to signal a driver to make a right or left turn, the officer should point at the driver to get their attention. To indicate to the driver that they are permitted to make the turn, the officer will move the appropriate arm in the direction of the turn in much the same manner as the signal to start stopped traffic, completing the motion in the direction of the turn.
 4. WHISTLES should be used in conjunction with hand signals. Officers should blow the whistle loud enough to be heard over traffic noise.
 5. One long blast is to signal stop
 6. Two short blasts are to signal go
 7. Several short blasts are to signal attention
 8. USE OF A FLASHLIGHT: The illuminated baton and flashlight should be used mainly at night. All moves should be exaggerated so they can be seen.
 9. To stop a vehicle, officers should hold the flashlight in a vertical position in front of them, swinging the baton in an arc in front of them
 10. To start traffic, the officer should swing the baton in an arc in the direction of travel
 11. For turns, officers should swing the baton in the direction of the turn

TRAFFIC
TRAFFIC DIRECTION PROCEDURES
VOL, IX. CH 31

- D. Officer(s) shall be assigned to direct and control traffic in and around the scene of fires and other critical incidents to restrict vehicular and pedestrian movements. The duty supervisor should establish traffic posts as necessary in order to keep non-emergency personnel from entering the scene. The duty supervisor should consult with the O.I.C. to coordinate the efforts of the two agencies.
1. Blocking off streets a sufficient distance from the scene to allow emergency workers to move freely about in order to perform their duties with maximum efficiency.
 2. Emergency workers, including fire reserve personnel and EMS should be allowed access to the scene in their personal vehicles; but shall be directed to park the vehicles in a manner as to not obstruct rescue apparatus.
 3. Officers responding to a scene, especially the initial responders, should park their vehicles in such a manner so as not to become blocked in at the scene or block fire hydrants
- E. While directing traffic during darkness or adverse weather conditions, police vehicles should be parked as safely as possible and if used for traffic control their overhead emergency lights will be in operation. Officers should utilize high visibility type rain gear for safety. Requests for assistance from the fire department and utility companies should be made as soon as possible. If necessary, the use of temporary traffic control devices should be considered. Any temporary traffic control device should be utilized as outlined within this policy.
- F. Hazardous road conditions include, but are not limited to:
1. Debris in the roadway from vehicles, trees, etc.
 2. Acts of nature, such as fog, snow, ice on roadway
 3. Engineering hazards such as roadway undermining or cave-ins and construction zone hazards
- G. Upon discovering a hazardous road condition, officers shall notify the communications center, who in turn will notify the appropriate agency and/or person for the purpose of correcting the condition.
1. Officers should provide traffic control services and scene protection in the vicinity of hazardous road conditions, as appropriate
 2. Officers are responsible for reporting any hazardous road conditions and taking contingency action until the hazard has been abated
- H. Manual operation of traffic control signal lights is generally permissible. Traffic vehicles, some

TRAFFIC
TRAFFIC DIRECTION PROCEDURES
VOL, IX. CH 31

patrol vehicles and the road supervisor's vehicle have traffic box key's, there is also a key in the key-box at the desk. Officers should advise a supervisor that they are in need of manually operating the traffic light, obtain a key if they are not in possession of one, open the box and switch it into manual mode to control traffic flow at the intersection with the manual button.

- I. Temporary traffic control devices are utilized for channeling of traffic patterns, roadblocks, special enforcement programs, detours, road construction, etc., and include, but are not limited to:
 1. Movable barricades
 2. Traffic cones
 3. Portable signs
 4. Road flares
 5. Other devices intended for temporary deployment to assist the safe and efficient movement and control of vehicular and pedestrian traffic.
- J. Temporary traffic control devices may be deployed in support of traffic direction and control activities. As soon as practicable, following termination of the need for the temporary traffic control device, the duty supervisor must ensure their removal/deactivation.
- K. Temporary traffic control devices should be placed in such a manner to adequately warn approaching traffic of the pending traffic hazard or condition. Officers should avoid the placement of devices in the roadway where there is limited sight distance. Vehicles must have enough sight distance to see the devices in order to effectively, and safely, slow or stop their vehicles. Sight/stopping distance could be affected by the following:
 1. Speed
 2. Weather (fog, rain)
 3. Topography (hills, curves)
 4. Other conditions such as smoke from fires, etc.
- L. Officers should utilize road flares for the purpose of identifying highway hazard conditions, to include such hazards as disabled vehicles, motor vehicle crashes, roadblocks, checkpoints, obstructions in the roadway, etc. Flares must be handled properly or they may pose a risk of serious injury to the officer and others. Flares should be used as follows.
 1. Expose the abrasive surface located beneath the cap top
 2. Remove the cap by twisting and pulling the cap from the road flare
 3. Deploy the wire legs before igniting the flare

TRAFFIC
TRAFFIC DIRECTION PROCEDURES
VOL, IX. CH 31

4. Hold the flare near its base and rub the abrasive surface of the cap against the exposed chemical surface of the flare
5. **POINT THE FLARE AWAY FROM YOUR FACE AND BODY WHILE IGNITING AND AFTER IGNITION POINTING IT DOWN WIND**
6. Place flare on the ground at an approximate 45 degree angle to the roadway
7. When walking near flares, avoid walking near the ignited side to minimize potential injuries
8. When flares are no longer required, they should be extinguished so as not to pose a hazard when left unattended
9. When extinguishing a highway flare, keep it away from your face and body. Push the ignited end into the ground or roadway surface and twist it with a downward motion or smother it
10. Discard the extinguished flare in a safe manner or in an acceptable container
11. When leaving flares unattended, make arrangements to check back on the flares within 30 minutes to ensure it had extinguished itself or to ignite more flares
12. Never place flares on grassy or wooded areas; always place on the road surface
13. **NEVER USE HIGHWAY FLARES IN THE VICINITY OF SUSPECTED SPILLS OR VAPORS THAT MAY BE COMPOSED OF FLAMMABLE OR COMBUSTIBLE MATERIALS!**

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 5/4/2001	REVISION DATE: 10/03/02 05/17/04	PAGE #: 2 2	SECTION: I, A I	APPROVE D	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 15	08-06-08 01-27-09 03-31-09	4-6 6-9 9-14 5, 9 6, 8	II III IV-V- VI II,D,1 III, G III,C,1, a, D	2-24-09 5-12-09	CHAPTER 3
ACCREDITATION STANDARD(S):61.1.2, 61.1.3, 61.1.5, 61.1.7	REFERENCE: V9C3x					
SUBJECT: TRAFFIC ENFORCEMENT ACTIONS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE: A-9, I-15, S-5						
REFERENCE:						

PURPOSE

To establish guidelines to ensure that enforcement actions are commensurate with applicable statutes and ordinances, and take into account the degree and severity of the violation committed.

DISCUSSION

The enforcement of traffic laws and ordinances is a basic responsibility of the department. Uniform enforcement procedures support the ultimate goal of traffic law enforcement, which is to achieve voluntary compliance with the laws by all motorists and pedestrians.

The role of the officer is to observe, detect and prevent violations of traffic laws and to take appropriate enforcement action when violations are observed. Enforcement policies cannot and should not supplant the individual officer's discretion, based upon professional judgement and a combination of training and experience.

POLICY

All sworn officers shall take appropriate enforcement action for each violation of the law witnessed or reported to them. Enforcement action does not provide the officer a privilege to scold, belittle, berate or otherwise verbally abuse a traffic violator. All enforcement actions will

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

be accomplished in a firm, fair, impartial and courteous manner using one of the following four methods:

1. Verbal warning
2. Complaint Summons (CPO 171C)
3. Special Complaint Form (SF-1 9)
4. Physical arrest

The officer's action should demonstrate a professional attitude and serve to improve the relationship between the public and the department.

I. PROCEDURES

When conducting a motor vehicle stop, officer's will introduce themselves to the violator, stating that they are a Fort Lee Police Officer and give their name and rank. Ask for the drivers license, registration and insurance card and advise the driver of the violation committed. If the driver has an explanation for his actions, the officer will listen to the explanation prior to taking any action.

A. Physical Arrest- Officers:

1. Will effect the arrest of any person in violation of the following statutes:
 - a. 39:4-50 Driving While Intoxicated
 - b. 39:4-49.1 CDS in Motor Vehicle (secondary to criminal charge)

B. NOTICE TO APPEAR (SUMMONS)

The issuance of a traffic summons (CPO 171C) is applicable in the majority of cases for those violators residing within the boundaries of the jurisdiction in which the case will be adjudicated. 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 operating unsafe and/or improperly equipped vehicles.

1. Summons books will be available to officers from the Court Administrator's Office.
2. When a new supply is needed by any officer, they will be assigned a summons book'(s) by the Court Administrator's Office. The book number sequence, date, the officer's name shall be recorded on the summons sign-out sheet maintained by the Court Administrator's Office.
3. Voided Summons

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

- a. The officer must submit a request in writing (Appendix A v09c03a) describing the error made on the complaint. This form is not to be utilized if the information is correct and the complaint has been signed. Once the summons has been properly completed it must be issued and adjudicated by the court.
 - b. Submit the request and all four copies of the summons to the Tour Commander for review. The officer may retain a copy.
 - c. The Tour Commander will forward the request to the Records Bureau.
 - a. The Records Bureau will forward the request to Municipal Judge.
4. The officer will:
- a. Turn in the white and blue copies of the summonses to the Tour Commander, who should also review all summonses for accuracy and completeness.
 - b. Retain the yellow copy for his records.
 - c. Serve the hard copy to the defendant:
 - (1) A summons will normally be issued to a violator at the time of the motor vehicle stop.
 - (2) A summons must be issued within the statute of limitations as specified in 39:5-3.
 - (a) If a summons is to be mailed, the officer will complete the summons, address an unsealed envelope to the defendant and submit both items to the Tour Commander, who will forward the items to the Record Bureau to be sent as Certified Mail / Return Receipt.
5. The Tour Commander will disseminate the copies as follows:
- a. Non Arrest: white copy to the Records Bureau, Records will send to the Court
 - b. Arrest: white copy of the summons with the pink copy of the Bail Receipt and a copy of the Arrest Report to the Records Bureau and the green copy of the Bail Receipt with the money into the safe.
 - c. Blue to the Record Bureau
6. All summonses issued will be recorded in the Computer Aided Dispatch (CAD)

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

System.

7. Accepting Citizen Motor Vehicle Complaint on the Special Complaint Form SF-1 as per Court Rule 7:2-2
 - a. The citizen complainant will complete a sworn affidavit. The affidavit will be forwarded to the Records Bureau with the completed complaint, as specified in section b, c and d below. Records will forward the affidavit to the Court with the blue, white, pink, and defendant's (hard yellow) copy of the complaint (SF-1).
 - b. The complainant will place their information, the defendant's personal information and vehicle description and license plate number in the area marked "description of offense".
 - c. The officer will place only the case number, summons, defendant and complainant's information on a Traffic Subpoena. The subpoena will be completed and issued by the Court with the scheduled Court Date.
 - d. The complainant will sign the Special Complaint Form (all copies).
 - e. After the Court has determined probable cause, the Court will complete the Probable Cause & Issuance section.

C. VERBAL WARNINGS

1. A verbal warning is appropriate when the violator commits an act, which may be due to ignorance of a local ordinance, which may be unique, or a violation of which the driver may not be aware. Examples of violations which warrant verbal warnings are a right turn on a red light, after a complete stop, when such movement is made with reasonable safety, and it is determined the driver is accustomed to driving in those jurisdictions where a right turn on red is permissible. Similarly, a verbal warning is appropriate for equipment failure (license plates not illuminated) of which the driver was unaware. Discretion may be used on other violations that are not of a serious nature.
 - a. Information on verbal warning will be entered in the Computer Aided Dispatch (CAD) System.

II. SPECIAL POPULATIONS IN THE TRAFFIC ENFORCEMENT PROCESS

- A. During their contact with the public, officers may occasionally find themselves dealing with persons that require special consideration or handling during enforcement activities. Persons in this group include, but are not limited to:
 1. Non-residents (out-of-state);
 2. Juveniles;

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

3. Legislators;
 4. Foreign diplomats or consular officials;
 5. Physicians;
 6. Military personnel.
- B. This agency draws no distinction between Borough residents and non-Borough vehicle operators. Traffic enforcement should be fair and impartial. Traffic enforcement encounters with out-of-state residents should be handled with NJSA 39:3-15 and NJSA 39:3-17 in mind concerning licensing and registration issues.
- C. Regarding juveniles, NJSA 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 Municipal Court. Officers may issue a motor vehicle summons to the juvenile for a violation. Officers may take a juvenile into custody for those violations which would warrant the arrest of an adult.
1. Where a traffic summons has been issued to a juvenile under the age to lawfully obtain a permit, the issuing officer shall ensure that the juvenile's parent or guardian is notified. For minor offenses, this notification can be made by telephone.
- D. Members of the United States Congress have in all cases, except treason, felony, and breach of the peace, immunity from arrest during their attendance at the session of their respective houses, and in going to and returning from the same. State Legislators in session have the same immunity granted to members of Congress as specified in the State Constitution, which privileges them from arrest while attending, going to or returning from a session of their respective houses. Otherwise, legislators have no immunity for traffic enforcement.
1. In such cases officers may use their own discretion in issuing a summons, however, it should be done as expediently as possible, or information should be taken to mail the summons at a later time.
- E. Diplomatic agents and members of their families, who are not nationals of the United States, have full immunity from arrest, detention, or prosecution for any traffic violation unless such immunity is expressly waived by the sending state. See Volume IX, Chapter 9 Diplomatic Immunity for detailed information on what constitutes diplomatic status.
- F. Consular officials do not enjoy the same immunity from prosecution for a violation of motor vehicle laws as do diplomats. When a consular officer is stopped for a traffic violation, the officer on the scene, upon being advised by the driver of his/her consular status and ascertaining that he/she possesses the proper credentials, should exercise discretion based on the nature of the violation and either issue a warning or proceed with the issuance of the appropriate citation.

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

- G. Physicians speeding to emergencies should be handled in accordance with NJSA39:4-102.
- H. Military personnel are afforded the same rights and privileges as the general public. However, the appropriate Provost Marshal's Office must be notified when active military personnel commit serious motor vehicle offense resulting in an arrest. The supervisor in charge of the investigation shall ensure that the notification is made.

III. TYPES OF ENFORCEMENT

A. PARKING ENFORCEMENT

1. All State and County laws and municipal ordinances regarding parking shall be enforced with reasonableness and impartiality in all areas of the Borough. Parking enforcement is part of a police officer's daily duties.
2. Officers, using their best judgment and discretion, may issue a verbal warning, or a uniform traffic ticket to vehicles found to be in violation, depending on the nature of the violation, position of the vehicle and/or any hazard that the vehicle is causing.
3. Officers should be alert for any unlawfully parked vehicles disrupting the flow of traffic and should take corrective action.
4. If a hazardous condition exists due to the unlawfully parked vehicle, officers may tow the vehicle. No vehicles should be towed unless a summons has been written for the appropriate parking violation.
5. NJSA 39:4-56.5 defines an abandoned vehicle. Abandoned vehicles on public roadways shall be impounded to expedite the safe flow of traffic. Abandoned vehicles may be impounded from quasi public property (shopping malls and parking lots) in accordance with Borough Ordinance, by the property owner.
6. Officers shall write legibly and indicate the correct statute or ordinance number on the summons. All summonses shall be submitted prior to the end of their tour of duty so that they may be filed with the Court Clerk.
7. Vehicles may be given limited permission to park in violation of municipal ordinances, with the permission of the Chief of Police.
8. Parking laws and ordinances must be strictly enforced when inclement weather is anticipated, such as snow storms, etc.
9. As agents of the Borough, officers may impound vehicles from public property if they are abandoned, unregistered, or if the vehicle is blocking traffic lanes. Officer may also impound vehicles from municipal parking yards that have been parked in violation of permit parking requirements or overtime at a meter 48

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

hours after the vehicle is discovered in violation. The tires should be marked to verify its not being moved.

B. SUSPENDED/REVOKED DRIVERS OR REGISTRATIONS

1. Motorists operating with suspended/revoked driver's licenses and registrations shall be treated uniformly and issued summonses for the suspended/revoked infraction and the precipitating violation that contributed to the stop, if applicable.
2. Further check the motorist through the DMV History files to determine the reason for the suspension(s).
3. Drivers with suspended/revoked driver's licenses/registrations shall be checked for warrants through NJWPS and ATS/ACS. The suspension may be from their failure to appear for previously issued summonses.
4. Drivers with active warrants shall be arrested and made to post the required bail or appear before a judge.

C. HAZARDOUS VIOLATIONS

1. Hazardous violations greatly contribute to the crash rate. Addressing these violations will specifically have a positive impact upon the number of crashes within the Borough. These violations include, but are not limited to:
 - a. Speeding
 - b. Careless driving
 - c. Reckless driving
 - d. Unsafe lane changes
 - e. Following too closely
 - f. Failure to obey a traffic control device
 - g. Improper turns
 - h. Any moving violation at an intersection where pedestrians may be present
2. Officers shall strive to issue summonses for the exact violation and not group all enforcement activity into the category of careless driving.
3. Officers shall aggressively seek opportunities to enforce these violations throughout their tours of duty.

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

D. OFF-ROAD VEHICLE VIOLATIONS

1. The New Jersey Motor Vehicle Code does not draw any distinction between operating a vehicle on private or public property or roadways when enforcing DWI, revoked/suspended violations, careless or reckless driving.
2. Operators are generally permitted to operate unregistered vehicles on private property, but the vehicle(s) must still be insured in the State where they are principally garaged.
3. The Borough of Fort Lee and County of Bergen prohibit off road vehicle operation in parks.

Summonses should be issued when possible for these violations, vehicles may be removed by owners or towed if operators are not permitted to do so.

E. EQUIPMENT VIOLATIONS

1. Officers need to determine the extent to which equipment violations hamper the continued safe operation of the vehicle. Violators should be issued summonses for the necessary equipment violation(s) and be permitted to leave. Violations that render the vehicle unsafe for continued operation shall not be permitted to be driven away.
2. See Volume V, Chapter 8, Towing and Impounding of Motor Vehicles for guidance on when to impound a vehicle or allow it to remain parked.

F. PUBLIC CARRIER/COMMERCIAL VEHICLE VIOLATIONS

1. NJSA 39:5-25 requires that the operator of a bus or street car while operating upon their approved route cannot be arrested, except for DWI violations.
2. Officers shall not unduly delay bus/street car operators when enforcing traffic laws.
3. When issuing equipment violations to operators of public carriers or commercial vehicles, the summons may be issued to the driver and/or owner of the vehicle. (Note: New Jersey Statutes specifically require that a summons be issued to a person and not a company or corporation. If the officer wishes to issue a summons for equipment violations to the owner of the commercial vehicle, he/she needs to identify an agent or owner of the company/corporation.)
4. Municipal police officers are not authorized to weigh vehicles. If there is any reasonable suspicion or probable cause to suspect a vehicle is overweight, contact the New Jersey State Police Weight Enforcement Team or Bergen County Police Departments Weight Teams. Summonses must still be issued for return in Fort Lee.

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

G. NON-HAZARDOUS VIOLATIONS

Generally officers may use their own discretion in issuing summonses for the following violations, however, unless there are extenuating circumstances, they should be issued at collision scenes. Non hazardous violations generally include, but are not limited to:

1. Licensing, registration, and insurance issues
2. Inspection issues
3. Document issues
4. Lettering issues (names on commercial vehicles, etc.)
5. It is New Jersey Public Policy that insurance violations be aggressively enforced.

H. MULTIPLE VIOLATIONS

1. Officers are encouraged to issue summonses for any and all violations that they discover during a motor vehicle stop.
2. Multiple violations cannot appear on the same summons. Each violation shall result in a separate summons. (For example: Failure to exhibit a driver's license, registration, or proof of insurance would result in 3 separate summonses and not one summons with all three violations checked off.)

I. NEWLY ENACTED LAWS AND/OR REGULATIONS

1. Motorists may not be aware of recently enacted laws and regulations. Officers are granted wide discretion when enforcing new laws, ordinances, and regulations. A period of warnings is generally considered the best practice.
2. Unless specifically required by statute and/or Attorney General or Prosecutor, the warning period should not exceed 30 days.

J. PEDESTRIAN AND BICYCLE VIOLATIONS

1. Pedestrians are required by the New Jersey Motor Vehicle Code to cross roadways perpendicular to the roadway and at crosswalks where crosswalks are provided. Pedestrians are required to cross signalized intersections with the green signal where specific pedestrian controls are not present.

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

2. Pedestrians may be detained for the purpose of issuing a summons for pedestrian violations. The pedestrian does not require a driver's license, nor should a driver's license number be included on a summons.
3. Any bicyclist of any age may be issued a summons for any violation of the motor vehicle code. Bicycles must follow the same rules of the road as motor vehicles. The New Jersey Motor Vehicle Code currently requires bicyclists under the age of 17 to wear a helmet.

IV. COLLISION CITATION RATE

- A. The Collision Citation Rate is the number of collisions where summonses have been issued, divided by the total number of collisions investigated. Northwestern University Traffic Institute considers any rate below 30% as ineffective and a rate at or above 55% as satisfactory.
- B. Police officers have the responsibility of investigating and reporting on motor vehicle collisions as a basic and necessary duty intended to help reduce the number of collisions, deaths and injuries. Collisions should be thoroughly investigated and, if appropriate, summonses should be issued if the requisite probable cause is present.
- C. The Traffic Commander shall continually monitor the collision citation rate.

V. PROCEDURES FOR STOPPING VEHICLES

- A. Prior to engaging in any vehicle stop, officers shall ensure that they have sufficient legal or authorized grounds for the stop.
- B. The following procedures are to be followed whenever possible when engaging in an Unknown-Risk vehicle stop. It is recognized that varying conditions including, but not limited to roadway construction, volume of traffic, and the urgency of making vehicle stops may require officers to adjust these procedures to particular conditions:
 1. Once an initial decision has been made to stop a vehicle, the officer should select an area that provides reasonable safety, avoiding curves, hills, heavily trafficked and poorly lit areas and roads without shoulders. Whenever possible, the officer should avoid the use of private drives, business locations and areas where a large volume of spectators are likely to gather. Depending on the circumstances, officers may wish to wait for their back-up unit.
 2. When a location has been selected for the stop, the officer shall notify the communications center of the intended stop and minimally provide the following information:
 - a. Location
 - b. License plate number and state

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

- c. Brief description of vehicle
- d. Number of occupants (gender, race, if known)

At the officer's discretion or at the telecommunicator's request, additional information may be exchanged.

3. At the desired location, the officer should signal the vehicle operator to stop at the far right side of the roadway or at the safest shoulder by activating the overhead emergency lights and siren as necessary.
 - a. On multi-lane roads, the officer may facilitate movement to the right shoulder by gradually changing lanes behind the motorist until the right side of the roadway is reached.
 - b. Should the motorist stop abruptly in the wrong lane or location, the officer should instruct them to move by using the appropriate hand signals or by activating the vehicle's public address system.
4. Once properly stopped, the contact officer should position the police vehicle about one-half to one car length behind the stopped vehicle on a slight angle with the front about 2 feet to the traffic side of the stopped vehicle. The slight angle will provide a safety area for the officer to approach the vehicle.
 - a. At night, the spotlight may be used to illuminate the vehicle's interior once stopped. The police vehicle should use its low beams, as the high beams could blind oncoming motorists. Flashlights should be held in the support hand.
5. Before and when exiting the police vehicle, the officer(s) should be particularly alert to furtive movements or actions of the vehicle's operator or passengers.
6. Approaching from the driver's side, the contact officer should push down on the trunk lid, observe the passenger compartment, and stop at a point to the rear of the trailing edge of the left front door in order to communicate with the driver.
 - a. Where circumstances dictate, particularly where traffic is close enough to create a potential problem, the officer may choose to approach the stopped vehicle from the right-hand side at the trailing edge of the right front door. At night, walk behind the police vehicle to get to the right side. Walking in front of the police vehicle will present a silhouette.
 - b. When the stopped vehicle has occupants in the rear seat, the contact officer should approach to a point near the leading edge of the left front door, being particularly observant of occupant movements and choosing a path that will not allow the occupants to thrust the door open against them.

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

- c. Officer may also choose to have the driver of the vehicle exit and come to the rear, remaining between the officer and the vehicle, the officer may then question the driver about his/her actions with the driver in this location until backup units arrive, or for the duration of the stop depending on action to be taken.
 - d. In two-officer police vehicles, the cover officer should be responsible for radio communications, note taking and relaying messages to the communications center or other units. The cover officer should also act as an observer and cover for the contact officer.
 - 7. The officer should advise the motorist of the reason for the stop. Officers should not engage in any debate about the merits of the stop, but should refer the motorist to the court, if applicable.
 - 8. Officers should require stopped motorists to remove their driver's license or other identification from their wallet/folder prior to presenting it. Do not reach into the vehicle for the documents. Instead, instruct the motorist (or passengers) to hand the documents out of the window.
 - 9. In most situations, non-uniformed officers operating unmarked vehicles should contact a marked unit for assistance in stopping the vehicle. In situations where failure to act immediately would create unreasonable risks of injury, death or significant property damage, the non-uniformed officer in the unmarked vehicle should make the stop.
 - 10. When issuing summonses, conducting roadside sobriety tests, or conversing with the motorist, the officer and other parties should be positioned to the side of the road, clear of the vehicles.
 - 11. Except under extraordinary or unusual circumstances, motorists should not be permitted to sit in police vehicles while summonses are being prepared or other police business is being conducted.
 - 12. When preparing a summons or conducting other police business, the officer should position their paperwork and related materials in a manner that permits continued observation of the stopped vehicle and its occupants.
 - 13. When disengaging from a vehicle stop, the stopped vehicle should be permitted to proceed on its way prior to the officer leaving the site.
 - 14. The Police Unit's Mobile Video Recorder and Microphone should be activated during all motor vehicle stops by primary units and backup units.
- C. A back up unit should respond to or be assigned on all vehicle stops. Back up units should utilize their discretion in responding quickly to vehicle stops, using emergency lights and siren, unless informed otherwise by the contact officer. Generally, back up units should park behind the primary unit close to the curb or as far as possible to the right side of the roadway. The back up officer should approach the stopped vehicle on

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

the side opposite the primary officer, slightly to the rear so as to observe the entire interior of the vehicle.

- D. At night, back up units should douse their headlights (not parking lights) so as not to illuminate the primary vehicle or officers involved in the stop.
- E. The following procedures should be employed when engaging in a High-Risk vehicle stop:
 - 1. To the extent possible, the officer initiating the high-risk stop (contact officer) should select a location for the stop that causes the least amount of danger to themselves and the general public.
 - 2. When planning to stop the vehicle, the contact officer shall notify the communications center and minimally provide the following information:
 - a. Location where the stop will be made
 - b. License plate number and state
 - c. Brief description of vehicle
 - d. Number of occupants with description
 - e. Crime or offense suspected
 - 3. Officers should not initiate high-risk vehicle stops unless back-up units are available and reasonably close to the location selected for the stop.
 - 4. After selecting an appropriate location and with adequate support units in position when available, the officer should stop the vehicle.
 - 5. Officers should position their vehicles in locations that will maximize opportunities for cover and in a manner that will illuminate the interior of the suspect vehicle to the occupant's disadvantage.
 - 6. Once the suspect vehicle is stopped, officers should stay with their vehicles and assume positions of cover.
 - 7. The contact officer should issue verbal commands to the vehicle's occupants through the police vehicle's public address system, if available. Only one officer should issue commands. Commands should be simple, clear, concise, and loud enough to be understood.
 - 8. The contact officer should attempt to identify himself/herself and inform all occupants of the vehicle that they are to comply with all orders without hesitation or suspicious movements. If the occupant(s) are under arrest, indicate so.

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

9. The operator of the suspect vehicle should be ordered in separate commands to do the following:
 - a. Lower all windows
 - b. Remove the ignition key with the left hand and drop them on the pavement/ground
 - c. Open the door from the outside, if possible
 - d. Step out of the vehicle, turn completely around and face away from the officers
 - e. Walk backwards until commanded to stop and lie face down on the ground with hands stretched out to the side, palms up.
 - f. Subsequently occupants should be similarly commanded until all are in a position to be handcuffed and searched. Subjects should be assisted to an upright position as soon as it is safe to do so.

Always be alert to the possibility of positional asphyxia when positioning and handcuffing subjects.

10. With appropriate cover, officers should then approach the suspect vehicle to inspect the passenger compartment and/or trunk for additional suspects.
- F. In the event an officer needs to stop commercial or similar oversize vehicles, the following additional procedures should be considered:
1. Select a location for the stop that provides enough room for the vehicle and sufficient stability to support the vehicle's weight, and allow the operator sufficient time and distance to make the stop.
 2. Approach the vehicle being alert to any furtive activity in the cab.
 3. Never climb onto the vehicle to make contact with the driver. Maintain a position that maximizes the view of the cab. Require the driver to exit the vehicle, if and when necessary.
 4. Officers should not step onto a bus when conducting a vehicle stop of the bus unless circumstances require it.
- G. In cases where a motorist must be stopped from on-coming traffic, the following actions should be taken:
1. Drive the police vehicle to the extreme right portion of the roadway and, as the vehicle approaches; signal them to stop by using hand signals and emergency lights.

**TRAFFIC
TRAFFIC ENFORCEMENT ACTIONS
VOL. IX, CH. 3**

2. Because of the potential hazards involved, an officer should not leave their police vehicle when attempting to stop on-coming motorists.
 3. If the subject motorist complies with the instructions, the police vehicle may then be turned around and appropriately positioned to the rear of the subject vehicle.
 4. Should the motorist fail to comply with the officer's instructions, the officer should turn the police vehicle around safely, approach and stop the vehicle as described in B, 6.
- H. When stopping a motorist to the rear of a police vehicle, the following actions should be taken:
1. The officer should pull over to the side of the roadway and let the vehicle pass before engaging in a stop.
- I. At times, officers may be involved in enforcement activity in a static location. When stopping a motorist while the officer is on foot, the following actions should be taken:
1. Without stepping into traffic, the officer should gain the motorist's attention by pointing directly at them, blowing their whistle, and signaling them to pull to the side of the roadway.
 2. The location selected for the stop should be to the right side of the roadway, where disruption to other traffic is minimal.
 3. Officer safety procedures established above should still be followed.

VI. SUPPLEMENTAL

- A. Officers should switch to alternate channels such as **LOOKUPS** when conducting record checks to keep the main group free for other users.
- B. Officers should have the stopped vehicle's occupant(s) out of listening range when conducting record checks.
- C. Officers should not permit the stopped vehicle's occupant(s) visual access to any MDC transactions.

**TRAFFIC
TRAFFIC INCIDENT MANAGEMENT PLAN
VOL. IX, CH. 29**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 10/9/02	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 1					CHAPTER 29
ACCREDITATION STANDARD(S):	REFERENCE: V9C29					
SUBJECT: GWB TRAFFIC INCIDENT MANAGEMENT PLAN						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE: Bergen County Traffic Incident Management Plan Book, SOP Book						

PURPOSE:

To reroute traffic as quickly as possible from the bridge approaches so as to prevent additional congestion during accidents and incidents expected to last for protracted periods of time.

POLICY:

The GWB Traffic Incident Management Plan should be activated in accordance with the Eastern Bergen County Regional Police Mutual Aid agreement and subsequent revisions.

DEFINITIONS:

- I. Eastern Bergen County Regional Police Mutual Aid agreement is a traffic mitigation plan developed by Fort Lee Police Dept. Traffic Bureau, Port Authority Police with the Bergen County Traffic Officer's Association.

PROCEDURES:

- I. Upon being advised of any traffic condition covered by the plan by Port Authority Police, the Traffic Commander, Tour Commander and Road Supervisor will take the specified actions in compliance with the plan.
- II. The required Major Event Notifications to the Chief, Deputy Chief, ranking on-duty supervisor and borough officials shall be made.

**TRAFFIC
TRAFFIC INCIDENT MANAGEMENT PLAN
VOL. IX, CH. 28**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 10-09-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
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ACCREDITATION STANDARD(S):	REFERENCE: V9C28					
SUBJECT: TRAFFIC INCIDENT MANAGEMENT PLAN						DISTRIBUTION ALL
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REFERENCE: Bergen County Traffic Incident Management Plan 1996, SOP 96-3						

PURPOSE:

To reroute traffic as quickly as possible from pre-selected county and state roads so as to prevent additional congestion during accidents and incidents expected to last for protracted periods of time.

POLICY:

The Traffic Incident Management Plan should be activated in accordance with the 1996 Bergen County Traffic Incident Plan.

DEFINITIONS:

- I. Protracted period of time: For the purpose of this SOP, a protracted period of time shall be defined as a minimum anticipated 90 minute closure of any designated roadway, or lane(s) of any designated roadway under the Bergen County Traffic Incident Management Diversion Route Plan (BCTIMDRP).
- II. Level I Incident: A motor vehicle incident or accident that results in lane closures on a state highway and is expected to have a prolonged duration and impact on traffic. (Page 8 of BCTIMDRP.)
- III. Level II Incident: An incident that has resulted in a complete closure of the highway, and is intended to last more than 90 minutes.

**TRAFFIC
TRAFFIC INCIDENT MANAGEMENT PLAN
VOL. IX, CH. 28**

PROCEDURES:

I. SCOPE:

A. Roads within the Borough of Fort Lee covered by the BCTIMDRP are as follows:

NJ Route 67 (Lemoine and Palisade Avenues between Wall St. and NJ Rte. 5)

NJ Rte. 63 (Bergen Blvd.)

NJ Rte. 5 (Rte. 5, Palisade Ave., and Glen Rd from Edgewater to Ridgefield borders)

NJ Rte. 4

US Rte. 9w, (Fletcher Ave. at Kelby St., North to Englewood Cliffs border on Lemoine Ave.)

US Rte 1 & 9 (Bergen Blvd.)

B. All other roads within the borough **are not** covered by this procedure or the County plan, and closures of those roads and diversions associated with those closures shall be handled according to the Emergency Traffic Management Plan (Vol. 9 Ch. 27).

II. RESPONSE

A. Level I Incidents:

1. Upon arriving at the scene of any collision or incident that may necessitate the activation of this plan, the first responding officer should take the following measures:
 - a. Assume the role of Incident Commander until relieved by a supervisor;
 - b. Secure the scene to prevent further escalation of the incident;
 - c. Radio Comcen with details concerning injuries, the scope of the incident, and any other details necessary to establish an appropriate response;
 - d. If circumstances dictate, request the on-duty Traffic Bureau Supervisor, if not then the Road Supervisor to the scene as the Incident Commander;
 - e. Coordinate, or assist the Incident Commander in coordinating, a temporary traffic diversion around the affected area;
 - f. If it is reasonably determined that lane closures or diversions will last at least 90 minutes, the investigating officer shall confer with the Incident Commander.

**TRAFFIC
TRAFFIC INCIDENT MANAGEMENT PLAN
VOL. IX, CH. 28**

- e. The Incident Commander should decide whether the Bergen County Traffic Incident Management Plan be initiated and the Bergen County Traffic Incident Management Response Team (BCTIMRT) is to be notified. Should the Incident Commander decide to call out the BCTIMRT, the following steps should be taken:
 - (1) Comcen should be advised to notify the team at 1-800-462-4336 and apprise them of the situation. This appraisal should include, in addition to any pertinent facts unique to the incident:
 - (a). Date
 - (b). Time
 - (c). Caller
 - (d). Agency
 - (e). Type of incident
 - (f). Hazmat involvement
 - (g). Exact location
 - (h). Estimated projected duration of incident
 - (i). Name and location of Incident Commander
 - (j). Contact phone number.

- 2. If, after being apprised of the situation, the BCTIMRT representative determines that applicable criteria are met, the team should respond to the scene or command post to confer with the Incident Commander and make a determination as to what measures will be taken and what resources will be used.
 - a. The Fort Lee Police Department retains primary responsibility for the proper securing of the scene, the safety of all responders at the scene, and for the investigation of the incident.

B. Level II Incidents:

- 1. Upon arriving at the scene of any accident or incident that meets the Level II criteria defined earlier in this policy, the responding officer should:
 - a. Take all measure described under "Level I Incident response".
 - b. Utilize the Incident Command system to track all resources being employed.

**TRAFFIC
TRAFFIC INCIDENT MANAGEMENT PLAN
VOL. IX, CH. 28**

- c. Implement the diversion routes established by the BCTIMRT.
- d. Provide information and updates as necessary for BCTIMRT and NJ DOT TRANSCOM.

II. NOTIFICATIONS

- A. The Tour Commander should immediately notify:
 - 1. The Shift Supervisor
 - 2. The Shift Commander
- B. The Shift Supervisor / Shift Commander should ensure that the following notifications are made:
 - 1. The Chief of Police
 - 2. The Operations Division Commander
 - 3. The Traffic Bureau Supervisor, if off-duty.
- C. Com-Cen should immediately notify:
 - 1. The Fire Department Chiefs and Officers
 - 2. The Ambulance Corps. Chief and duty crew(s)
 - 3. Surrounding towns via SPEN
 - 4. Office of Emergency Management

III. REPORTING

- A. Any incident or collision that necessitates the response of the BCTIMRT will be documented in the form of a supplemental narrative report to the original collision or investigation report, outlining the details of the incident, circumstances of the call out, and resources used. Also, response of the team will be noted on the original collision or investigation report in the narrative section.

**TRAFFIC
TRAFFIC LAW ENFORCEMENT
VOL. IX, CH. 1**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-22-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
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ISSUING AUTHORITY: _____ ACTING CHIEF BERNARD M. HART						EVALUATION DATE:
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REFERENCE:						

PURPOSE

To establish general guidelines for the department's traffic law enforcement program.

DISCUSSION

The goal of traffic law enforcement is to reduce traffic collisions, fatalities and injuries, and to facilitate the safe and expeditious movement of vehicular and pedestrian traffic through the public's voluntary compliance with traffic regulations. This goal should be met through a combination of education, enforcement, engineering and public support.

POLICY

- I. The constitutional rights and privileges of all people regardless of age, race, creed, or sex will continue to be faithfully observed and respected by all officers in the enforcement of traffic laws, ordinances and regulations.
 - A. Traffic laws should be enforced at a level sufficient to ensure the safe and expeditious movement of traffic. Enforcement activities should be conducted in a consistent and uniform manner.
 - B. Assignment of traffic law enforcement personnel should be based on principles of selective enforcement; resources should be directed toward specific violations, in specific locations, based primarily on traffic accident experience.

**TRAFFIC
TRAFFIC LAW ENFORCEMENT
VOL. IX, CH. 1**

- C. The department is definitely and unequivocally opposed to preferential treatment pertaining to adjudication of traffic cases in any manner by any agency, official or person.
- D. All sworn officers are responsible for traffic law enforcement, unless a specific situation dictates otherwise.
- E. Traffic law enforcement will not be used as a means to generate revenue for the department.
- F. Evaluation of traffic officers shall not be based exclusively on quantity of enforcement activity.
- G. Public understanding and support are essential to the effectiveness of all law enforcement programs. The department will initiate and promote programs to inform and educate the public as to the conditions adversely affecting the safe movement of traffic and the countermeasures implemented to combat them.
- H. Strategies and tactics for traffic enforcement should be consistent with the nature of the violation and its potential for interfering with the free and safe flow of traffic. The department should use all legal and reliable technological and scientific methods available. Traffic enforcement activities may be conducted by uniformed officers using marked or unmarked patrol vehicles, a combination there of, or while on foot.
 - 1. Traffic enforcement action should be taken without regard for such factors as attitude, intent, or frivolous excuse. Whenever legally and practically possible, officers of this department shall issue citations or verbal warnings.
 - 2. Many traffic accidents, particularly those involving fatality and personal injury, are directly attributable to persons driving under the influence of alcohol and/or drugs. The department will ensure that sworn officers are trained in aspects of DWI detection and enforcement. The department will cooperate fully with other agencies and community groups to reduce and control the DWI problem.
 - a. In all contacts with motorists, officers should remain alert for the possibility that the driver may be under the influence and shall take appropriate enforcement action if such drivers are detected.
- I. Supervisory personnel cannot assume responsibility for reviewing the judgement of individual officers in all cases in involving the issuance of a traffic citation. Differences of opinion as to whether or not an offense was committed will be best resolved in court at the time of trial. However, supervisory personnel should make proper inquiry and take appropriate measures in those circumstances where citations are not being issued for specific violations when there is indication that such level of enforcement is needed.

II. PROCEDURES:

- A. The primary responsibility for the enforcement of traffic laws and regulations rests with the Patrol Division. However, all sworn officers, while on duty and in uniform, should take appropriate enforcement action for all violations of traffic laws and regulations they observe.

**TRAFFIC
TRAFFIC LAW ENFORCEMENT
VOL. IX, CH. 1**

1. The Patrol Division will be responsible for basic accident investigation and reporting.
2. The Patrol Division will also have primary responsibility for selective traffic enforcement, DWI enforcement and speed enforcement.

III. TRAFFIC BUREAU:

- A. The Traffic Bureau will operate under the Patrol Division and consist of the following units:
 1. Accident Investigation Unit
 2. Motorcycle unit
 3. Construction unit
 4. Tow Unit
 5. Engineering unit
- B. The Traffic Bureau will be responsible for the following job tasks:
 1. Traffic posts
 2. Emergency Traffic Management
 3. Administration of the School Crossing Guard Program
 4. Review of site plans of proposed construction
 5. Investigation of requests for changes in parking and traffic regulations
 6. Investigation of accidents involving departmental vehicles
 7. Traffic Enforcement
 8. Traffic Radar / Laser Maintenance Program
 9. Special detail traffic control
 10. Funeral escorts
 11. Occupant Safety (Seat Belt) Program & Instruction
 12. Trailer maintenance
 13. Assisting & clearing of disabled vehicles
 14. Investigating & clearing of abandoned vehicles

**TRAFFIC
TRAFFIC LAW ENFORCEMENT
VOL. IX, CH. 1**

15. Investigation and removal of obstructions to traffic
 16. School Traffic Post Program
 17. Targeted / selected enforcement for traffic problems
 18. Investigation of traffic signal malfunctions
 19. Construction Work-Site Safety Instruction
- C. The Patrol Division should handle general police tasks not specifically assigned to the Traffic Bureau.
- D. The Patrol Division units may be assigned by a supervisor or Com-Cen, to handle certain Traffic Bureau tasks in their absence, or inability to handle the task due to assignment,

**OPERATIONS
VEHICLE SAFETY BELTS
VOL. IV, CH. 13**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-30-2006	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 2					CHAPTER 13
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SUBJECT: NAME VEHICLE SAFETY BELTS						DISTRIBUTION ALL
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CHIEF THOMAS RIPOLI						
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PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To minimize the possibility of death or injury as a result of accidents involving drivers and passengers in departmental vehicles.

POLICY:

All employees of the Fort Lee Police Department shall compliance with Title 39:3-76.2 by using the safety belts / passenger restraint systems installed by the vehicle manufacturer when operating or riding in any vehicle so equipped.

DISCUSSION:

There is available evidence indicating that the use of safety belts has a significant effect in reducing the number of deaths and the severity of injuries resulting from traffic crashes, and assisting officers in maintaining proper control of their vehicles in pursuit and/or emergency high speed operations.

I. PROCEDURE:

- A. All persons, except where specifically exempted, shall use the safety belt restraining system while operating or riding as a passenger / prisoner in a departmental vehicle which the vehicle is in motion.

OPERATIONS
VEHICLE SAFETY BELTS
VOL. IV, CH. 13

1. All officers transporting prisoners should ensure that the individual under arrest is properly secured by the passenger restraint system with their hands handcuffed behind their back.
 2. All civilians riding in Fort Lee Police Department vehicles should be advised to utilize the passenger restraint system available.
 3. This policy shall not apply to persons occupying a seating position that is not equipped with a passenger restraint system, or any officer possessing a written note from a physician explaining that for medical or physical reasons the officer is unable to use the safety belt system. The written note must be filed with the Chief of Police before an exemption is granted.
- B. Unless a replacement vehicle is unavailable, no person shall operate a departmental vehicle in which any belt in the front seat is inoperable.
- C. There are circumstances in which use of safety belt restraining systems may hamper efficient conduct of police functions. A supervisor may grant exemption to this policy for specific situations in which they deem efficiency of operation outweighs the safety benefit.
- D. No employee of the Fort Lee Police Department shall modify, deactivate or otherwise tamper with the passenger restraint systems except when required for vehicle maintenance.

**ADMINISTRATION
ELECTRONIC COMMUNICATIONS
VOL, II, CH, 20**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-19-2001	REVISION DATE: 04-30-2010 01-19-11	PAGE #: 3 3	SECTION: I.A.8 IA6	APPROVED 01-20-11	VOLUME II
VOLUME TITLE: ORGANIZATION	# PAGES: 5					CHAPTER 20
ACCREDITATION STANDARD(S):	REFERENCE: V2C20					
SUBJECT: ELECTRONIC COMMUNICATIONS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The purpose of this policy to provide officers with guidance on the proper use of personal computers and related electronic messages utilized in this agency for purposes of disseminating electronic mail, utilizing services of the Internet and related electronic message transmission, recording and storage devices.

POLICY:

The availability and use of the personal computer within the work environment have provided many opportunities for the enhancement of productivity and effectiveness. These technologies also entail the opportunity for rapid transfer and broad distribution of sensitive information that can also have damming effects on this agency, its members, and the public if not managed properly. Therefore, it is the policy of this agency that all members abide by the guidelines set forth herein when using personal computers. Guidelines set forth shall be applicable to services of both internal and external databases, information exchange networks and where applicable, internet e-mail, intranet e-mail, voice mail, mobile computer terminal usage to include CAD messaging, switching and related electronic messaging devices.

DEFINITIONS:

ELECTRONIC MESSAGING DEVICE (EMD):

For purposes of this policy, electronic messaging devices include personal computers, electronic mail systems, voice mail systems, paging systems, electronic bulletin boards, Internet services, mobile computer terminals and facsimile transmissions.

SYSTEM ADMINISTRATOR: For purposes of this policy, a member of this agency will be designated with responsibility for managing all aspects of electronic messaging through individual computers and computer networks within this agency.

I. PROCEDURE:

A. GENERAL USE AND SECURITY

1. Transmission of electronic messages and information on communications media provided for employees of this agency shall be treated with the same degree of propriety, professionalism, and confidentiality as official written correspondence.
2. This agency encourages that authorized and trained personnel with access to EMD's utilize these devices whenever necessary. However, the use of any EMD is considered a privilege that is subject to revocation.
3. Members are advised that they do not maintain any right to privacy while utilizing department owned EMD equipment or its contents, to include personally owned software.
 - a. This agency reserves the right to access any information contained in EMD's and may require members to provide passwords to systems or files that have been encrypted or password protected.
 - b. This agency reserved the right to access, for quality control purposes and/or for violations of this policy, electronic and voice transmissions of members conducting business in this agency.
 - c. Accessing or transmitting materials (other than that required for official police business) that involved the use of obscene language, images, jokes, sexually explicit materials, or messages that disparage any person, group, or classification of individuals is prohibited whether or not a recipient has consented to or requested such material.
5. Confidential, proprietary or sensitive information may be disseminated (or made available through shared directories or networked systems) only to individuals with a need and a right to know and when there is sufficient assurance that appropriate security of such information will be maintained. Such information includes but is not limited to the following:

**ADMINISTRATION
ELECTRONIC COMMUNICATIONS
VOL, II, CH, 20**

- a. Transmittal of personnel information, such as salary, performance reviews complaints, grievances, misconduct, disciplinary information, medical records or related employee information.
 - b. Criminal history information and confidential informant master files, identification files or related information.
 - c. Intelligence files and information containing sensitive tactical and undercover information.
6. Each member is assigned their own password to access the EMD. No member shall access or allow others to access any file or database unless that person has a need and a right to such information. Additionally, personal identification and access codes shall not be revealed to any unauthorized source.
7. An EMD is designed and intended to conduct business of this agency and is restricted to that purpose. Installation of or access to software for purely entertainment purposes is prohibited. Exceptions to business use include the following:
- a. Infrequent personal use of these devices may be permissible if limited in scope and frequency, if in conformance with other elements of this policy and if not connected with a profit-making business enterprise or the promotion of any product, service or cause that has not received prior approval of this agency.
 - b. Personnel may make off-duty personal use of agency computers for professional and career development purposes when in keeping with other provisions of this policy and with prior knowledge of an appropriate supervisor.
8. Any member who improperly accesses or disseminates information from an EMD, including but not limited to any internal or external database used for Criminal Justice Purposes, may be subject to criminal prosecution and/or civil liability.

II. IMPORTING/DOWNLOADING INFORMATION AND SOFTWARE

- A. No member shall download or install any software from any source without first obtaining permission from the commanding officer of the Administrative Division.
- B. Permission will be granted in specific cases where the member communicates successfully that the software will be used for his/her specific assignment and that the departmental software is not adequate for the intended purpose.
- C. Only fully licensed versions of software may be utilized.

**ADMINISTRATION
ELECTRONIC COMMUNICATIONS
VOL, II, CH, 20**

- D. Members shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized.
 - 1. Any software for which proof of licensing (original disks, original manuals and /or license) cannot be provided is subject to removal by authorized agency personnel.
 - 2. Privately owned software may be loaded on agency computers if approved by the system administrator.
 - 3. Privately owned software may be removed if it conflicts with departmental hardware or software, interferes with the ability of other members to access or utilized the EMD, or occupies excessive storage space needed by the agency.
- E. Members shall observe copyright restrictions of any documents, images, or sounds sent through or stored on electronic mail.
- F. Any hardware enhancements or additions to agency-owned equipment must be approved and authorized by the system administrator. The system administrator is responsible for determining proper installation procedures.
- G. Members shall not permit unauthorized persons to use this agency's electronic mail system.
- H. To avoid breach in security, members shall log off any personal computer that has access to the agency's computer network, electronic mail system, the Internet, or sensitive information whenever they leave their workstation.

III. MAINTENANCE

- A. Members shall be responsible for the basic care and maintenance of all computer devices to include:
 - 1. Following proper power-up and shut down protocol.
 - 2. Preventing exposure to food, liquid or other damaging elements.
 - 3. Preventing damage or mistreatment to keyboards or other external hardware.
 - 4. Removal of floppy, CD-ROM or tapes which may potentially damage the system.
 - 5. Updating passwords, and advising the System Administrator of same.

**ADMINISTRATION
ELECTRONIC COMMUNICATIONS
VOL, II, CH, 20**

6. Replace bulbs in external lighting units.
 7. Notifying the systems administrator of any malfunctions.
- B. Unless authorized, members shall not perform any of the following maintenance functions:
1. Taking apart or removing external cases.
 2. Altering system or program files
 3. Uninstall, remove or alter agency owned programs.
 4. Remove system batteries.
 5. Swap system parts.
- C. The System Administrator shall act as liaison with county personnel to insure the proper backup and storage of the Central Record Systems to include CAD and Crimes.
- D. The System Administrator shall be responsible for agency owned computer files backup and storage.
- E. Backup and storage procedures of computer files will be consistent with the Records Retention and Disposition Schedule.

IV. INSPECTIONS

- A. To insure the integrity of the agencies computer system, the Systems Administrator shall be responsible in performing an annual audit of the departments computer system to include central records, for verification of passwords, access codes, or access violations.

**INTER-AGENCY PROCEDURES
EMERGENCY MEDICAL RESPONSE
VOL. V, CH. 2**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-31-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME V
VOLUME TITLE: INTER-AGENCY ASSISTANCE	# PAGES: 6					CHAPTER 2
ACCREDITATION STANDARD(S):	REFERENCE: V5C2					
SUBJECT: EMERGENCY MEDICAL RESPONSE						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE: Op. Man. 82-8, 90-6, AHA CPR Manual						

POLICY:

The purpose of this policy is to set forth guidelines that will enable officers to provide medical attention in an organized and efficient manner. The policy encompasses the following:

- . Qualifications of officers
- . Patrol vehicle equipment
- . Dispatching of patrol units and first aid to scene
- . Notification of MICU
- . Police response to a medical scene
- . Transportation of victims
- . Medical calls not requiring police response
- . Respiratory failure

PROCEDURE:

I. QUALIFICATIONS OF OFFICERS

- A. Patrol officers should be trained as CIM (Crash Injury Management) or EMT (Emergency Medical Technician) and CPR (Cardiac Pulmonary Resuscitation).
- B. Officers should maintain their current certification, EMT 3-year or CIM 3-year renewal, or EMT 2-year renewal (National Certification).

**INTER-AGENCY PROCEDURES
EMERGENCY MEDICAL RESPONSE
VOL. V, CH. 2**

- C. CPR instruction is to be given by certified American Heart Association or Red Cross instructors. The Training Bureau should maintain officers as CPR certified instructors.
- D. CPR certification should be maintained, 2-year renewal.
- E. Officers may be required to take any additional training in first aid as deemed necessary by the department.
- F. If available officers should receive a familiarization in child birth and light extrication during their training.

II. PATROL VEHICLE EQUIPMENT

- A. Officers should check the emergency equipment in each patrol vehicle prior to tour of duty and replace as needed.
- B. A first aid kit should be maintained in each patrol vehicle.
- C. An oxygen unit should be maintained in each patrol vehicle. Oxygen tanks should be changed when they reach one-quarter capacity (500 lbs. PSI).
- D. Full replacement oxygen tanks are available at VAC building when needed.
- E. Any other equipment deemed necessary for first aid purposes stored in the vehicle (i.e., flares, blankets) should be replaced as needed.
- F. It will be the responsibility of the Administrative Division Commander or his designee to assure that all depleted first aid supplies are available to replenish any used equipment.
- G. Officers should replenish any used equipment from the supply available in HQ. If unable to properly re-supply the first aid kit, the officer is to indicate the condition on the Vehicle Inspection Report.
- H. After the Tour Commander reviews the Vehicle Inspection Report, they should advise the Administrative Division Commander regarding the lack of available supplies.

III. DISPATCHING OF PATROL UNITS AND VAC TO THE SCENE

- A. All calls for first aid should be channeled through the Communications Center.
- B. Upon receipt of a call for an ambulance, the dispatcher should determine if it is an emergency. If it is an emergency, the nature of the emergency, the name of the caller, location of call (address) callback telephone number should be documented.
- C. A patrol unit from that sector should be dispatched to the scene.

**INTER-AGENCY PROCEDURES
EMERGENCY MEDICAL RESPONSE
VOL. V, CH. 2**

- D. The Fort Lee Volunteer Ambulance Corps. (VAC) should be dispatched according to their policy.
- E. In the event the VAC is unavailable to handle a call, the following actions may be taken:
 - 1. One or two EMT Police Officer(s) may be dispatched to the VAC building to operate the ambulance and provide medical attention to a patient.
 - 2. If the needed number of officers are unavailable, then mutual aid should be requested from the closest available jurisdiction to the scene.
- F. Mutual Aid Requests on Port Authority Property
 - 1. Fort Lee Police Officers operating one of the VAC ambulances should respond to requests from Port Authority Police only on the New Jersey side of the George Washington Bridge.
 - 2. If the Fort Lee officer determines that a victim may be transported by car rather than by ambulance, the Port Authority Police should be notified to perform the transportation.
 - 3. Whenever available a supervisor should respond to the Port Authority scene to supervise and assist the Fort Lee officer on the ambulance.

IV. NOTIFICATION OF MICU (MOBILE INTENSIVE CARE UNIT / PARAMEDICS / ALS)

- A. MICU should be notified by the communications on the following emergencies, at the request of medical personnel at the scene or if the officer feels it is required.
 - 1. Difficulty breathing
 - 2. Cardiac arrest
 - 3. Chest pains
 - 4. Entrapment
 - 5. Strokes
 - 6. Severe burns
 - 7. Potential disasters i.e.; building collapse, structural fires
 - 8. Drug overdose
 - 9. Diabetic Emergency
 - 10. Allergic reactions

**INTER-AGENCY PROCEDURES
EMERGENCY MEDICAL RESPONSE
VOL. V, CH. 2**

11. Severe trauma
 12. Gun shot wounds
 13. Seizures
 14. Childbirth
- B. If an ambulance is responding to the scene, arriving officers should not cancel the paramedics, but should await the VAC unit.
- C. If no VAC members are responding, the arriving officers may make a determination based upon their training, whether the paramedic response should be requested, cancelled, or if officers should await their arrival.
- D. Upon the arrival of the paramedic unit, paramedics should guide officers in all medical decisions regarding patient care.
- E. Officers of this department should cooperate in every way with the paramedic's efforts to treat the patient.

V. POLICE RESPONSE TO A MEDICAL SCENE

- A. Officer should acknowledge receipt of call and proceed quickly and adhere to N.J. Motor Vehicle Law 39:4-91 (Vol. 5, Ch. 7 Overhead Lights).
- B. Upon arrival, officer should apprise communications of condition of victim.
- C. Officer should render medical treatment corresponding to their training.
- D. Officer should turn over control of scene to a higher medical authority willing to accept responsibility of the scene in following descending order:
1. Doctor
 2. Nurse
 3. Paramedic
 4. VAC or other EMT
- E. In the event of an apparent crime, the ranking Police Officer at the scene should assume command of the scene and have the area protected as a crime scene.
- F. If the victim expires at the crime scene, the officer should remain at the scene and follow the Sudden Death / Homicide Policy (Vol. 5 Ch. 15).

VI. TRANSPORTING VICTIMS TO HOSPITAL

**INTER-AGENCY PROCEDURES
EMERGENCY MEDICAL RESPONSE
VOL. V, CH. 2**

- A. VAC should be responsible for transporting victims from the scene to the hospital.
- B. Officers operating the ambulance may elect to begin victim transport and meet responding paramedic assistance enroute, if that course of action should expedite victim care without further endangerment.
- C. Police vehicles may transport a victim in special circumstances with a supervisor's approval.
- D. Police vehicles should not provide an escort to the VAC by leading them through traffic.
- E. Police vehicles may provide necessary assistance by controlling traffic at intersections from scene to medical facility.
- E. Transportation of injured prisoners should be done by the VAC, with an officer guarding the prisoner as per the Prisoner Transportation and Holding Facility Policies (Vol. 7 CH. 8 & 9).

VII. MEDICAL CALLS NOT REQUIRING POLICE RESPONSE

- A. Non-emergency transportation.
- B. Calls with medical personnel in attendance, i.e. doctor's office, nursing home, school nurse's office.
- C. Routine pre-arranged transportations are to be handled by the VAC.
- D. Medical calls where:
 - 1. The VAC response time should be less than a police unit,
 - 2. When a police unit is not readily available, or
 - 3. When the nature of the call is one where a police officer is not needed.

VIII. RESPIRATORY / HEART FAILURE

- A. If the officer observes the victim is not breathing and / or there is no pulse, the officer should immediately administer CPR in accordance with their training.
- B. The only exceptions to this order would be when:
 - 1. The victim displayed signs of rigor mortis or lividity.
 - 2. The victim's death was caused by obvious fatal trauma.

**INTER-AGENCY PROCEDURES
EMERGENCY MEDICAL RESPONSE
VOL. V, CH. 2**

3. The victim has a valid DNR (Do Not Resuscitate) Order which is presented to the officer.
- C. When you are dealing in minutes, even an hour, or there is a question or doubt as to the specific cause or time of death, CPR should be given.
- D. The officer(s) should continue to administer CPR until:
 1. Effective spontaneous circulation and respirations have been restored.
 2. The scene is turned over to the higher medical authority.
 3. Resuscitation stopped by a physician.
 4. The officer is physically unable to continue resuscitation effort, environmental hazards endanger the officer, or continued efforts would jeopardize the lives of others.
 5. Reliable criteria for the determination of death are recognized.
 6. A valid DNR Order is presented to the officer.
- E. The officer should use the precautionary measures as specified in the Communicable Disease and Bloodborne Pathogen policies (Vol. 6 Ch. 6 & 6-1).

X. DEATH PRONOUNCEMENT AND REMOVAL

- A. The officer should follow the Sudden Death / DOA Policy (Vol. 15 Ch. 1).

XI. NEW JERSEY STATE DEPARTMENT OF HEALTH MEDIVAC HELICOPTERS

- A. The officer should follow the Medivac Policy (Vol. 9 Ch. 19).

**INTERAGENCY PROCEDURES
EMERGENCY SERVICES UNIT UTILIZATION
VOL, 5. CH,14.**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-17-2003	REVISION DATE: 02-23-2009	PAGE # 2	SECTION: B, 8	APPROVED 05-12-2009	VOLUME V
VOLUME TITLE: INTERAGENCY PROCEDURES	# PAGES: 3					CHAPTER 14
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: EMERGENCY SERVICES UNIT UTILIZATION						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:	Special Instructions					
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure that proper procedures are followed in situations where Emergency Services Unit personnel should be utilized.

POLICY:

All supervisors should follow the procedures set forth in this policy when confronted with situations where Emergency Services Unit personnel are to be used. Specialized equipment in ESU inventory should only be utilized by ESU personnel trained to due so.

PROCEDURES:

- A. Members of the Emergency Services Unit will be utilized according to procedures set forth in the following:
 - 1. If a request is made for ESU personnel, the team commander is to be contacted. If he cannot be contacted, a team leader will be called, utilizing the call-out list.

**INTERAGENCY PROCEDURES
EMERGENCY SERVICES UNIT UTILIZATION
VOL, 5. CH,14.**

2. When dealing with incidents within the borough, on-duty ESU personnel should be utilized first, with officers called in off-duty as dictated by the situation and the unit commander.
 3. When dealing with incidents which occur outside the borough, on-duty ESU personnel should be utilized to the extent that their participation does not jeopardize protection within the borough.
 4. At no time will officers who are not ESU personnel be dispatched to another jurisdiction on an ESU request for assistance, unless an extreme emergency exists. If personnel are so dispatched, they are to be replaced as soon as possible by ESU personnel as they become available.
- B. Emergency Services Unit personnel are to be used in any or all of the below situations.
1. Searches for criminals who are armed or suspected of being armed, or involved in a violent crime.
 2. Execution of any search or arrest warrants where the subjects may be armed.
 3. Any high-risk stakeouts, wherein the actor may use a weapon or cause a barricaded or hostage situation.
 4. Any barricaded subject situation, including criminals or psychotics.
 5. Rescues from heights (Unit Commander will assess the situation).
 6. Dignitary protection where a potential risk factor is involved.
 7. At any major event or emergency as specified in the Borough Disaster Response manual, and to assist other Agencies in similar situations.
 8. The Bergen County Police Department will be notified when the ESU is called in for an incident, they will activate their tactical unit to respond as backup.
- C. Officer contact will be made from list at the desk.
1. List of officers are to be contacted by what ever means possible, in descending order when a request is made for ESU personnel.
- D. The Chief of Police, Deputy Chief and Administrative officer that is the liaison to the ESU should all be contacted and informed of the situation at hand.
- E. In the event that ESU personnel are needed (aviation crash, explosion, barricaded subject, hostage situation etc...) the tour commander will advise the highest ranking officer available.

**INTERAGENCY PROCEDURES
EMERGENCY SERVICES UNIT UTILIZATION
VOL, 5. CH,14.**

The highest ranking officer available will then make the decision to order the immediate call-out of all ESU personnel.

1. In other situations, the Unit Commander or one of the Team leaders (or senior officers) listed, will decide on the specific personnel to be called out.
2. In the event that negotiators are needed for a hostage or crisis situation, the same list at the desk should be utilized, a minimum of 2 should be reached.

**INTER-AGENCY PROCEDURES
EMERGENCY VEHICLE WARNING DEVICES
VOL 5 CH 7**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-22-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME V
VOLUME TITLE: INTER-AGENCY PROCEDURES	# PAGES: 5					CHAPTER 7
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: EMERGENCY VEHICLE WARNING DEVICES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The purpose of this policy is to establish guidelines for the use of vehicle emergency warning devices.

POLICY:

This policy is to ensure that all members of this law enforcement agency adhere to statutory restrictions on the use of emergency warning devices and that such devices are employed only in prescribed conditions and circumstances and in ways that will minimize the risk of accidents or injuries to employees or the public.

DEFINITIONS:

Emergency vehicle: An authorized law enforcement vehicle equipped with red emergency lights, siren, and other emergency warning devices required by law and used for emergency response situations.

Emergency Warning Devices: Devices placed in/on each agency emergency vehicle that emit audible or visual signals in order to warn others that law enforcement services are in the process of being delivered.

**INTER-AGENCY PROCEDURES
EMERGENCY VEHICLE WARNING DEVICES
VOL 5 CH 7**

Emergency/Urgent Call Response

Officers shall use emergency warning equipment in accordance with applicable statutes and/or when specifically authorized to do so by a field supervisor. Field supervisors will monitor officers responding to calls for assistance, and when required designate the response code.

1. Response modes shall be designated as follows:
 - a. **Code zero** – There is danger for responding units, lights and siren.
 - b. **Code one** – There is a life hazard at the scene, lights and siren.
 - c. **Code two** Lights and siren
 - d. **Code three-** Silent approach / semi emergency.
 - e. **Code four-** Go without delay
 - f. **Code five-** Go when convenient
 - g. **Code six-** Cancel call
 - h. **Code seven-** There is a stakeout in the area
2. The supervisor may override the direction of communications personnel and order an officer to use a different response mode, if deemed necessary under the circumstances.

I. PROCEDURES

- A. Assigning/Determining Response Codes to Calls for Assistance.
 1. Road Supervisors and Tour Commanders are responsible for monitoring response modes for calls for assistance and shall have the authority to upgrade or downgrade assigned response modes.
 2. In instances where an officer wishes to initiate the emergency vehicular response mode in response to a sudden occurrence unbeknownst to communications personnel, road supervisors, or to upgrade a routine response assignment, the officer shall inform communications personnel as soon as possible of:
 - a. The nature of the situation, and
 - b. The location and destination of the officer.

**INTER-AGENCY PROCEDURES
EMERGENCY VEHICLE WARNING DEVICES
VOL 5 CH 7**

- B. Use of Emergency Warning Devices While in Emergency Response Mode.
 - 1. During an emergency response, emergency lights and/or siren and other emergency signal devices shall be activated as required by law.
 - 2. When responding in the emergency mode, the headlights of the emergency vehicle shall be activated to augment the emergency vehicle's visibility.
 - 3. During an emergency response, four-way flashers shall **not** be used when the emergency vehicle is in motion because they may interfere with brake lights and turn signals.
 - 4. The spotlight is primarily utilized to facilitate building and stationary vehicle checks and shall at no time be directed at the windshield or vision of oncoming traffic.
 - 5. When responding in an emergency response mode, emergency signal devices may be deactivated at a distance from the scene (to be determined by the vehicle operator) so as to not alert subjects to law enforcement proximity.
 - 6. When emergency signal devices are deactivated, the operator of the emergency vehicle shall comply with posted speed limits, obey all traffic control devices and signals, and proceed in a manner consistent with normal traffic flow.
- C. Use of Emergency Warning Devices While Conducting Motor Vehicle Stops.
 - 1. Audible and/or visible warning devices shall be used to make adequate notice of intent to stop a motor vehicle and to provide a safe environment for the vehicle operator, officer, and public.
- D. Discretionary Use of Emergency Warning Devices.
 - 1. Officers may activate emergency signal devices when required to assist in handling any perceived emergency situation. The officer shall advise communications personnel of the nature of the emergency and the emergency response mode that has been taken.
 - 2. In other than emergency situations, when expediency is required to effectively eliminate a potential hazard to the public or fellow officers, law enforcement officers may activate emergency warning devices to allow orderly and safe transit through heavily congested roadways. Examples of permissible uses of emergency warning devices during non-emergency response situations include, but are not limited to:

**INTER-AGENCY PROCEDURES
EMERGENCY VEHICLE WARNING DEVICES
VOL 5 CH 7**

- a. Using emergency lights as "beacons" to protect disabled motorists;
or
 - b. Using emergency lights when it is necessary to use agency vehicles
as protective barriers.
3. Operators of emergency vehicle shall deactivate emergency warning
devices when they are no longer needed..

E. EMERGENCY RESPONSE PROCEDURES

The following procedures will be followed in responding to calls for emergency
assistance.

1. **Communications Center Responsibilities**
 - a. Receive and record all incoming information on the call for assistance.
 - b. Dispatch appropriate field personnel and immediately notify the
commanding officer and field commander of action taken if requested by
officer.
 - c. Perform relevant record and motor vehicle checks, if appropriate.
 - d. Control all radio communications during the emergency.
 - e. Coordinate assistance under the direction of the supervisor.
 - f. Continue to monitor the situation until it has stabilized or terminated.
2. **Initiating/Primary Response Unit Responsibilities**
 - a. Initiating requests for assistance

When an officer in the field is involved in a situation where help is needed, he
must be aware that a non-specific request will result in an uncoordinated
response. This may be a greater hazard to life and property than that of the
originating incident. He must minimize this hazard by giving the following
information:

- Unit number
- Exact location
- Reason for the request
- Specify "emergency" if required
- Number of units required to handle situation

**INTER-AGENCY PROCEDURES
EMERGENCY VEHICLE WARNING DEVICES
VOL 5 CH 7**

The officer making the request shall remain near the radio long enough to determine if the call has been received by the communications center. Additionally, the officer shall establish a radio command post as soon as possible to provide status reports, to coordinate the efforts of arriving units, and to confirm that adequate assistance actually arrives.

- b. Primary response units shall identify themselves and their present location.
- c. Primary response units shall proceed to the specified location in accordance with the response mode specified.
- d. Primary response units shall immediately notify the communications center upon arrival at the scene and provide a status report as soon as possible.
- e. Upon receipt of a termination notice, responding units shall discontinue emergency operation and return to their assigned area unless specifically requested to continue to the location under normal driving conditions.

3. Supervisory Responsibilities

- a. Supervisor - Upon notification of a request for emergency assistance, the supervisor shall review the classification/ designation assigned by the communications center to determine if it is appropriate and reclassify the response if a different response mode is called for.
- b. The supervisor shall monitor the response until it has stabilized or terminated, and assert control by directing specific units into or out of the response if necessary.
- c. Upon being notified that an emergency response has been initiated, the supervisor shall verify the following:
 - (1) Proper response classification/ designation has been made.
 - (2) No more than the required or necessary units are involved in the response.
 -
 - (3) Affected allied agencies are being notified.

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-22-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 3					CHAPTER 15
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: ENFORCEMENT OF PARKING REGULATIONS						DISTRIBUTION ALL
ISSUING AUTHORITY: <hr/> CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						ENFORCEMENT OF PARKING REGULATIONS

PURPOSE

To establish guidelines for enforcement of on-street parking regulations,.

DISCUSSION

Street parking is restricted in various areas to ensure fair access to parking and to expedite the flow of traffic during peak hours. Special restrictions apply to weather emergencies.

POLICY

All existing parking regulations will be enforced with reasonableness and impartiality in all areas of the jurisdiction.

I PROCEDURE

A. The Chief or his designee will develop specific procedures to address the following parking control situations:

1. Time zone control
2. Certain hour restrictions

- a. Certain vehicles during certain hours
- 3. Special emergencies
- 4. Weather emergencies
- 5. No parking zones
- 6. Public and private parking lots
- 7. Special events
- 8. General parking surveillance (vehicle or foot patrol)
- 9. Towing of illegally parked vehicles
- 10. Roadway construction areas

BOROUGH OF FORT LEE ORDINANCES

Parking ordinances

216-6A Fire zone violation

388-4 Emergency no parking signs violation

388-5 No parking zones

388-6 No parking certain hours

388-9 No stopping or standing any time

388-10 No stopping or standing certain hours

388-11 Forty eight hour limited parking all streets

388-13 Handicapped parking

388-15 Street sweeping

388-17 Trucks over 4 ton certain streets

388-18 Prohibited parking – vehicles over 3 tons

388-19 Commercial vehicles-Main St Between 7-9am

388-24 Loading zone violation

388-25 Taxi stand violation

388-26 Bus stop violation

388-37 Snow removal zones – snow covered roadway

388-38 Commercial vehicle overnight from midnight to 0600

TITLE 39 PARKING

39:4-135,39:4-136,39:4-137,39:4-138 A through O, 39:4-138.3 private driveways

**AUTHORITY
 EVIDENCE/HANDLING AND PRESERVATION
 VOL. VII, CH. 11
 DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES**

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-24-2008	REVISION DATE: 03-31-2009 10-20-2009	PAGE #: 16, 6 11 1	SECTION: II,H,1 C,8,a II, D, ,7 Spec. Inst.	APPROVED 05-12-2009 05-18-2009 10-20-2009	VOLUME VII
VOLUME TITLE: AUTHORITY	PAGES: 18					CHAPTER 11
ACCREDITATION STANDARD(S):83.2.1, 83.3.2, 84.1.1-6	REFERENCE:					
SUBJECT: EVIDENCE HANDLING AND PRESERVATION						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:						Special Instructions 10-20-2009 All references to temporary evidence refrigerator changed to "refrigerated evidence locker"
PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

This policy will set forth guidelines that department members will follow when handling found property, seized property, confiscated property and personal property.

This policy will also establish procedures for the collection and preservation of all evidence. The following procedures will be followed by all members of the Police Department.

PROCEDURE:

I. EVIDENCE

A. Identification

1. Seized property, confiscated property, personal property and bodily fluids will have an identification label/tag attached to it, and may be placed in a heat sealable evidence envelope. The tag or label will contain the following information.
 - a. Case Number
 - b. Officer's I.D. number and initials
 - c. Item number
2. Urine samples and blood samples will be labeled with case number and suspect name that the sample was taken from.

**AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11**

B. General Procedures for Maintaining Physical Evidence

1. Physical evidence at the scene of a crime, which will be collected by our officers; should be collected using rubber gloves and should be placed in either a paper bag, evidence envelope or a box. Evidence from an arrest for CDS; should be packaged in the appropriate heat sealed plastic bag, urine specimen cup, syringe container, glass vial, or other appropriate container. The container should be tagged or labeled with case number should bear the badge number and initials of the officer and item number. If appropriate, the container should be sealed.
 - a. If the Bergen County Sheriffs Department Crime Scene Unit (BCI) is called to respond to a crime scene; evidence should be collected by them unless there is a risk of that evidence being destroyed if it is not collected immediately. Such evidence should then be turned over to BCI.
 - b. Whenever possible, crime scene evidence should be photographed with some type of measuring device next to it prior to collection.
2. The custodians of evidence (designated by the Chief of Police) shall maintain written records which reflect the chain of possession of the evidence during the time within which the evidence is in the control of the custodian's department.
3. The officer who seized physical evidence shall include in his/her report a statement that he/she seized the evidence, each item seized, exactly when he/she seized it, exactly where he/she seized it, from whom he/she seized it and exactly what he/she did with it after he/she seized it, who it was turned over to in the field
4. The officer who has overall responsibility for the investigation of the case shall include in his/her investigation report the complete chain of possession of any physical evidence seized in the case.
5. The investigating officer shall keep to a minimum the number of officers who participate in the chain of possession of physical evidence in the case.
6. The Police Department shall maintain physical control of the evidence until the assistant prosecutor to whom the case is assigned directs that the evidence be turned over to the Bergen County Prosecutor's Office.
7. In cases where the physical evidence requires laboratory analysis or other handling by outside agencies, the evidence bureau detectives shall transport the evidence to and from the laboratory or other agency and obtain a report of the analysis or other handling before turning the evidence over to the Bergen County Prosecutor's Office. In particular cases, this procedure may be changed with the approval of the assistant prosecutor to whom the case is assigned.
9. If an arrestee's clothing is needed for evidence then he/she shall be provided with a jumpsuit.

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

C. Deoxyribonucleic Acid Evidence

1. The Deoxyribonucleic Acid, DNA Molecule, housed within every nucleated cell in the body, carries the genetic information that establishes each person as separate and distinct. Because of naturally occurring variations in the DNA Molecule from one person to the next, the fragments will form a pattern that serves as an identity profile; therefore, a comparison can be made.
2. Collection of Evidence at the Scene.
 - a. The crime scene is to be secured by the primary responding units so as to protect the integrity of the scene and its contents.
 - b. Once the scene is deemed a major crime scene, the assigned detective will notify the Bergen County Prosecutor's Office, as well as the Bergen County Sheriff's Crime Scene Unit (BCI) for assistance in evidence collection at the scene.
 - c. Any evidence collected at the scene by the Bergen County Sheriff's Crime Scene Unit will be retained by them and secured in the Bergen County Evidence Vault. When testing is complete the items will be TOT to the Evidence Bureau.
 - d. Any items collected by Bergen County Sheriff's Crime Scene Unit (BCI) will be added to an evidence report and have our evidence item number correspond with the Bergen County Sheriff's Crime Scene Unit (BCI) item number. Any additional items collected by our department at the scene shall be added after.
3. Any evidence collected at the crime scene by the Bergen County Crime Scene Unit that is to be submitted for DNA analysis, will be done by them.
 - a. Evidence for DNA analysis will not be examined by the NJSP Laboratory where a suspect isn't identified unless the crime is:
 - (1) Serial Homicide/Rape
 - (2) Sexual Assault on Young Children
4. Voluntary Consent for Collection of DNA Evidence from a known Suspect.
 - a. The detective assigned the case will attempt to obtain the evidence utilizing the Voluntary Consent Form.
 - b. Once voluntary permission is given and the consent form is signed, the suspect will be taken to the Bergen County Medical Examiner's Office where the evidence will be taken by medical personnel.
5. Non-Voluntary Collection of DNA Evidence

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

- a. The detective will contact the Bergen County Prosecutor's Office to file an affidavit for an Investigative Detention, see only after voluntary means have failed.
 - b. Once the Investigative Detention is issued by the Bergen County Prosecutor's Office it must be served upon the suspect 36 hours prior to the hearing date.
 - c. Once the magistrate grants permission at the hearing, the suspect must submit to an evidence collection period, not to exceed 5 hours.
 - d. The detective assigned will transport the suspect to the Bergen County Medical Examiner's Office where the evidence will be taken by medical personnel.
 - e. Evidence for DNA analysis will not be examined by the NJSP Laboratory where a suspect is identified, unless the crime is:
 - (1) Homicide
 - (2) Sexual Assault
 - (3) Serious Aggravated Assault
6. How Evidence is to be taken from Suspect.
- a. Two (2) vacutainer tubes containing 5cc-10cc of blood will be taken from the suspect. One (1) tube containing the preservative EDTA for DNA analysis and one (1) tube without a preservative for serological analysis.
 - b. The tubes will be sealed with adhesive tape by the detective.
 - c. On the adhesive tape indicate donor, date taken, doctor's name and name or initial of the detective.
7. Submission and Packaging of Evidence
- a. The detective will respond to the Police Headquarters with the evidence and complete an evidence report and submit with his/her report.
 - b. The evidence will be placed in the refrigerated evidence locker located in the evidence holding area and locked.

II. Evidence & Property Control

A. Introduction

The Evidence Bureau of the police department is charged with the responsibility of storing and maintaining the integrity of items of evidence submitted for use in criminal trials. The Evidence Bureau shall be concerned with the proper identification, packaging,

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

handling, processing, security and retrievability of evidential items regardless of their value. The unit will maintain and shall produce an accurate record of the chain-of-custody for any item of evidence under its control. Once a case has been completed and the items of evidence in that case are of no further value, the Evidence Bureau Unit must dispose of those items properly (i.e. return to owner, destroy, etc.). The following procedures will describe the conditions under which evidence will be accepted, stored, released and disposed of.

1. Valuables, including cash, jewelry and others shall be kept in the safe, which is located in the secured narcotic vault.

B. Data Flow

As a criminal case winds its way through the judicial system, certain data is generated which effect the nature or status of the evidence involved in that case. It is necessary to concentrate this information in one readily available location. Therefore, the Evidence Bureau will use the Bar Coded Evidence Analysis Statistics and Tracking software (BEAST) as the center of the data flow. Information concerning the evidence, defendant, property owner, arresting agency, laboratory, and chain of custody and case status will be indicated in the BEAST.

C. Evidence Flow - Police Department

1. Evidence seized by the Police Department shall be properly stored until called for by the prosecutor in preparation for trial.
2. All special processing (e.g. ballistics testing, laboratory analysis, etc.) shall be performed by the Police Department prior to submitting evidence to the Bergen County Prosecutor's Office.
3. Evidence transported by the Police Department for display before the Grand Jury and actually marked into evidence before the Grand Jury shall be turned over to the Evidence & Property Control unit utilizing the procedures set forth below. If the evidence is not marked into evidence, it shall be retained by the Police Department until called for by the assistant prosecutor in preparation for trial.
 - a. Evidence being submitted to the Bergen County Prosecutor's Office may be given to an assistant prosecutor. The officer submitting the evidence shall have the "Evidence Receipt Form" signed by the officer submitting the evidence and the party accepting the evidence. All money submitted shall be listed by denomination.
 - b. Under no circumstances shall evidence be transferred to the Lab or Prosecutor's Office unless a receipt is signed by the person receiving the evidence.
 - c. Evidence may be removed for trial, review, inspection, etc. by contacting the Evidence Bureau and signing the signature pad for the beast. Only a law enforcement officer assigned to the case is authorized to review,

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

inspect or take possession of evidence. Defendants, attorneys or any other person is strictly prohibited from inspecting, reviewing or taking possession of evidence.

- d. Evidence may be re-deposited in the evidence locker after the completion of trial, review, inspection, Etc.
4. Once a case has been completed, the Evidence Bureau shall be notified of the case status (e.g. acquittal, plea, guilty verdict, etc.) by the court liaison officer at the time the evidence is returned for deposit in the evidence room. If the defendant is to be sentenced, the sentence date shall also be provided. A court disposition report shall be completed by the court liaison officer and forwarded to evidence bureau.
5. If the defendant has been found guilty of the charge(s), the evidence shall be retained for a period of at least six months from the date of sentencing. At the end of this period, if no further action has been taken, disposition will be made of the evidence.
6. Evidence involved in a murder case shall be turned over to the Bergen County Prosecutor's Office Evidence Bureau.
7. Evidence to be destroyed shall be disposed of by burning (narcotics), dilution (chemicals), mutilation (hardware), etc. Ammunition shall be disposed of by turning it over to the BCPD Bomb Squad. All destruction of evidence shall be performed in accordance with the procedures set forth in the other sections of this procedure. All evidence destruction shall be properly documented. All evidence prior to being returned to owner and destruction must be photographed and kept as permanent record.
8. Evidence to be returned to the rightful owner shall be returned in person only and documented. All receipts for returned property shall be included in the "case file". Firearms will only be returned to the owner upon presentation of applicable documentation (N. J. Shotgun and Rifle I. D. Card, Permit to Purchase, etc.) and identification, and with the approval of the Prosecutor. All returns of stolen property must be in accordance with the procedures set forth in 2C:65-1 et. seq.
 - a. Evidence officers will be responsible for identifying and notifying the owner or custodian of property in our custody.

D. Evidence Flow - Police Department and Bergen County Prosecutor's Office Personnel

1. Marking Evidence
 - a. All evidence seized by members of the Police Department, or other agencies, shall be immediately and properly marked, labeled or otherwise identified by the investigating officer in order to assure its proper identification at some later date. Some items may require tagging or

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

placement in some type of container, in which case, marking shall be made on the tag or container.

- b. Markings shall consist of the officer's initials, item number, and case number.
- c. Physical evidence at the scene of a crime, which will be collected by our officers; should be collected using rubber gloves and should be placed in either a paper bag, or a box. Evidence from an arrest for CDS; should be packaged in the appropriate heat sealed plastic bag, urine specimen cup, syringe container, glass vial, or other appropriate container. The container should be tagged or labeled with case number should bear the badge number and initials of the officer and item number. If appropriate, the container should be sealed. The tag/label will contain the information listed in section I, A, 1 a-e in this policy.
 - (1) If the Bergen County Sheriffs Department Crime Scene unit (BCI) is called to respond to a crime scene; evidence should be collected by them unless there is a risk of that evidence being destroyed if it is not collected immediately. Such evidence should then be turned over to BCI.
 - (2) Whenever possible, crime scene evidence should be photographed with some type of measuring device next to it prior to collection.
- d. The department Evidence Report will be completed by the officer who submits the evidence.

2. Separation of Evidence

- a. For the purpose of this procedure, evidence shall be classified into two (2) types:
 - (1) Evidence for Safekeeping: evidence which requires no further processing or examination but must be stored for future use; and
 - (2) Evidence for the Lab: evidence requiring either BCI or laboratory examination (analysis ballistics, latent prints, etc.). After examination, this evidence is also stored for future use.
- b. **At no time** shall the two types of evidence be submitted to the Evidence Bureau mixed in the same container. In cases involving both types of evidence, the evidence shall be submitted in separate containers. This step will eliminate confusion and ensure that evidence requiring further processing is properly processed.
- c. The Evidence Bureau shall be responsible for determining which items of evidence required laboratory examination and which must only be held for future use.

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

3. Packaging of Evidence

- a. Except when limited by size, all evidence shall be in standard evidence containers (paper evidence bags, plastic evidence bags, etc.). As stated above, evidence for safekeeping and evidence for the lab shall be packaged separately.
- b. Items too large to be packaged in standard evidence containers shall be packaged in large paper or plastic bags, cartons or other suitable containers and properly tagged or labeled.
- c. Volatile materials shall be submitted in airtight containers (such as fresh paint cans) and marked as to contents.
- d. Items such as handguns, shotguns, rifles, clubs, etc. shall be made safe properly tagged and submitted.
 1. When submitting a firearm that was involved in a crime or discharged the following shall be followed: the magazine is to be removed, round removed from the chamber, and items are to be stored separately. At no time shall rounds be removed from the magazine to protect for latent prints. (If rounds must be removed from magazine caution must be used to protect latent prints on rounds).
- e. Currency being seized shall be placed in a heat sealed bag, heat sealed and initialed. Then the US currency seizure report shall be placed in bag and heat sealed again and initialed.
 1. Seized currency will be taken to the Bergen County Prosecutors Office Confiscated Funds Section for deposit within 10 days of the date the currency was seized. Copies of arrest report(s) and warrants shall accompany seized currency.

4. Submission of Evidence

- a. Evidence may be submitted to the Evidence Bureau directly when an investigator is on duty. If not on duty, officers will utilize the Evidence Locker.
- b. All evidence submitted to the Evidence Bureau must be accompanied by a completed Evidence Report.
- c. Under no circumstances will any evidence be accepted without a completed report. This report shall be completed by the officer submitting the evidence.

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

- d. When evidence requiring further examination, either by BCI or by a laboratory, the evidence bureau will be notified as to what test needs to be completed.
- e. All evidence seized by a member of the Police Department, or other law enforcement agency, shall be placed in the Evidence Room as soon as possible following seizure and before the officers ends their tour off duty.
- f. All evidence shall be submitted with a Police Department's case number.
- g. DNA evidence (blood or semen) can be submitted to the NJSP Laboratory. This evidence should be collected by medical personnel. The F.B.I. will not examine the evidence if it has been examined by another expert, excluding traditional serological examination.
 - (1) Crimes where suspect is identified.
 - (a) Homicide
 - (b) Sexual Assault
 - (c) Serious Aggravated Assault
 - (2) Crimes where suspect not identified.
 - (a) Serial Homicide/Rape
 - (b) Sexual Assault on young children
- h. Evidence discovered from a scene where an indictable crime was committed shall be submitted to the appropriate laboratory following the discovery of the evidence.
 - (1) Blood
 - (2) Semen
 - (3) Hair
 - (4) Fibers
 - (5) Latent Fingerprints
 - (6) Controlled Dangerous Substance (within 72 hours)
 - (7) Handguns, Rifles, Shotguns, Etc.
 - (8) Other
- i. All evidence that is perishable, i.e. blood, semen, etc., will be stored in the Evidence Refrigerator until submitted to the laboratory.
- j. All evidence collected by the Police Department will be stored in the Evidence Room until known source items can be located and submitted with the evidence found at the scene.
 - (1) Statute of Limitations on Crimes.

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

5. Disorderly person drug offenses shall only be submitted to the New Jersey State Police Laboratory when a "Not Guilty" plea is entered by the defendant. Notification will be made to evidence officers by the court liaison.
 - a. Biohazardous Evidence.
 - (1) All biohazardous evidence submitted to the New Jersey State Police Forensic Science Bureau Laboratories must be labeled with biohazardous stickers. If evidence is HIV positive or contaminated with Hepatitis B or other contagious viruses or diseases it should be so labeled on the bags or containers and a visible note should be placed on the Request for Examination.
 - (2) All clothing and other evidence containing dried blood should be placed in separate paper bags and labeled with biohazard labels.
 - (3) Specimens containing wet stains of blood or other biological fluids should be placed in separate leak proof contains (i.e. plastic bags) at the scene and labeled with a biohazard label and not sealed.
 - (a) 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. This should be done in an area with low humidity, out of direct sunlight and away from direct heat sources.
 - (b) The biohazardous specimens should also be kept away from food and general work areas.
 - (c) Once the specimens have been completely dried they should be placed in separate paper bags and labeled with biohazard labels.
 - (d) The plastic bags (or other leak-proof containers) should be retained and submitted with the evidence.
 - (4) Sharps, such as needles, syringes, knives or broken glass contaminated with blood, or other biological fluids, should be placed in puncture resistant containers and labeled with biohazard labels.
 - (a) Syringes will **NOT** be received into the laboratory unless they are the only item in the case.
 - (5) Liquids should be transported in a separate leak-proof container and sealed in a heat sealed bag.
 - (6) Whole blood tubes must be submitted in leak-proof containers such as heat-sealed bags and labeled with a biohazard label.

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

- (7) Body organs, and other items such as stomach linings, should be placed in leak-proof containers and labeled with biohazard labels.
 - (8) Body packer evidence should be placed in plastic bags and labeled with biohazard labels.
 - (a) A visible note on the Request for Examination should reflect this type of evidence.
 - (9) **CAUTION: ALL BIOHAZARDOUS EVIDENCE SHOULD BE CONSIDERED POTENTIALLY DANGEROUS TO YOUR HEALTH AND SHOULD BE HANDLED WITH THE UTMOST CAUTION. WHEN HANDLING OR TRANSPORTING THIS TYPE OF EVIDENCE LATEX GLOVES SHOULD BE WORN.**
6. Obtaining/Withdrawing Evidence
- a. Evidence may only be obtained in person from the Bergen County Prosecutor's Evidence Unit, and the person obtaining the evidence shall sign the appropriate space on the "Evidence & Property Report".
 - b. It shall be understood that the person obtaining the evidence shall have complete responsibility for the safety and integrity of the evidence while under his/her control. The person obtaining the evidence shall relinquish such responsibility only after returning the evidence to the County Prosecutor's Evidence & Property Control Unit or delivering the evidence to another agency.
 - c. Any person delivering evidence from the County Evidence & Property Control Unit to another agency shall obtain a receipt from that agency. This receipt shall be returned to the Evidence & Property Control Unit for inclusion in the "Case Jacket".
 - d. Evidence may be obtained from the County Evidence & Property Control Unit by first providing the defendant's name and Borough of Fort Lee Police Department's case or investigation number.
 - e. The "Chain of Custody report, Evidence report & Property receipt" shall not be released from the evidence bureau except at the request of the Prosecutor's Office.
7. Officers needing evidence for court will sign for the evidence in the BEAST system and bring a copy of the custody receipt with them to court, if the prosecutor wishes to take custody of the evidence, they will sign for it on the receipt and the receipt will be returned to the evidence bureau. If the officer is returning the evidence to the evidence bureau they will either personally hand it to an evidence officer, who will log it back into BEAST or place it in an evidence locker with the report.

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

E. Evidence Locker and Evidence Vault

1. Access to the Evidence Room shall be limited to the Evidence Bureau Detectives and the Chief of Police
2. All evidence will be locked in the Evidence Locker and/or Room.
 - a. In the event that the evidence must be refrigerated, it will be placed in the refrigerated evidence locker.
 - b. Evidence is separated and stored in separate locked areas designated for drugs, firearms and general evidence.
3. The Evidence Detective is responsible for securing all evidence in the evidence room.
4. At no time is evidence to be left anywhere except the evidence locker or the evidence room.
5. The Evidence Officer will maintain the BEAST that contains the following information:
 - a. Case Number
 - b. Date and time of Offense
 - c. Investigating Officer
 - d. Date evidence was put into evidence vault
 - e. Anytime evidence is removed, the log will reflect who signed out for the evidence, date and reason
6. Drugs
 - a. Drugs will be stored separately from other types of physical evidence in the evidence room. After each piece of drug evidence has been marked by the arresting or collecting officer(s), it will be turned over to the Evidence Officer on duty who will transfer the evidence to the evidence room or deposited in the evidence locker
 - b. Drugs are to be taken to the State Police Lab for examination and identification by the evidence bureau detective on its weekly scheduled date and time.
7. Firearms
 - a. A completed firearms control report Bergen County Prosecutor's office shall be completed and forwarded to the Bergen County Prosecutor's Office as soon as possible
 - b. When a law enforcement agency seizes or recovers any firearm under any circumstances, the agency shall promptly enter information concerning the make, model, caliber and serial number of the weapon into NCIC 2000 System to determine whether the firearm was reported stolen.

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

- c. When law enforcement agency seizes or recovers a firearm that was unlawfully possessed or used, or that was recovered from a crime scene or is otherwise reasonably believed to have been involved in the commission of a crime, or that was found property (e.g., abandoned or discarded), the agency shall enter e-Trace related information directly into the NJ Trace System, which is part of the Criminal Justice Information System (CJIS) available to all law enforcement agencies. The information shall be entered as soon as practicable, as but no later than within twenty- four hours of the time that the weapon was recovered.

- d. When law enforcement agency seizes or recovers a firearm that was unlawfully possessed or used, or that was recovered from a crime scene or is otherwise reasonably believed to have been involved in the commission of a crime, or that was found property (e.g., abandoned or discarded), the agency shall make arrangements to have any such weapon that is suitable for NIBIN Examination test fired as expeditiously as practicable and shall submit the test results to NIBIN to determine whether the weapon is related to any other criminal episode or person.
 - 1. When a law enforcement agency recovers any spent shell casing from a crime scene or otherwise has reason to believe that the shell casing is related to the commission of a crime or an improper discharge of a firearm, the agency shall as expeditiously as possible submit the ballistics information to NIBIN.

F. Destruction of Evidence

- 1. Evidence
 - a. If a case is closed with determination that no crime was committed the evidence should be disposed of

 - b. When an investigation determines that a crime has been committed, but does not result in criminal charges, the essential evidence in the case (or photographs of the evidence) should be retained for 5 years (the period of the statute of limitations) in order to provide for the possibility that the crime may be solved. After 5 Years, if no criminal charges are brought, the evidence should be destroyed. This does not pertain to homicide cases, which have no statute of limitations. Firearms of course are in their own category and required special disposition.

 - c. The police department must provide for the proper and timely disposition of property and evidence. This is necessary to maintain the property storage facility and property records in an orderly fashion. Failure to promptly purge property leads to overloading limited storage space, continues the department's liability longer then necessary and makes auditing procedures more difficult and time consuming.

- 2. Drugs

**AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11**

- a. Any case presently under appeal or subject to appeal shall not be destroyed.
 - b. Any case that has not been disposed of by the court shall not have the evidence destroyed.
 - c. The Bergen County Prosecutor's Office will be responsible for the destruction of all controlled dangerous substances. The Bergen County Destruction of Evidence Form must be completed.
 - d. In any case involving a large quantity of drug evidence, we must apply to the Bergen County Prosecutors office for a special order of destruction.
3. Firearms
- a. If no charges have been filed and the individual can produce proper credentials to receive the firearm/weapon, it may be returned. Approval must be granted by the Chief of Police and the Bergen County Prosecutor's Office. The firearms disposition request "Return to Owner" shall be sent to the BCPO for approval.
 - b. If the firearm/weapon has been used in the commission of a crime, it shall be turned over to the Bergen County Prosecutor's Office for destruction, or written approval from the state police for the department to retain for use. The firearms disposition report from shall be sent to BCPO for approval.
 - c. Any case involving firearm/weapon evidence that isn't disposed of by the court shall not have the evidence destroyed.
 - d. Any case involving evidence presently under appeal or subject to appeal shall not be destroyed.
4. Photographs
- a. If a case is closed with a determination that no crime has been committed the photographs shall be disposed of.
5. Destruction of property
- a. "Prima Facia Contraband" may be destroyed after entry of judgment or dismissal of the criminal proceedings, including the appeal process, if it can serve no lawful purpose or it represents a danger to the public health, safety, or welfare.

G. The Evidence Bureau Detective

1. He/she checks the property/evidence lockers at the beginning of each of his/her duty days.

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

2. He/she checks all property/evidence to see that it has been properly submitted by the investigating officer.
3. He/she takes all property/evidence from the locker to be processed.
 - a. Logs into the BEAST by departmental case number.
 - b. Assigns and places it into a designated area that is determined by the size of the property or evidence.
4. He/she makes a copy of completed evidence report and adds to evidence log binder. This covers evidence drugs, and weapons.
5. All property/evidence that must be submitted to the New Jersey State Police Lab for testing and/or analysis, will be scanned out in the BEAST by the Evidence Bureau Detective and delivered to the New Jersey State Police Lab. A Lab Technician then signs off that they received the evidence and A state lab number is assigned to each individual case. That lab number is entered into the BEAST upon returning evidence to evidence room.
6. Any item delivered to the NJSP lab must have an accompanying "Request for Examination" form, detailing the type of examination being requested by the investigating officer. This form must also be **signed** by the Evidence Bureau Detective delivering items for analysis. This form will be filled by the Evidence Bureau Detective.
 - a. All charges must be included on the request for exam, since the nature of the charges determines the number of items that will be analyzed.
 - b. The request should indicate the individuals from whom the items were taken, i.e., Items #1, 4, and 5 taken from defendant Jones; Items #2 and 3 taken from defendant Smith. This insures that at least one item from Jones and one item from Smith will be analyzed and prevents the need to have a reanalysis should one or the other plead out.
 - c. Any item which serves as the basis for probable cause for a search warrant or arrest warrant should be so noted on the submission form, i.e., a controlled buy where a Marquis test is performed and a search warrant obtained immediately thereafter, when that item is submitted to the lab for analysis, it should be noted as a probable cause (PC) item. Probable cause will be marked for each suspect, which item was the reason for the arrest.
 - e. Weight of C.D.S. or number of pills.
 - f. Evidence officers respond to the Lab on the same day each week, when the lab is finished with evidence they turn it back over to the evidence detective and he signs for it and is supplied a receipt.
 - g. Lab results are later forwarded to records bureau in the form of a report

**AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11**

and they are then placed in the case jacket.

9. All narcotic/dangerous drug evidence will be sealed to prevent loss or tampering.
 - a. All narcotic/dangerous drug evidence will be placed in plastic evidence bags, heat sealed, and initialed.
 - b. All required information is to be filled out on the evidence invoice and the proper copy will be placed in the bag with evidence, it should be folded in a way that the defendants name and case number are visible.
 - c. The evidence will then be channeled through normal evidence procedures.
10. All weapons will be secured in a locked cage within the evidence room.
11. Property/evidence to be returned to owner or finder will be signed for on the signature capture pad by the owner or finder.

H. The Chief of Police Will:

1. Assign on an annual basis, a different supervisor from a different division to conduct an audit of the **Evidence room, in conjunction with the Property/Evidence Officer. A report of this audit will be submitted to the Chief of Police on the findings by the supervisor assigned.**
 - a. An unannounced inspection of the property storage areas will be conducted as directed by the Chief of Police at least once a year.
2. Assigned semiannually, by the Division Commander, an evidence officer to spot-check the Evidence room for the purpose of comparing records to physical property and security of the evidence intake procedures. A report will be submitted to the Chief of Police on the findings by the Division Commander.
3. Inspect or assign someone to inspect the Evidence room to determine if the room is being maintained in a clean and orderly fashion, that property is being properly stored, that proper accountability procedures are maintained and that property having no further evidentiary value is being disposed promptly.
4. Conduct a complete audit if there is any indication or suspicion of a breach of integrity in the Evidence Room.

I. Any New Evidence Bureau Detective Officer Assigned to the Task will:

1. Be trained in all aspects of the job function for a period of at least one month by the outgoing Evidence Bureau Detective.
2. Prior to a new detective assuming the responsibilities of the Property & Evidence function, an inventory will be conducted by the new detective and a designee of

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

the Chief of Police, a report will then be forwarded to the Chief of Police noting any discrepancies, the report will be signed by both officers.

3. A complete audit shall be performed whenever there is a change of evidence bureau detectives or Chief Law enforcement officer

J. Found/Recovered Property

1. Recovery by Department Member
 - a. All property found or recovered by member of the force shall be tagged and placed into the Locker. All found or recovered property must have a Property Report completed, as stipulated by departmental policy.
 - b. Disposition:
 - (1) All found or recovered property that comes into the possession of a member of the force and the owners whereabouts is unknown and cannot be ascertained, or if said owner refuses to receive said property, then the property shall be disposed of after six (6) months except in the case of a motor vehicle which shall be disposed of after three (3) months.
 - (2) If money is recovered it shall be turned over to the municipal treasurer for retention.
2. The municipality shall, by public auction, dispose of all found or recovered property.
 - a. Propertyroom.com will be utilized for the public auction only after the governing body passes a resolution providing for the sale of this property.
3. All monies received shall be paid to the township's general municipal treasury.
4. Recovered stolen property may be photographed and returned to the victim with the prosecutor's approval.
5. Found/Recovered Property by Private Citizen
6. All property shall be given to a member of the police force for retention.
7. After six (6) months, if the property is unclaimed, it shall be returned to the finder, who shall be deemed the sole owner.
 - (1) Approval must be given by the Chief of Police
8. Vehicle Release Procedure

AUTHORITY
EVIDENCE/HANDLING AND PRESERVATION
VOL. VII, CH. 11

See Towing Policy Vol. V, Ch. 8

9. Personal Property, Police Facilities and Equipment
 - a. All personnel are hereby given notice that if you have any personal property or belongings kept at headquarters, you should make appropriate arrangements to keep it or store it in some other place than headquarters.
 - b. The headquarters facilities, offices, lockers, desks, files and other storage areas are subject to inspection and will be open for official supervision and use for purposes effecting the police department and its operations.
 - d. The purpose of this policy is to make you aware of the supervisory need for a smooth operation of police business, and is in no way intended to infringe upon your individual rights. This policy applies to an official search for a reasonable purpose for locating official property for official use. It does not deal with a search for the purpose of finding incriminating or illegal evidence.

- K. Prisoner property not accepted by a correctional facility shall be returned to the police department. Items shall be inventoried and placed on property report as personal property. Return to owner letter shall be sent to owner immediately by evidence bureau detective for pick up of items.

**OPERATIONS
EQUIPMENT: VEHICLE USE, ASSIGNMENT AND MAINTENANCE
VOL. IV, CH. 16**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-15-2003	REVISION DATE: 8/13/08 5-18-09	PAGE #: 9 6	SECTION: II,G, 7 II,D,1,c	APPROVED 05-18-2009	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 11					CHAPTER 16
ACCREDITATION STANDARD(S):70.1.1, 70.1.2, 70.2.1, 70.4.2	REFERENCE: V4C16					
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ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
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PROSECUTOR'S OFFICE:						
REFERENCE: SOP 95-10, 96-0, 81-4						

PURPOSE:

To establish guidelines for the use and care of department vehicles and equipment.

POLICY:

The Administrative Division is responsible for purchasing, supplying, repairing and maintaining equipment and supplies of the department. This includes buildings, vehicles, firearms, specialized equipment, and various other supplies.

The Administrative Division is responsible for issuing supplies and equipment and for formulating maintenance and operating instructions for such equipment.

Commanding officers are responsible and accountable for proper care and maintenance of all equipment, supplies, and other department-owned property that is issued or otherwise assigned to their command.

Individual employees are responsible and accountable for proper care and maintenance of all equipment, supplies, and other department-owned property that is issued for their use.

Malfunctions discovered during the use of any equipment should be promptly reported. The use of the equipment should cease immediately when it is believed that further use would damage the equipment

OPERATIONS
EQUIPMENT: VEHICLE USE, ASSIGNMENT AND MAINTENANCE
VOL. IV, CH. 16

itself; result in accidental damage or injury; and/or tend to produce evidence which would be detrimental to any criminal or civil defendant.

I. RULE:

- A. The altering, exchange, removal or remodeling of any equipment or parts thereof (except that which occurs through normal use) from the way it was issued is prohibited, unless approved and ordered by the Administrative Division Commander.
- B. Employees should not use department-owned equipment or supplies for their personal use.
- C. Department-owned equipment or supplies must be available for inspection by a supervisor at all reasonable times.
- D. All employees shall be held responsible for all department-owned equipment or property issued to them or placed in their care. Any such equipment or property lost, stolen, damaged or destroyed through negligence or by intention may have to be replaced by employees at their own expense.

II. PROCEDURE

A. Use and Care of Police Vehicles

A major expenditure to this department is the purchase and maintenance of police vehicles. In order to receive maximum benefit from these vehicles, the following procedures should be observed:

- 1. Prior to each tour of duty, the vehicle should be inspected as specified in Section D for safety standards and proper operation of emergency equipment.
- 2. Police vehicles should be maintained in a clean and presentable condition (interior and exterior).
 - a. Vehicles should be taken to an authorized car wash when needed pending the approval of a supervisor.
 - b. Supervisors may direct officers to respond to the car wash when they feel that the vehicle needs cleaning.
 - c. Vehicles that become contaminated or infested should be cleaned as per the Communicable Disease policy (Vol. 6 Ch. 3).
- 3. Only authorized department or borough personnel should drive police vehicles.

OPERATIONS

EQUIPMENT: VEHICLE USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16

4. Officers shall not permit non-police personnel to accompany them while on patrol without permission as required in the Ride-Along Policy (Vol. 3 Ch. 13), except when necessary in the line of duty.
5. On calls of a prolonged nature where the vehicle is not needed to protect the scene, the vehicle should be shut off, locked and keys removed.
 - a. Except when the emergency call requires the operations of all emergency lights for a period exceeding 15 minutes.
 - b. An exception would be when weather conditions are such that an officer's discretion is required to protect the vehicle's equipment.
6. When in a stationary position, positioned for stakeout purposes, or traffic posts or surveys, the vehicle may be shut off.
7. Vehicles should not be locked with the engine running.
 - a. An exception would be when weather conditions are such that an officer's discretion is required to protect the vehicle's equipment.
8. Whenever an officer comes into headquarters, the vehicle should be turned off, the keys removed, and the vehicle **BACKED** into the appropriately marked space and locked.
 - a. All equipment such as the MVR should be shut down if the vehicle will be left for a prolonged period of time.
9. Use of Unmarked Police Vehicles
 - a. The Patrol Division may use unmarked vehicles under special circumstances and operations as directed by a supervisor.
 - b. Unmarked vehicles, (not low profile) should not routinely be utilized for traffic enforcement operations.
 - c. Prior to the use of unmarked vehicles, the Patrol Supervisor should obtain permission and the vehicles keys from the supervisor responsible for the vehicle.
10. Police vehicles should be operated in an exemplary manner, in adherence with all motor vehicle laws. While on patrol, officers should adjust the patrol speed to comply with the normal flow of traffic.
11. Officers should avoid quick starts and rapid acceleration except when necessary. Officers should not abuse or improperly operate the vehicle that may cause

OPERATIONS

EQUIPMENT: VEHICLE USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16

excessive wear and tear on the vehicle. The habit of quick starts is costly and sets a poor example for other drivers.

12. Officers should avoid driving at erratic speeds, unnecessarily slowing, stopping, and starting, so as to conserve fuel.
13. Department vehicles should not be driven out of the borough except:
 - a. While performing a department function (i.e. transportation, delivery, MV stop, patrolling border streets, etc.)
 - b. When authorized by a supervisor.
14. Equipment that is not department property should not be affixed to or installed in department vehicles without approval of the Administrative Division Commander.
15. Department vehicles will be serviced at authorized locations and in accordance with prescribed procedures as established by the Chief of Police, the Borough of Fort Lee and the service center.
16. All radio, MVR and emergency equipment placed in the trunk of vehicles should be properly arranged, kept clean, and in working order. The spare tire should be removed from patrol vehicles and stored at HQ or the DPW to prevent damaging electronic equipment located in the trunk of the vehicle.
17. Tires shall be properly inflated at all times.
18. Vehicle Repairs and Service
 - a. When a vehicle is in need of repair, the officer shall note the problem on the Automotive Inspection Report. If the vehicle is to be taken out of service the procedure in Section H, Paragraph 5, is to be followed.
 - b. The Coordinator of Motor Vehicle Repair (Coordinator) should receive the Vehicle Inspection Reports from the Records Bureau and schedule repairs and maintenance.
 - c. Maintenance needs and damage to vehicles should receive immediate attention and be completed in the shortest time possible getting the vehicle back in service.
 - d. All routine service and repair should be scheduled by the Coordinator so as to prevent removal of a vehicle from service during weekends, holidays or at times when there is a shortage of vehicles.

OPERATIONS

EQUIPMENT: VEHICLE USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16

- e. A preventive maintenance schedule should be maintained by the Coordinator, under the authority of the Administrative Division Commander, in accordance with manufacturer's recommendations. The maintenance should include inspection of tires, front-end alignment, transmission, electrical system, engine oil and filters, cooling system, belts and hoses, suspension system, and brakes.

B. Police Vehicle Assignment

1. Patrol vehicles should be assigned to specific officers for their use while on patrol duty as specified in the Vehicle Assignment Order.
 - a. The Vehicle Assignment Order should be issued for each shift bid with consideration being given to the vehicle's equipment and the officer's certification and abilities.
2. These assignments may be altered in the following cases:
 - a. When a particular officer's vehicle is down for repairs or service, or more than one officer is assigned the vehicle and is working the same shift.
 - b. If the assigned unit is not available, the Tour Commander should assign a patrol vehicle for the shift.

C. Responsibilities

1. All officers assigned a particular vehicle will be equally responsible for the vehicle's cleanliness and orderliness of both vehicle and all equipment contained therein.
2. The vehicle should be kept as clean as practicable both inside and out. This includes under seats, ashtrays, and trunks.
3. All equipment assigned to the vehicle should be maintained in good working order, and it should be kept clean and orderly in the vehicle.
 - a. In the event an officer finds equipment to be inoperative, they should immediately verbally report this to their immediate supervisor and indicate the problem on the Automotive Inspection Report.
 - b. In the event that an officer finds his vehicle or equipment in a state of disarray upon assuming their shift, they should immediately bring the matter to the attention of their immediate supervisor. The supervisor should handle the situation with the previously assigned officer's supervisor.

OPERATIONS
EQUIPMENT: VEHICLE USE, ASSIGNMENT AND MAINTENANCE
VOL. IV, CH. 16

- (1) If the problem persists then the next level of command within the division should be notified for appropriate action.

D. Inspection

1. Vehicles should be inspected by the assigned officer at the beginning of the tour (days, afternoons and midnights) and documented on the Automotive Inspection Report. The Road Supervisor should supervise the inspections of Patrol Vehicles after the briefing is completed.
 - a. The vehicles should be inspected for obvious repairs needed, body damage and cleanliness, inside and out. All equipment should be inspected for cleanliness, orderliness, operable condition and proper amount as required by Departmental Policy and Procedure. The inspection should include all the lights, the siren & PA in addition to the MVR System.
 - b. Any condition found to be unacceptable should be reported by the officer to their immediate supervisor verbally, noting the condition and the correction on the Automotive Inspection Report.
 - c. Vehicle should also be searched for weapons and contraband at the start of each shift.
2. Any damage or malfunctions that occur during the tour of duty will be immediately reported, and the unit should be taken out of service if continued operation would be either unsafe or further damage the vehicle.
3. During the day tour, when a mechanic is available, each unit is to be checked at the DPW facility between 8:00 AM - 10:00 AM.
4. Oxygen units should be the one assigned to the vehicle (numbered).
 - a. The oxygen tanks should be changed at the VAC building when the pressure gauge reads 500 psi or less.
 - b. All other oxygen unit equipment and supplies should be restocked from the supply at headquarters.

E. Use of police vehicles for transportation to schools/meetings or other than normal patrol

1. Any member of the department utilizing a Patrol Vehicle for transportation to and from assigned schools outside of Borough of Fort Lee, must obtain approval and the vehicle keys from the Tour Commander. This also includes meetings and other than normal patrol functions.

OPERATIONS

EQUIPMENT: VEHICLE USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16

2. Any member of the department utilizing an unmarked vehicle for transportation to and from assigned schools outside of Borough of Fort Lee, should notify Communications and the Tour Commander. This also includes meetings and other than normal patrol functions.
 - a. This section shall not apply to the Chief of Police or other Commanders that are specifically assigned an unmarked vehicle for their exclusive use.
3. Anyone taking a vehicle without this authorization will be in violation of this policy.

F. Markings and Related Equipment

1. Marked patrol units should conform to the following:
 - a. Overhead emergency warning light roof rack, except for stealth (low profile) traffic enforcement units.
 - (1) A stealth (low profile) vehicle should have a dash mounted emergency light.
 - b. 10" department patch on both front quarter panels.
 - c. Lettering should be retro-reflective Navy Blue and Gold:
 - (1) 3 1/2" vehicle numbers on both front quarter panels.
 - (2) "Fort Lee Police" on rear trunk.
 - (3) "Emergency" above 911.
 - (4) "911" on both rear quarter panels of trunk.
 - (5) Bureau assignment will be written on the side of the vehicle (Emergency Services Unit, Traffic Bureau).
 - (6) "CPR" on both sides of the vehicle.
 - (7) The vehicle's number in 12-16" in Black on the roof behind the light bar.
 - d. K-9 vehicles will be marked with "K-9" contained in the side stripping with "CAUTION POLICE DOG" in 3" red on white letters on the rear passenger side windows.

OPERATIONS
EQUIPMENT: VEHICLE USE, ASSIGNMENT AND MAINTENANCE
VOL. IV, CH. 16

2. Motorcycle Units will conform to the following:
 - a. Front fender: 2" "POLICE"
 - b. Gas tank: "FORT LEE POLICE".
 - c. Windshield: 1 1/2" "FORT LEE" and 3" "POLICE", unit number 2 1/2".
 - d. Saddle Bags: 1 1/2" "TRAFFIC", 2" "FORT LEE" and 3" "POLICE".
 - e. Radio Box: 1 1/2" "CPR".
 - f. Rear Fender: 2 1/2" unit number.
3. When vehicles are repaired they be properly marked and lettered as soon as possible. Repaired vehicle's are not be marked or re-lettered accept in compliance with this policy

- G. The following equipment should be kept in patrol vehicles (excluding motorcycles):
1. Minimum 12 flares
 2. Chalk or marking crayons
 3. Oxygen unit
 4. First Aid kit
 5. Fire extinguisher
 6. Emergency blanket
 7. Metal partition separating the driver from the rear seat for vehicles that routinely transport prisoners, rear doors and windows that do not operate from the inside.
 8. Specialized vehicles should be equipped in accordance with the vehicles purpose (i.e. K-9, Emergency Services, Traffic, Accident Investigation, surveillance)

OPERATIONS
EQUIPMENT: VEHICLE USE, ASSIGNMENT AND MAINTENANCE
VOL. IV, CH. 16

H. Vehicle Keys

1. Patrol Division

- a. Keys for each Patrol Vehicles should be maintained behind the Tour Commander's Desk.
- b. Patrol officers should obtain the keys for the their vehicle at the beginning of each shift and return them at the end of their tour of duty.

2. Traffic Bureau

- a. Keys for each Traffic Vehicle should be in the Traffic Bureau and in the Supervisor's office.
- b. Duplicate keys for each Traffic Vehicle should be maintained behind the Tour Commander's Desk.
- c. Keys for Traffic Detail vehicles should be maintained behind the Tour Commander's Desk.
 - (1) Officers assigned to a Traffic Detail where a vehicle has been authorized, should obtain the keys for a Traffic Detail vehicle from the Tour Commander at the beginning of the detail and return them at the end of their detail. Officers should not remove any keys from the Traffic Bureau.
 - (2) Traffic Detail vehicles should be properly signed out with the Tour Commander.

3. Detective Bureau & Administration

- a. The Detective Bureau should maintain a set of keys for each vehicle assigned to the various Detective Bureaus (i.e. GI, Juvenile, Narcotics).
- b. The Administration should maintain a set of keys for each vehicle assigned to the Administrative Division.

4. Spare keys

- a. The Coordinator of Motor Vehicle Repair (Coordinator) should maintain a master set of keys for every vehicle within the department.
- b. A duplicate set of the master keys, maintained by the Coordinator, should be accessible by the Tour Commander for emergencies.

OPERATIONS

EQUIPMENT: VEHICLE USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16

- (1) The Emergency Keys should only be used if the normal set of keys are not available and with the highest ranking on-duty supervisor's approval during:
 - (a) Emergency Conditions
 - (b) Snow Emergencies
 - (c) Lockouts
5. Out of Service
- a. When a vehicle is taken out of service a red metal ring should be placed on the respective vehicles key hook.
 - b. An evidence tag should be filled out by the officer taking the vehicle out of service and attaching it to the vehicle's key hook. The tag should contain the following information:
 - (1) The nature of the problem.
 - (2) The vehicle's location.
 - (3) The date and time.
 - (4) The Tour Commander approving.
 - (5) The officer's name and badge number.
 - (6) If either the DPW or the Coordinator of Motor Vehicle Repair was notified.
 - c. The Coordinator should update the tag information as the vehicle's status or location changes.
 - d. The tag should be removed from the keyboard when a vehicle has been serviced and is placed back in service. The tag should be forwarded to the Coordinator for his records if needed.
 - e. A green metal ring should be placed on a vehicle's key hook when the vehicle is permanently taken out of service and the unit no longer exists.

OPERATIONS

EQUIPMENT: VEHICLE USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16

I. Refueling of vehicles

1. All police cars and trucks should be refueled at the DPW within the last two hours of each tour that they are used on the road, unless an emergency assignment prevents taking the time to do so.
2. Officers assigned to a Traffic Detail vehicle should utilize the green Traffic gas key located behind the Tour Commander's Desk to gas up the Traffic Detail vehicles.
3. The assigned officer should refuel police motorcycles at the DPW, or designated gas station as needed or when the tank gets down to 1/4 full.
4. The officer is to note the amount of fuel consumed on the Automotive Inspection Report and forward the receipt to the Traffic Bureau Supervisor if applicable.

J. Parking

1. Upon the completion of the tour, the assigned officer should park their unit properly in the assigned space or area, closing all the windows and locking the doors.
 - a. Laptop computers should be removed and returned to the desk.
 - b. All equipment assigned on a daily basis such as Laptops, shotgun and vehicle keys should be bar coded to the officer when starting the shift and back to HQ (office) at the end of the shift.
2. The Road Supervisor should also ensure that unassigned units are properly parked in their assigned space or area and that the vehicle is properly secured.

Diplomat and Consular Privileges and Immunities Vol, IX. CH9A

Category	May be arrested or detained	Residence may be entered subject to ordinary procedures	May be issued Traffic Citation	May be subpoenaed as a Witness	May be Prosecuted	Recognized as family member
Diplomatic Agent	No-2	No	Yes	No	No	Same as sponsor (Full immunity and inviolability)
Member of Diplomat's Admin. And Tech. Staff	No-2	No	Yes	No	No	Same as sponsor
Diplomat's Service Staff	Yes-1	Yes	Yes	Yes	Not for official acts. Otherwise, yes	No immunity or Inviolability-1
Career Consular Officers	Yes if an indictable offense & pursuant To a warrant	Yes-4	Yes	No-for official acts testimony may not be compelled in Any case	Not for official acts. Otherwise, yes.	No immunity or inviolability-1
Honorary Consular Officers	Yes	Yes	Yes	No-for official acts yes, in all other cases	Not for official acts. Otherwise, yes.	No immunity or inviolability
Consular Employees	Yes-1	Yes	Yes	No-for official acts yes, all other cases	Not for official acts. Otherwise, yes.	No immunity or inviolability-1
International Organization Staff	Yes-3	Yes-3	Yes	Yes-3	Not-for official acts. Otherwise, yes.	No immunity or inviolability
Diplomatic Level Staff of missions to International Org's	No-2	No	Yes	No	No	Same as Sponsor (Full immunity & inviolability)
Support Staff Of Missions to Int. Org's	Yes	Yes	Yes	Yes	Not for official acts. Otherwise yes.	No immunity or inviolability

- 1- This table represents general rules. Particularly in the cases indicated, the employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- 2- Reasonable constraints, however, may be applied in emergency circumstances involving self defense, public safety, or the prevention of serious criminal acts
- 3- A small number of senior officers are entitled to be treated identically to "diplomatic agents".
- 4- Note that the consular residences are sometimes located within the official consular premises. In such cases, only the official spaces are protected from police entry

**TRAFFIC
EXEMPTION FROM TRAFFIC ARREST/
SPECIAL PROCESSING REQUIREMENTS
VOL. IX, CH. 9**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-15-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 9					CHAPTER 9
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: EXEMPTION FROM TRAFFIC ARREST/SPECIAL PROCESSING REQUIREMENTS DIPLOMATIC IMMUNITY						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS R. TESSARO						EVALUATION DATE:
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I. PURPOSE

To establish guidelines for arrests and traffic enforcement actions that require special procedures.

II. DISCUSSION

Certain classes of criminal and traffic law violators require special processing such as foreign diplomats/consular officials, legislators, military personnel and juveniles.

III. POLICY

The constitutional rights and privileges of all people will be faithfully observed and respected by all officers.

**TRAFFIC
EXEMPTION FROM TRAFFIC ARREST/
SPECIAL PROCESSING REQUIREMENTS
VOL. IX, CH. 9
IV. PROCEDURE**

A. OFFENSES INVOLVING FOREIGN DIPLOMATS AND CONSULAR OFFICIALS

1. Diplomatic Immunity

a. Background

Diplomatic immunity is a principle of international law by which certain foreign government officials are not subject to the jurisdiction of local courts and other authorities. The concept of immunity began with ancient tribes. In order to exchange information, messengers were allowed to travel from tribe to tribe without fear of harm. They were protected even when they brought bad news. Today, immunity protects the channels of diplomatic communication by exempting diplomats from local jurisdiction so that they can perform their duties with freedom, independence, and security. Diplomatic immunity is not meant to benefit individuals personally; it is meant to ensure that foreign officials can do their jobs. Under the concept of reciprocity, diplomats assigned to any country in the world benefit equally from diplomatic immunity.

b. Legal Framework

The Vienna Convention on Diplomatic Relations of 1961 and the Vienna Convention on Consular Relations of 1963 codified most modern diplomatic and consular practices, including diplomatic immunity. More than 160 nations, including the United States, are parties to these treaties. The conventions provide immunity to persons according to their rank in a diplomatic mission or consular post and according to the need for immunity in performing their duties. For example, diplomatic agents and members of their immediate families are immune from all criminal prosecution and most civil law suits. Administrative and technical staff members of embassies have a lower level of immunity. Consular officers serving in consulates throughout the country have an even lower level of immunity. Members of an embassy's service staff and consular employees are immune only for acts performed as part of their official duties.

The United States considers the Vienna conventions particularly important because of the large number of American diplomatic and consular personnel stationed in countries where judicial systems are very different and less protective of individual rights than our own, or where unfriendly governments might use their police authorities to harass American diplomats and their families. Failure by U.S. authorities to uphold the Vienna conventions would complicate U.S. diplomatic relations and could lead to harsher treatment in foreign courts of U.S. personnel abroad.

**TRAFFIC
EXEMPTION FROM TRAFFIC ARREST/
SPECIAL PROCESSING REQUIREMENTS
VOL. IX, CH. 9**

c. Abuses of Diplomatic Immunity

Under the Vienna conventions, all persons entitled to immunity have the obligation and duty to respect the laws and regulations of the host country. Immunity is not a license to commit a crime, and violations of the law are not condoned. In the United States, any time a person with immunity is alleged to have committed a crime, the Department of State advises his or her government of the incident and, where prosecution would be the normal procedure, requests a waiver of the alleged offender's immunity so that the case may be heard in the appropriate U.S. court. If immunity is not waived, the Department of State may, in serious cases, order the withdrawal of the offender from the United States. In the case of an offense committed by a member of a diplomat's family, the diplomat and his or her entire family may be expelled. Diplomatic visas of serious offenders are canceled, and their names are entered into a worldwide lookout system to keep them from returning to the United States.

The Department of State's Office of Protocol works with the injured parties and the foreign government to secure restitution in those cases where criminal incidents have resulted in injuries to individuals. The Diplomatic Relations Act of 1978 and related regulations require that before a person with immunity can obtain license plates for a vehicle, he or she must have liability insurance. Anyone injured in an automobile accident by a person with immunity may bring direct action against the vehicle's insurer in U.S. District Court. In addition, diplomats do not have a right to endanger public safety by driving a vehicle while under the influence of alcohol or by disregarding the rules of the road. Police stop them and, if they are intoxicated, prevent them from driving. Police issue citations for driving offenses and the Department of State revokes drivers' permits for any persons found to be unsafe drivers or who continually abuse driving regulations. Furthermore, some countries follow the practice of investigating, and, if appropriate, taking legal action against their own diplomats who are accused of breaking a host country's laws.

In those cases where immunity prevents civil suits, the Department of State works to settle the matter and mediates disputes in an effort to find a mutually satisfactory solution.

The vast majority of persons entitled to some form of diplomatic immunity are law-abiding people. Only a few ever run afoul of the law. Unfortunately, those few who do exhibit egregious behavior draw the attention of the public and the media and damage the reputation of the entire group.

2. Diplomatic Officers

Ambassadors and ministers are the highest-ranking diplomatic representatives of a foreign government. Other diplomatic titles are Minister Counselor, Counselor, First Secretary, Second Secretary, Third Secretary, and Attaché. Diplomatic officers and their

**TRAFFIC
EXEMPTION FROM TRAFFIC ARREST/
SPECIAL PROCESSING REQUIREMENTS
VOL. IX, CH. 9**

families are protected by unlimited immunity from arrest, detention, or prosecution with respect to any civil or criminal offense.

3. Consular Officers

Consular officers are Consuls-General, Deputy Consuls-General, Consuls, and Vice Consuls. They are also official representatives of foreign governments. Consular officers are required to be treated with due respect, and all appropriate steps are to be taken to prevent any attack on their person, freedom, or dignity. They are entitled to limited immunities as described below.

a. Immunities

Under prevailing international law and agreement, a foreign career Consular Officer is not liable to arrest or detention pending trial, except in the case of a grave crime (felony offense that would endanger the public safety) and pursuant to a decision by the competent judicial authority. His immunity from criminal jurisdiction is limited to acts performed in the exercise of consular functions and is subject to court determination.

b. Identification

Career Consular Officers can be identified by credentials issued by the State Department and by other locally issued official identification papers. The State Department credential bears its seal, the name of the officer, his title, and the signatures of State Department officials.

4. Honorary Consuls

Often nationals or permanent residents of the receiving state are appointed and received as honorary Consular Officers to perform the functions generally performed by career Consular Officers. Such officers do not receive identification cards from the State Department of the type issued to career Consular Officers, though they may exhibit reduced-size copies of the exequatur or diplomatic note evidencing recognition by the United States Government. These individuals are not immune from arrest or detention; they are also not entitled to personal immunity from the civil and criminal jurisdiction of the receiving state, except as to official acts performed in the exercise of their consular functions. However, appropriate steps must be provided to accord to such officers the protection required by virtue of their official position. In addition, the consular archives and documents of a consular post headed by an honorary consul are inviolable at all times and wherever they may be, provided they are kept separate from other papers and documents of a private or commercial nature relating to the other activities of an honorary consul and persons working with him.

**TRAFFIC
EXEMPTION FROM TRAFFIC ARREST/
SPECIAL PROCESSING REQUIREMENTS
VOL. IX, CH. 9**

5. Families of Consular Officers

Family members of Consular Officers do not enjoy the same privileges and immunities with respect to the civil and criminal jurisdiction of the receiving state as do Consular Officers. However, they should be accorded appropriate courtesy and respect.

6. Consular Premises

Consular premises used exclusively for the work of the consular post cannot be entered without explicit permission of the head of the consular post or his designee or by the head of the diplomatic mission. This permission may be assumed in the case of fire or other disaster requiring prompt protective action.

7. Consular Archives, Documents, Records, and Correspondence

The consular archives and documents are inviolable at all times and wherever they may be. The official correspondence of the consular posts, which means all correspondence relating to the consular post and its functions, is likewise inviolable.

B. METHODS OF HANDLING SELECTED INCIDENTS, VIOLATIONS, OR MINOR OFFENSES BY CONSULAR OFFICERS

1. Moving Traffic Violations

When a Consular Officer is stopped for a moving 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 exercise discretion based on the nature of the violation and either let him go with a warning of the danger of his actions or proceed with issuance of appropriate citation. Mere issuance of a traffic citation does not constitute arrest or detention in the sense referred to above.

2. Driving while Under the Influence

The primary consideration in this type of incidence should be to see that the Consular Officer is not a danger to himself or the public. Based upon a determination of the circumstances, the following options are available:

- a. Take him to the station.
- b. He can call a relative or a friend to come for him.
- c. Call a taxi for him.

**TRAFFIC
EXEMPTION FROM TRAFFIC ARREST/
SPECIAL PROCESSING REQUIREMENTS
VOL. IX, CH. 9**

- d. Take him home if within the Borough of Fort Lee.

The official should not be handcuffed, subjected to any sobriety test, or mistreated in any way.

At best, this is a sensitive situation. The official should be treated with respect and courtesy. It should be impressed upon him that the officer's primary responsibility is to care for his safety and the safety of others.

3. Offenses Involving Family Members of a Consular Officer

Family members of a Consular Officer cannot claim immunity. However, consideration should be given to the special nature of this type of case. A violation should be handled, when possible, through the seeking of a complaint. The individual should be released once positive identification is made and relationship with the Consular Official is verified. If the relative is a juvenile, as in all juvenile cases, the subject should be released to the parent Consular Officer.

4. Reporting of Incidents to Office of the Governor

In the event that a Consular Officer or member of his family or personal staff should become involved in any actions taken by members of the department, the office of the governor shall be immediately furnished with all pertinent information through the office of the Chief of Police.

C. ARREST OR DETENTION OF FOREIGN AUTHORITIES

1. The vast majority of the persons entitled to privileges and immunities in the United States are judicious in their actions and keenly aware of the significance attached to their actions as representatives of their sending countries. On rare occasions, however, a member of this class or of his or her family may be involved in a criminal law violation. The more common violations involve traffic violations.
2. Whatever the offense or circumstances of contact, police officers should keep in mind that such persons are official representatives of foreign governments who are to be accorded the maximum degree of respect possible in the circumstances. Officers should keep in mind also that their actions in this country may have a direct effect on the treatment of U.S. diplomatic or consular personnel in other countries.
3. When in the course of responding to or investigating an apparent violation of criminal law, an officer is confronted with a person claiming immunity, official Department of State identification should immediately be requested in order to verify the person's status and immunity.

**TRAFFIC
EXEMPTION FROM TRAFFIC ARREST/
SPECIAL PROCESSING REQUIREMENTS
VOL. IX, CH. 9**

- a. Should the person be unable to produce satisfactory identification, and the situation would normally warrant an arrest or detention, the officer should inform the individual that he or she will be detained until proper identity can be confirmed. This can be done by contacting the appropriate Department of State office.
4. When proper identification is available, the individual's immunity should be fully respected to the degree that the particular individual is entitled to.
 - a. The identification should show the degree of immunity they are entitled to.
 - b. If it is established that the individual is entitled to full inviolability and immunity of a diplomatic agent, he or she may not be arrested and should not, except in extraordinary circumstances be handcuffed or detained in any way.
5. In an incident involving any person entitled to immunity, the officer should record all pertinent details from the identity card and fully record the details and circumstances of the incident in accordance with normal police procedures.
6. Proper documentation of incidents is essential to permit the Department of State to take consequential steps, should they be considered appropriate.

SEE APPENDIX "A" FOR CHECK LIST

C. PERSONAL INVIOLABILITY vs PUBLIC SAFETY

1. Personal inviolability is enjoyed to some degree by a majority of foreign diplomatic or consular personnel. In its most extreme form, this inviolability precludes arrest or detention in any form and forbids U.S. authorities from intruding into their residences, automobiles, or other property.
2. Personal inviolability is, however, qualified by the understanding well established in international law, that the host country does not give up its right to protect the safety and welfare of its populace and retains the right, in extraordinary circumstances, to prevent the commission of a crime.

Thus, in circumstances where public safety is in imminent danger or it is apparent that a serious crime may otherwise be committed, police authorities may intervene to the extent necessary to halt such activity. This naturally includes the power of the police to defend themselves from personal harm.

V. MILITARY PERSONNEL

A. Discussion

Generally, no person belonging to the military shall be arrested on any process such as may be issued by military authority while going to, remaining at, or returning from any place at which he may be required

**TRAFFIC
EXEMPTION FROM TRAFFIC ARREST/
SPECIAL PROCESSING REQUIREMENTS
VOL. IX, CH. 9**

to attend for military duty. However, on occasion, it will be necessary to issue a traffic citation, effect a physical arrest or investigate a traffic collision involving a member of the armed forces.

Armed forces personnel, for these purposes, shall include Regular members of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and reservists who are on active duty.

1. Traffic Arrest

When a physical arrest is made, the investigating officer's supervisor shall cause the liaison officer of the nearest Armed forces investigative headquarters division to be notified. This does not apply to the issuance of a traffic citation when an actual physical arrest is not made.

2. Traffic Accident

The same shall apply when armed forces personnel are involved in a traffic accident, and are either killed or injured to the extent that they require hospitalization. In this latter case, it will also apply to civilian employees of the armed forces while acting within the scope of their employment.

VI. UNITED STATES SENATORS AND REPRESENTATIVES

A. Procedure

1. Members of the United States Congress shall in all cases, except treason, felony and breach of the 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.

VII. STATE LEGISLATORS

A. Procedure

1. Members of state legislatures in some cases have the same immunity granted to members of congress specifically in the state constitution or the common law prevails, which privileges them from arrest while attending, going to or returning from a session of their respective houses.

VIII. JUVENILES

A. Procedure

1. Generally, juveniles 17 or over who have committed a traffic violation will not be placed in custody but will be issued a traffic citation with the following exceptions:
 - a. Driving while impaired by alcohol or drugs

**TRAFFIC
EXEMPTION FROM TRAFFIC ARREST/
SPECIAL PROCESSING REQUIREMENTS
VOL. IX, CH. 9**

- b. Manslaughter by automobile
- 2. In all cases where a juvenile is taken into custody, the officer is responsible for notifying the juvenile's parents as soon as possible as to the circumstances.
- 3. If the officer deems that further custody is required pending a hearing, he must contact the juvenile services intake section for authorization. The intake section will make the determination to detail or release the juvenile.

VIII TRAFFIC VIOLATIONS COMMITTED BY PHYSICIANS EN ROUTE TO AN EMERGENCY

A. Procedure

In the event an officer observes a traffic violation committed by a physician EN ROUTE to an alleged emergency, the following procedures shall be taken:

- 1. Upon determining that the driver is a physician, the officer will obtain the identity and intended destination of the physician.
- 2. If the emergency is extreme, the physician will secure his vehicle and be provided transportation by the patrol officer if approved by a supervisor.
- 3. In the event the emergency is not extreme, but is urgent; the physician will not be detained.
- 4. In the event the traffic violation committed was of a serious and dangerous nature, the officer will verify the nature of the emergency and the physician's identity. At the officer's discretion, he may take appropriate enforcement action, or release the physician and take enforcement action at a later time (mail the summons to the physician).
- 5. If, in the officer's judgement, the violation was of a minor, non-hazardous nature, a verbal warning may suffice.

**TRAFFIC
DWI
VOL IX, CH 5 “B”**

**OVERVIEW OF GUIDELINES 1
AG DIRECTIVE NO. 2001-5, N.J.S.A. 39:4-50.22; 39:4-50.23
Effective Date: August 1, 2001**

POTENTIAL LIABILITY WARNING, N.J.S.A. 39:4-50.22, Form & Procedures

- Any person summoned by or on behalf of a person arrested for DWI or Refusal **MUST** be provided with the POTENTIAL LIABILITY WARNING form [WARNING form].
- After an arrestee has been processed, and before the person summoned arrives, the police officer **MUST** complete the WARNING form as directed by the Guidelines in Appendix A of AG Directive No. 2001-5.
- The police officer does **NOT** have to **READ** the WARNING form to the person.
- The person **MUST** acknowledge receipt of the WARNING form, in writing.
- When the person arrives the police officer should:
 - Identify the defendant to the person & confirm the person has come for the arrestee.
 - Inform the person of the charges against the arrestee.
 - Ask the person for some form of positive verifiable identification.
 - Hand the pre-prepared WARNING form to the person. Ask the person to read the form & instruct the person to fill in the information on the form & sign the form.
 - Take the completed form back from the person & verify if the person has completed all of the information acknowledging receipt.
 - If the person has signed the Acknowledgment, then the police officer is to sign the form, make a copy of the form & give the original to the person.
 - If the person will **NOT** provide written acknowledgment of their receipt of the WARNING form, the police officer **MUST** record that fact on the form, make a copy of the form & give the original to the person.
- The copy of the WARNING form is to be filed in the police department file for that case.

**INVESTIGATION
EYEWITNESS IDENTIFICATION
VOL. VIII, CH. 11
DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES**

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-18-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VIII
VOLUME TITLE: INVESTIGATION	# PAGES: 10					CHAPTER CH-11
ACCREDITATION STANDARD(S):	REFERENCE: V# VIII C#-11					
SUBJECT: EYEWITNESS IDENTIFICATION						DISTRIBUTION ALL
ISSUING AUTHORITY: <u>CHIEF THOMAS R. TESSARO</u>						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The purpose of this policy is to establish guidelines for the use of eyewitness identifications involving showups, photographic identifications and lineups.

POLICY:

Eyewitness identification is a frequently used investigative tool. As such, officers shall strictly adhere to the procedures set forth here in order to maximize the reliability of identifications, minimize unjust accusations of innocent persons and to establish evidence that is reliable and conforms with established legal procedure.

DEFINITIONS:

- A. **Show-up:** The presentation of one suspect to an eyewitness in a short time frame following commission of a crime.
- B. **Photo Array:** The showing of several photographs to an eyewitness for the purpose of obtaining an identification.
- C. **Lineup:** The presentation of a number of individuals, including the suspect, simultaneously before an eyewitness.

**INVESTIGATION
EYEWITNESS IDENTIFICATION
VOL. VIII, CH. 11**

I. PROCEDURES:

A. Initial Procedures

1. The first investigative step is to secure the crime scene and assemble all persons on the premises where the incident occurred, along with anyone else in the vicinity who might have observed the perpetrator and record their names and addresses.
2. Initially the police should seek to ascertain if anyone knew or recognized the perpetrator.
3. The police then should promptly conduct separate interviews of any persons who can provide a description.
4. Pertinent information will include the number of perpetrators, their physical characteristics, including race, height and build, and their clothing.
5. It should be noted that court rules and proper investigative procedures mandate a complete record of all steps in the identification process be maintained. Therefore, officers should carefully record all pertinent information in their memo books and safeguard this material for future use.
6. Written or taped statements should be obtained.

B. Follow-Up Procedures

1. When preliminary investigation indicates that the perpetrator may have remained in the general vicinity, it is often beneficial to peruse the area with a witness. During this procedure, it is imperative that the officer refrain from implicating anyone he believes suspicious.
2. When a likely suspect is observed, all that should be done is to point him out in order to elicit the witness' attention and reaction. That response will, of course, dictate whether further action is warranted.

C. On the Scene Identification

1. If a suspect is apprehended within a reasonable period after the crime, he/she may be detained where he/she was stopped, for a drive-by identification by the victim and witnesses.
2. If there are several witnesses, they should be kept apart.
3. Separate viewings should be conducted.

**INVESTIGATION
EYEWITNESS IDENTIFICATION
VOL. VIII, CH. 11**

4. The police should eliminate as many suggestive factors as possible, (handcuffs, physical restraints, etc.) as security will influence the viewer.

D. Headquarters Identifications

1. If a suspect is not apprehended within 90 minutes of the crime, all subsequent eyewitnesses identification procedures should be conducted at the police station.
 - a. These should be photo array's or line-up procedures (line-ups should be in conjunction with Bergen County Prosecutors Office).
 - b. No show-up identification should be made at headquarters.
2. When such an identification is to be attempted, the proper headquarters personnel should be advised of the witness's expected arrival.
3. All measures necessary to prevent an inadvertent confrontation between the witness and suspect before the actual procedure commences, should be taken.
4. If the suspect has recently been apprehended on the street, the witness should not be permitted to remain in any station house area, which will afford him a view of the suspect's arrival.
5. The integrity of the witness' identification should not be jeopardized by an unauthorized observation made prior to the commencement of the identification procedure.

E. Show-ups (Bringing suspect back to crime scene)

Many courts have suppressed identification evidence based on the use of show-ups because of the inherent suggestiveness of the practice. Therefore, the use of show-ups should be avoided whenever possible in preference for the use of a lineup. However, when exigent circumstances require the use of show-ups, the following guidelines should be followed.

1. Show-ups should not be conducted when the suspect is in Headquarters, manacled or dressed in jail clothing.
 - a. Show-ups should be conducted at the scene within the first 90 minutes if possible with the approval of a supervisor.
 - b. Under extreme circumstances, a show-up may be conducted in other locations (Hospital, ambulance etc).

**INVESTIGATION
EYEWITNESS IDENTIFICATION
VOL. VIII, CH. 11**

2. Show-ups should not be conducted with more than one witness present at a time. If the show-up is conducted separately for more than one witness, the witnesses should not be permitted to communicate before or after the show-up regarding the identification of the suspect.
3. The same suspect should not be presented to the same witness more than once.
4. Show-up suspects should not be required to put on clothing worn by the perpetrator, to speak words uttered by the perpetrator or to perform other actions of the perpetrator.
5. Words or conduct of any type by officers that may suggest to the witness that the individual is or may be the perpetrator should be scrupulously avoided.

**F. COMPOSING THE PHOTO OR LIVE LINEUP
(Attorney General Guidelines)**

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.

1. 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 agency or department, the person conducting the photo or live lineup identification procedure should be someone other than the primary investigator assigned to the case. The Attorney General recognizes that in many departments, depending upon the size and other assignments of personnel, this may be impossible in a given case. In those cases where the primary investigating officer conducts the photo or live lineup identification procedure, he or she should be careful to avoid inadvertent signaling to the witness of the “correct” response.
2. 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.
3. 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.
4. 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.
5. **Photo Lineup.** In composing a photo lineup, the lineup administrator or

**INVESTIGATION
EYEWITNESS IDENTIFICATION
VOL. VIII, CH. 11**

investigator should:

- a. Include only one suspect in each identification procedure.
- b. 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.
- c. 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.
- d. Include a **minimum** of five fillers (non-suspects) per identification procedure.
- e. Consider placing the suspect in different positions in each lineup when conducting more than one lineup for a case due to multiple witnesses.
- f. Avoid reusing fillers in lineups shown to the same witness when showing a new suspect.
- g. Ensure that no writings or information concerning previous arrest(s) will be visible to the witness.
- h. View the array, once completed, to ensure that the suspect does not unduly stand out.
- i. Preserve the presentation order of the photo lineup. In addition, the photos themselves should be preserved in their original condition.

G. **Live Lineups.** In composing a live lineup, the lineup administrator or investigator 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.

**INVESTIGATION
EYEWITNESS IDENTIFICATION
VOL. VIII, CH. 11**

5. Avoid reusing fillers in lineups shown to the same witness when showing a new suspect.

II CONDUCTING THE IDENTIFICATION 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 F, 2, 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 the 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 lineup administrator or investigator should:

1. Provide viewing instructions to the witness as outlined in subsection F, 2, 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.

**INVESTIGATION
EYEWITNESS IDENTIFICATION
VOL. VIII, CH. 11**

- 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; **or** the procedure will be stopped at the point of an identification (consistent with jurisdictional/departmental procedures).
 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.
 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.
- C. Simultaneous Live Lineup:** When presenting a simultaneous live lineup, the lineup administrator or investigator should:
 1. Provide viewing instructions to the witness as outlined in subsection F, 2, 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.

**INVESTIGATION
EYEWITNESS IDENTIFICATION
VOL. VIII, CH. 11**

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 lineup administrator or investigator should:

1. Provide viewing instructions to the witness as outlined in subsection F,2, above.
2. Provide the following **additional** viewing instructions to the 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; **or** the procedure will be stopped at the point of an identification (consistent with jurisdictional/departmental procedures).
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.

**INVESTIGATION
EYEWITNESS IDENTIFICATION
VOL. VIII, CH. 11**

5. Present each individual to the witness separately, in a previously determined order, 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 lineup administrator or investigator 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 lineup administrator or investigator 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.

**INVESTIGATION
EYEWITNESS IDENTIFICATION
VOL. VIII, CH. 11**

4. Ensure that the witness does not write on or mark any materials that will be used in other identification procedures.

DUE TO THE LEGAL REQUIREMENTS CONCERNING LINEUPS, ALL LINEUPS WILL BE CONDUCTED THROUGH THE BERGEN COUNTY PROSECUTORS OFFICE.

M. Right To Counsel

1. The right to counsel attaches when "formal prosecution" of the accused commences. Therefore, if the identification procedure is to be conducted after the suspect has been formally charged, arraigned or indicted, he is entitled to have counsel present.
2. When counsel arrives, he/she should be permitted to observe and record all the steps taken in the identification attempt.
3. The police should be receptive to any constructive suggestions offered by defense counsel. Nevertheless, police officers should not abdicate their responsibility to conduct the identification procedure according to department regulations and guidelines and their own best judgement.
4. If the attorney is disruptive, he/she may be compelled to leave.
5. The role of the defense attorney is not to act as an advocate. As noted, he may make suggestions which, if reasonable, generally should be followed. Nevertheless, his principal role is to witness the identification procedure toward the end that he/she might testify at a later date as to any infirmities in the identification procedures utilized.

N. Hypnosis

- a. No police officer or police department shall cause any crime victim or witness to undergo hypnosis for the purpose of refreshing or expanding his/her recollection without the prior written approval of the Bergen County Prosecutor's Office.

**SERVICE
FEES FOR REPORTS AND STORAGE
VOL X CH 6**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-23-2003	REVISION DATE: 08-04-05	PAGE #: 1&2	SECTION: I, B, C and E	APPROVED	VOLUME X
VOLUME TITLE: SERVICE	# PAGES: 2					CHAPTER 6
ACCREDITATION STANDARD(S):	REFERENCE: V# -X C#-6					
SUBJECT: FEE FOR REPORTS/DISCOVERY						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE: Borough Ordinance 2004-33						

POLICY:

The Borough of Fort Lee Council adopted an ordinance (316-1) setting fees for reports, photos, video's, statements pertaining to the police departments' operations. Most requests for these items will be handled through the Records Room. However, all personnel will make themselves aware of the fee structure.

PROCEDURE:

I. FEE STRUCTURE

- A. All public records which are required by law to be made, maintained or kept on file by the Borough shall be available to every citizen during regular business hours to copy such records by hand and shall have the right to purchase copies of such records, pursuant to N.J.S.A. 47:1A-2. Copies of records shall be made available upon the payment of the following fees, which shall be based on the total number of pages or parts thereof, to be purchased:
- (1) First page to 10th page: \$0.75 per page.
 - (2) Eleventh page to 20th page: \$0.50 per page
 - (3) All pages over 20: \$0.25 per page.

**SERVICE
FEES FOR REPORTS AND STORAGE
VOL X CH 6**

- B. Police accident reports: In the event that accident reports are not requested in person and not part of municipal court discovery, copies of reports shall be made available upon the payment of the following fees.
 - (1) First three pages: \$5.00
 - (2) Each page thereafter: \$1.00
- C. In the event said public records are requested and necessitate the location and mailing of same to the party requesting said public records, then the additional fees therefor shall be as follows:
 - (1) Mailing charge: Actual postage plus \$0.25 for stationary related expenses.
- D. Police escort for the transportation of moneys, valuables or other personal property: \$5.00 per trip per hour or fraction thereof.
- E. Writs of discovery:
 - (1) \$0.75 per page for first 10 pages.
 - (2) \$0.50 per page for the next 10 pages.
 - (3) \$0.25 per page thereafter
 - (4) Photographs/complete sets only: \$5.00 each photo. Three-inch-by-five-inch photos shall be forwarded unless the person requesting the photographs specifically requests eight-inch-by-ten-inch photos. Eight-inch-by-ten-inch black and white glossies and eight-inch-by-ten-inch color photos shall cost \$10 per photograph.
- F. Videotapes. Fees for the purchase of police audio/video tapes will be charged at the following rates:
 - (1) Up to first 10 minutes: \$50.
 - (2) Longer than 10 minutes: \$100.

**AUTHORITY
FIELD CONTACT CARD PROCEDURE
VOL, 7. CH, 22.**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-25-2002	REVISION DATE: 07-21-2010	PAGE #: 1-2	SECTION: Pol. St I, B-C	APPROVED 07-26-2010	VOLUME VII
VOLUME TITLE: OPERATIONS	# PAGES: 2					CHAPTER 22
ACCREDITATION STANDARD(S): 1.2.3	REFERENCE:					
SUBJECT: FIELD CONTACT CARD/REPORT PROCEDURES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:	Special Instructions					
PROSECUTOR'S OFFICE:						
REFERENCE: 95-6						

PURPOSE:

To provide for the creation of a cumulative database in this department's in-house computer system of all individuals stopped for field inquiry purposes and the nature of the stop.

GOAL:

To maintain the above noted database so that all police personnel may access it as necessary any time in the future.

POLICY:

Officers of this department engaged in field operations should have in their possession field contact cards, these cards are to be filled out when conducting a field inquiry of a suspicious person, suspicious vehicle, persons involved in unusual incidents, or when documentation of previous police contact with a person may be needed for future investigations. Field contact cards are to be used when the officer does not have access to a lap-top computer to make the entries in a field contact report for that contact.

I. PROCEDURE:

- A. All members of this department who are engaged in field operations will have in their possession field contact cards.

AUTHORITY
FIELD CONTACT CARD PROCEDURE
VOL, 7. CH, 22.

- B. Whenever a member of this department conducts a field inquiry of a suspicious person, suspicious vehicle, person involved in an unusual incident, or where documentation of previous police contact may be needed for a future investigation, that officer will fill out as completely as possible during the routine course of this inquiry, a field contact card, or field contact report if they have access to a lap-top, paying particular attention to gathering accurate pedigree information.
 - 1. If field contact cards are utilized, the information should be entered in Enforsys as soon as possible in a field contact report for that contact.
- C. Supervisors will periodically check officers activity and follow up on whether entries are being made for the field contact reports.

CRIMINAL ARREST FINGERPRINT REQUIREMENTS

Law enforcement officers must fingerprint any person and forward one state and one federal fingerprint card to the State Bureau of Identification without delay in the following circumstances:

- a. Arrested for an indictable offense (N.J.S.A. 53:1-15)
- b. Arrested for a violation of any state law relating to narcotics or dangerous drugs, whether indictable or otherwise. (N.J.S.A. 53:1-18.1)
- c. Within a reasonable time after the filing of a complaint summons by a law enforcement officer charging the defendant with an indictable offense. (N.J.S.A. 53:1-15)
- d. Arrested for shoplifting (N.J.S.A. 53:1-15)
- e. Convicted of a non-indictable offense where the identity of the person convicted is in question. (N.J.S.A. 53:1-15) Indicate in the “charge & statute” block, on the state card, that the identity is in question. List the final disposition in the appropriate block.
- f. Charged in an indictment/accusation, who has not been arrested and fingerprinted for the charges. (N.J.S.A. 53:1-15) List the indictment/accusation number in the appropriate block on the state card.
- g. When a juvenile 14 years of age or older is adjudicated delinquent on the basis of an act which, if committed by an adult, would constitute a crime. (N.J.S.A. 2A:4A-61c and d) List the final disposition in the appropriate block.
- h. Arrested and believed to be wanted for an indictable offense (N.J.S.A. 53:1-15)
- i. Arrested and believed to be a habitual criminal. (N.J.S.A. 53:1-15) Indicate in the “charge & statute” block, on the state card, that the subject is a habitual criminal.
- j. When a juvenile is convicted as an adult. List the indictment/accusation and final disposition in the appropriate blocks.

NOTE: Questions can be addressed to Bureau Chief, State Bureau of Identification (See Vol. 3, Ch. 7 tab 5)

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-18-2001	REVISION DATE: 01-19-04	PAGE #: 4	SECTION: E, I, h	APPROVED 01-22-2004	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 16					CHAPTER 12
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: FINGERPRINTING						DISTRIBUTION ALL
ISSUING AUTHORITY: ACTING CHIEF BERNARD M. HART						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure that officers have a policy and procedure to follow in the process of fingerprinting individuals for various reason.

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 (See Appendix A)

A. Whenever an adult is arrested for the following offenses, they are to be fingerprinted:

1. Indictable Offenses
2. Narcotic Violations

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

3. Shoplifting
4. Suspect Identification Questionable
5. Pursuant to the mandatory arrest provisions of the Prevention of Domestic Violence Act N.J.S.A. 2C:25-21.
 - a. This includes anyone who is arrested for a disorderly persons offense that constitutes a mandatory arrest (i.e., a person arrested for a simple assault because there is a sign of injury must be fingerprinted).
 - b. A person who is convicted of an assault or harassment which constitutes an act of domestic violence as defined in N.J.S.A. 2C:25-21. Note that this provision of the statute only takes effect upon conviction of an assault or harassment. Therefore, officers should not fingerprint upon arrest unless fingerprinting is required under another provision of the fingerprint statute. (i.e., if a person is arrested on a simple assault on a citizens complaint, N.J.S.A.2C:12-1a, and the arrest is not made pursuant to the mandatory arrest provisions of N.J.S.A.2C:25-21, Then the person should not be fingerprinted at the time of arrest. The person should only be fingerprinted upon conviction of the simple assault). In this situation, any person convicted of domestic violence assault or harassment, (DP) must submit to the fingerprinting process, including the submission of one state criminal fingerprint card (SBI-19) and one federal fingerprint card (FD-249) to the SBI.. The final disposition should be entered on the back of the state criminal fingerprint card so that the criminal history record can be updated (i.e., guilty on 02-01-2000 with a fine of \$250,00 and \$50.00 VCCB etc). Prior to this change, domestic violence charges of simple assault and harassment, which are disorderly persons offenses, did not require fingerprinting.
 - c. Any person against whom a final restraining order has been issued for a domestic violence situation. This order will be issued at the county level and fingerprinting of the subject, if he/she attends the hearing, should occur there. Municipal involvement occurs when the county has tried to serve the final restraining order, but has been unsuccessful and gives the final order to a police department to serve. Regardless of who serves the final order for the domestic violence situation, the subject must be fingerprinted by the Bergen County Sheriffs Department. This will ensure that this individual is entered into the database that

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

will prohibit the purchase of a firearm. Any person who knowingly fails to submit to these identification procedures (within a reasonable time) may be charged with 2C:29-1, a disorderly persons offense.

- d. A copy of Receipt of Service form must be given to the person being issued the FRO and a Notification and Instruction form, the signed receipt of service form must be complete by the officer and forward with the return of service. See Domestic Violence Policy Vol. III, CH. 1 Appendix A.

B. When an adult is fingerprinted, the following fingerprint cards are to be completed:

- 1. Two (2) N.J. State Fingerprint Cards
 - a. One for the state
 - b. One for the County
- 2. Two Red Federal Fingerprint Card
 - a. One for the FBI.
 - b. One for Fort Lee Records

C. When the fingerprint cards are completed, the person who has been fingerprinted, must sign each card in the location listed as: PERSON BEING FINGERPRINTED. Person taking prints must also sign all cards,

D. The completed fingerprint cards are to be placed in case jacket and forwarded to case management and then to the records bureau.

- 1. Records personnel shall complete the fingerprint cards and forward the cards to the appropriate authority.
 - a. One black and red card will be forwarded to the State of N.J., Dept. of Law & Public Safety, Division of State Police, Records and I.D. Section.
 - b. One red card will be retained in the Fort Lee Police Department Identification file for the person fingerprinted.
 - c. One black card will be forwarded to the Bergen County Sheriff's Department.

E. Whenever a juvenile is arrested, any fingerprinting must comply with New Jersey State Statute 2A:4A-6l. (All juveniles age 14 and over charged with a crime)

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

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.
 - c. 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.
 - d. Juvenile fingerprints shall remain in the case file pending disposition of the case.
 - e. 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: (Amended by L.1994, c. 56(2) eff. 6-29-94). This includes juveniles under the age of 14.

New Jersey State Police
Bureau of Identification
P. O. Box 7068
West Trenton, N. J. 08628-0068
 - f. If the juvenile is **not** adjudicated a delinquent then the fingerprints shall remain with the case file for identification purposes only.
 - g. The juvenile shall be fingerprinted utilizing two (2) State Fingerprint Cards.
 - (1). One (1) card will remain in the local arrest file.
 - (2). One (1) card will be submitted to the State Bureau of Identification, (SBI) for inclusion in the SBI files. (5-1-96, 96-6 NJSP Newsletter).
 - h. **Juveniles whose cases are waived to adult court (superior or municipal), whether involuntarily or at their own election, should be fingerprinted for any offense that would require fingerprinting if it were committed by an adult. The fingerprinting should take place prior to the trial, at the time of the waiver.**

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

- F. Whenever an arrested person is fingerprinted, a photograph of the person will also be taken.
 - 1. The Photograph will be taken using an RG number from the RG book in the processing room. The following information will be filled in to the book.
 - a. Next sequential number in book.
 - b. Defendants name.
 - c. Race.
 - d. Sex.
 - e. Case number.
 - f. Date.
 - g. Charges.
 - h. Arresting officer.
 - i. Officer printing and photographing .
 - 2. The RG information screen will then be completed in the computer.

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 Fort Lee Police Department. Other employment within the Borough of Fort Lee requiring fingerprinting and applicant fingerprinting for licensing or service within Fort Lee.
 - b. For Firearms ID Pistol Purchase.
- 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

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

- (2) Alcohol Beverage Control Licenses
N.J.S.A. 33:1-25, N.J.S.A. 33:1-31
 - (3) **See II, A.1.a.**
 - b. Authorized Agency:
 - (1) Municipal Police Departments
 - (2) Municipal ABC Boards
 - (3) State Police
- 2. Attorneys-At-Law
 - a. Purpose:
 - (1) Applicants for admission to the practice of law, and the disciplining of persons so admitted. Chapter 370, P.L. 1979.
 - b. Authorized Agency:
 - (1) New Jersey State Supreme Court
- 3. Licensing for Cemetery Salesman N.J.S.A. 8A:9-8
- 4. Applicants for officers, directors, or employees N.J.S.A. 17:9A-18.1
- 5. Applicants for banking institutions federally chartered or insured 86 STAT. 1115 (P.L. 92-544)
 - a. Authorized Agency:
 - (1. Department of Banking
 - (2. Consumer Credit Bureau (Dept. of Banking)
 - (3. Banking Institutions
- 6. Cigarettes
 - a. Purpose:
 - (1. Applicants for Vendor Licenses N.J.S.A. 54:40A-4

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

- b. Authorized Agency:
 - (1. Division of Taxation

- 7. Civil Service Employment
 - a. Purpose:
 - (1. Civil Service Applicants (state) N.J.S.A. 11:10-6.1

 - b. Authorized Agency:
 - (1. Various departments and agencies of state government.

- 8. Controlled Dangerous Substances
 - a. Purpose:
 - (1. Registration of applicants to manufacture, distribute or dispense certain CDS N.J.S.A. 24:21-11, N.J.S.A. 24:21-12

 - b. Authorized Agency:
 - (1. Drug, Device and Cosmetic Program, Division of Community Health Services, Department of Health

- 9. Explosive Control
 - a. Purpose:
 - (1. Explosive manufacturing, selling, storing, transportation or use permits N.J.S.A. 21:1A-134

 - b. Authorized Agency:
 - (1. Office of Safety Compliance, Department of Labor and Industry

- 10. Federal Government Employment
 - a. Purpose:
 - (1. Federal Government Applicants Executive Order 10450

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

- b. Authorized Agency:
 - (1. Various Federal Government agencies

- 11. Firearms
 - a. Purpose:
 - (1. Firearms retail dealer and employee licenses N.J.S.A. 2C:58-2

- 12. Firearms, permit to carry N.J.S.A. 2C:58-4

- 13. Machine Gun, permits to purchase, possess to carry N.J.S.A. 2C:58-5
 - a. Authorized Agency:
 - (1. Various Police Department
 - (2. State Police

- 14. 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

- 15. Gaming
 - a. Purpose:
 - (1. Amusement Game License 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

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

- (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
16. Health
- a. Purpose:
- (1. Nursing Home Licenses N.J.S.A. 30:11-1.1, N.J.S.A. 30:11-1.4
 - (2. Nursing Home Administrator License N.J.S.A. 30:11-23
- b. Authorized Agency:
- (1. Department of Health
17. Human Services
- a. Purpose:
- (1. Child Adoption Applicants N.J.S.A. 9:3-47, N.J.S.A. 9:3-48
 - (2. Child Abuse Investigators N.J.S.A. 30:4c-12, N.J.S.A. 9:6.1
- b. Authorized Agency:

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

- (1. Various regional offices of the Department of Human Services, Division of Youth and Family Services
18. Insurance
 - a. Purpose:
 - (1. Agent Broker or Solicitor license N.J.S.A. 17B:22-9, N.J.S.A. 17B:22- 27
 - (2. Insurance Brokerage Business, partnership or corporation license N.J.S.A. 17:22-6.9, N.J.S.A. 17:22-6.16
 - (3. Insurance Company Applicants (life and health insurance) N.J.S.A. 17B:18-42
 - (4. Insurance Company Applicants (all others) N.J.S.A. 17:17-10
 - b. Authorized Agency:
 - (1. Department of Insurance
19. Motor Vehicle and Operation of Vehicles
 - a. Purpose:
 - (1. Auto dealership licenses N.J.S.A. 39:10-19, N.J.S.A. 39:10-20
 - (2. Drive Instructor Licenses N.J.S.A. 39:12-6, N.J.S.A. 39:12-8
 - (3. Motor Vehicle Reinspection Station Licenses N.J.S.A. 39:8-19
 - (4. Driving School Owner Licenses N.J.S.A. 39:12-7, N.J.S.A. 39:12-3
 - b. Authorized Agency:
 - (1. Division of Motor Vehicles
 - (2. State Police, Highway Patrol Bureau
20. Municipal Employment

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

- 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
21. Private Detective:
- a. Purpose:
 - (1. Private Detective licenses N.J.S.A. 45:19-12, N.J.S.A. 45:19-16
 - b. Authorized Agency:
 - (1. State Police
22. Professional Boards
- a. Purpose:
 - (1. Applicants for Acupuncture Licenses N.J.S.A. 45:9B-12
 - (2. Applicants for Barber Licenses N.J.S.A. 45:4-40
 - (3. Applicants for Beauty Consultant Licenses N.J.S.A. 45:9-42.15
 - (4. Applicants for Bioanalytical Laboratory Licenses N.J.S.A. 45:9-42.12
 - (5. Applicants for Chiropody Licenses N.J.S.A. 45:5-8
 - (6. Applicants for Dental Hygiene Licenses N.J.S.A. 45:6-7
 - (7. Applicants for Dental Licenses (Doctor of Dentistry) N.J.S.A. 45:6-7

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

- (8. Applicants for Embalmer or Funeral Director Licenses N.J.S.A. 45:8-38
- (9. Applicants for Engineer Licenses N.J.S.A. 45:8-38
- (10. Applicants for Hearing Aid Dispenser Licenses N.J.S.A. 45:9A-17
- (11. Applicants for Land Surveyor Licenses N.J.S.A. 45:8-38
- (12. Applicants for Marriage Counselor Licenses N.J.S.A. 45:8B-5
- (13. Applicants for Medicine and Surgery licenses N.J.S.A. 45:9-16
- (14. Applicants for Midwife Licenses N.J.S.A. 45:10-9
- (15. Applicants for Nursing Licenses N.J.S.A. 45:11-32
- (16. Applicants for Ophthalmic Dispenser or Technician Licenses N.J.S.A. 52:17B-41.22
- (17. Applicants for Optometry Licenses N.J.S.A. 45:12-11
- (18. Applicants for Orthopedic Licenses N.J.S.A. 45:12A-7
- (19. Applicants for Pharmacist Licenses N.J.S.. 45:14-12
- (20. Applicants for Physical Therapist Licenses N.J.S.A. 45:9-37.7
- (21. Applicants for Plumbers Licenses N.J.S.A. 45:14C-22
- (22. Applicants for Psychologist Licenses N.J.S.A. 45:14B-24
- (23. Applicants for Public Accounting Licenses N.J.S.A. 45:2B-18
- (24. Applicants for Veterinarian Licenses N.J.S.A. 45:16-6

b. Authorized Agency:

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

- (1. Division of Consumer Affairs Enforcement Bureau, Department of Law and Public Safety

23. Racing

a. Purpose:

- (1. Applicants (Track Employees)N.J.S.A. 5:5-34

b. Authorized Agency:

- (1. Racing Commission
- (2. State Police

24. 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

25. Securities Industries

a. Purpose:

- (1. Securities Agent, broker-dealer or investment advisor Licenses N.J.S.A.49:3-58

b. Authorized Agency:

- (1. Department of Law and Public Safety Bureau of Securities

26. School Bus Drivers and Public School Employment

a. Purpose:

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

- (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.
27. Waterfront/Airport Employment or Union Activities Port of New York District
 - a. Purpose:
 - (1. Applicants for Airfreightman and Airfreightman Supervisor N.J.S.A. 32:23-156, N.J.S.A. 32:23-158
 - (2. Applicants for Airfreightman Labor Relations Consultant Licenses N.J.S.A. 32:23-162
 - (3. Air Freight Terminal Operator Licenses N.J.S.A. 32:23-162
 - (4. Air Freight Truck Carrier Licenses N.J.S.A. 32:23-162
 - (5. Applicants for Longshoreman N.J.S.A. 32:23-29, N.J.S.A. 32:23-44
 - (6. Applicants for Port Watchman Licenses N.J.S.A. 32:23-41, N.J.S.A. 32-23-24
 - (7. Applicants for Stevedore Licenses N.J.S.A. 32:23-21, N.J.S.A. 32:23-18
 - (8. Applicants for Checker Licenses N.J.S.A. 32:23-105

**AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12**

- (9. Applicants for Hiring Agent Licenses N.J.S.A. 32:23-14, N.J.S.A. 32:23-18
 - (10. Applicants for Union Officer, Agent or Employee N.J.S.A. 32:23-211, N.J.S.A. 32:23-212
 - (11. Applicants for Pier Superintendent Licenses N.J.S.A. 32:23-14, N.J.S.A. 32:23-18.
- b. Authorized Agency:
- (1. Waterfront and Airport Commission of New York and New Jersey.

III. FIREARMS I.D. CARDS

- A. Two State Firearms Application Fingerprint Cards are to be completed.
- B. One blue Federal Applicant Fingerprint Card is to be completed.
- C. When the fingerprint card is completed, the person fingerprinted is to sign each card.
- D. When the I.D. card is issued, the thumb print of the cardholder must be placed on the back of the I.D. card.

IV. PISTOL PURCHASE PERMITS

- A. One blue Federal Fingerprint Card is to be completed.
- B. Two N.J. State Firearms Application Cards are to be completed.
- C. The officer that fingerprinted the applicant shall check for completion and forward the application forms, fingerprint cards, and I.D. card to the Records Office.
- D. All fingerprint cards must be signed by the applicant and the officer taking the fingerprints.

V. RESPONSES FROM THE F.B.I. FOR CRIMINAL FINGERPRINT CARD SUBMISSION

- A. When fingerprint cards are submitted to the F.B.I. 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 F.B.I. does identify a Fort Lee fingerprint card submission with an existing criminal record on the Interstate Identification Index (III) System, other than New Jersey, a .PIR (prior index record) message will be sent to the Fort Lee Police via teletype.

AUTHORITY
FINGERPRINTING
VOL. VII, CH. 12

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 F.B.I. does not identify a Fort Lee fingerprint submission with an existing criminal record, a .NPR (no prior record) message will be sent to the Fort Lee Police via teletype.

When the telecommunication operator receives the message, the teletype will be forwarded to the records secretary, who will include the record with the case file.

- D. The F.B.I. will not respond via the mail to criminal fingerprint card submissions. Only non-criminal fingerprint card submissions will the F.B.I. respond via the mail.

**INTER-AGENCY PROCEDURES
FIRE SCENE RESPONSE
VOL. V, CH. 3**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-26-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME V
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PROSECUTOR'S OFFICE						Special Instructions
REFERENCE: SOP 81-3 & 87-3 (Op. Man. FI 1-4)						

POLICY:

In order to provide maximum efficiency when coordinating a call for fire and police assistance, it is necessary to establish specific areas of responsibility. It is recognized that one incident may require fire, first aid and police response simultaneously. This can result in confusion between all responding agencies. In order to prevent such confusion, clear guidelines have been established to delineate each individual agency's responsibilities.

PROCEDURE:

I. COMMUNICATIONS PROCEDURE:

- A. A fire company will be dispatched to any reportable fire / smoke call as dictated by Fire Department Dispatch Policy. This will include but may not be restricted to the following:
 - 1. Alarms

**INTER-AGENCY PROCEDURES
FIRE SCENE RESPONSE
VOL. V, CH. 3**

2. Odor of gas or fumes.
 3. Motor vehicle accidents involving entrapment.
 4. Chemical Spills
 5. Downed Wires
 6. Pump Outs
- B. When the responding fire company signs on the air, the dispatcher should relay whatever information is given to them by a police officer in reference to the fire response.
1. The dispatcher should advise the fire company of any unusual conditions that may exist along the response route.
 - a. Road construction or road closures
 - b. Serious traffic accident
 - c. Trees or wires down
 - d. Weather conditions (i.e. flooding, snow, icy roads)

II. PATROL RESPONSIBILITY

- A. The Police department's primary functions at a fire scene are to aid the injured then pedestrian and traffic control.
- B. Response
1. A patrol officer should be dispatched to the scene of a fire call where fire trucks are present or when requested by the fire department.
 - a. Police vehicles should not be parked directly in front of a fire scene, in fire-lanes, in front of hydrants, or in front of standpipe connections.
 - b. They should not be parked where they will be blocked in by fire trucks responding to the scene.
 2. Unless dispatched to a fire scene, officers will not respond unless they notify Comcen of their intentions.
 3. Officers should at all times yield the right of way to fire units.

**INTER-AGENCY PROCEDURES
FIRE SCENE RESPONSE
VOL. V, CH. 3**

4. Unless there is an immediate need to perform other duties, the responsibilities of the responding police officer(s) are to provide ingress to and from the fire scene for responding emergency vehicles in addition to traffic control.
 5. If conditions indicate the possibility of a working fire, a patrol supervisor should respond to the scene and:
 - a. Assume the role as Incident Commander until relieved by the Fire Incident Commander.
 - b. Assess the need for additional police personnel or equipment.
 - c. Coordinate and assign officers to establish traffic control.
 - d. Assign an officer to complete a report, if required.
 - e. Advise the next level in the Chain of Command of serious situations or displaced residents.
 6. Police officers should not undertake fire extinguishing or ventilation operations unless an imminent life hazard exists.
- C. Scene: Upon arrival at the fire scene, the officer(s) should:
1. Render aid to the injured.
 2. Observe the color of smoke, rapid spurt of flames, color of flames and pass all information on to the first arriving fire officer, who will become the Fire Incident Commander.
 3. Secure the scene.
 - a. Prevent onlookers from hampering firefighters, control traffic and aid in crowd control.
 - b. Protect scene and its contents from unauthorized entry or handling of potential evidence.
 4. No officer should recommend the cancellation of a fire department response. The officer may report the conditions he finds, but the final response decision is that of the fire department.
 5. Be observant for witnesses or potential suspects.

**INTER-AGENCY PROCEDURES
FIRE SCENE RESPONSE
VOL. V, CH. 3**

6. Aid the Fire Incident Commander with any reasonable request.
7. Responding officers should remain at the scene as long as fire units remain on a roadway, to protect firefighters and equipment from traffic, or to assist fire units in leaving the scene.

D. Vehicle Fires

1. Officers responding to vehicle fires are not to undertake using fire extinguishers to put out such fires unless:
 - a. There is imminent danger to persons who cannot be immediately removed from danger.
 - b. There is serious risk of hazardous exposures being ignited.
 - c. The fire is confined to a small area and can be easily extinguished.
2. Officers will turn over any attempts to extinguish a vehicle fire when the responding fire fighting apparatus arrives on the scene.
3. Towing of Fire Vehicles
 - a. It is the responsibility of this department to tow inoperable vehicles that have been involved in a fire. If the damage is minor, and the vehicle is legally parked, the owner may be allowed to call for his own tow truck, if it can respond in a reasonable amount of time.
 - b. Otherwise, the vehicle will be towed as be handled according to the Towing Policy Vol. 5 Ch. 8.

E. Rescue

1. Unless officers have reason to believe, based upon their training and experience, that victims are likely to be trapped within a structure, no attempt is to be made to open a door or window, or in any other way attempt entry. No exploratory searches are to be conducted.
2. Officers forced to make an entry to make a search are to leave some identifying piece of equipment, most preferably a set of handcuffs, at the point of entry. This equipment will be immediately removed when the officers leave.
3. Officers entering should also notify Comcen that they intend to enter, and at what point they are entering. Upon leaving, they will again radio Comcen.

**INTER-AGENCY PROCEDURES
FIRE SCENE RESPONSE
VOL. V, CH. 3**

4. Officers attempting either rescue or evacuation will immediately leave the structure upon the arrival of firefighters, unless their presence is needed until sufficient firefighters arrive. At that point, all police personnel unless specifically assigned by their supervisor should leave the interior of the structure.
5. Officers entering a structure should not use elevators, unless entering a high-rise building, in which event the officers may use the elevator but are to stop the elevator no less than two floors below the reported fire floor. Elevators should then be sent back to the lobby for fire department access.

F. Evacuation

1. At any working fire, attempts will be made to evacuate to safety any persons endangered by the fire. Upon the arrival of sufficient firefighters, the involved police officers will be relieved of this duty, and will leave the structure, unless assigned to other specific duties by their supervisor.
2. Persons should not be evacuated from high rise buildings at the police initiative, if the fire itself is contained in one unit of the building. In such instances persons within should be requested to remain in their own units, with their doors closed, unless an immediate danger of fire occurs. The general evacuation of a floor or entire structure in a high-rise building will be at the order of the Fire Incident Commander.
3. If exigent circumstances require evacuation, elevators are not to be utilized. Officers should direct evacuees to stairwells, attempting to maintain calm and order. Officers must then relay to Com-Cen the stairwell being used, so that the fire department can be notified.
4. If a general evacuation of masses of people is to be undertaken, refer to the Borough of Fort Lee Emergency Operation Manual Chapter EVA-1.
5. Should it be necessary to evacuate, evacuees should be advised to close their hallway doors, but to leave the doors unlocked.
6. The Fire Incident Commander is responsible for notifying the Fort Lee Office of Emergency Management regarding the displacement of residents from their home due to a fire.
7. Officers shall notify the fire incident commander of any apartments which have been evacuated.

G. Traffic Duties / Crowd Control

**INTER-AGENCY PROCEDURES
FIRE SCENE RESPONSE
VOL. V, CH. 3**

1. When not needed to perform life saving and evacuation duties, assigned officers are to set up appropriate detours, ensuring the availability of ingress and egress of emergency equipment. Detours should be planned to alleviate traffic congestion wherever possible. Prolonged road closures should be handled according to the Traffic Incident Management Plan Vol. 9 Ch 19.
 - a. The supervisor on scene will evaluate the need for more manpower to cover traffic posts when other officers have been assigned evacuation duties.
2. Assigned officers should establish fire lines to keep spectators and unauthorized persons out of the inner perimeter, or fire ground. Persons who will normally be allowed within the fire lines, when requested and approved by the Fire Incident Commander. Approved personnel may include:
 - a. Emergency response personnel
 - b. Mutual Aid fire departments and VAC personnel
 - c. Members of the governing body
 - d. Other borough agencies
 - e. Members of the press, with press credentials
3. If any question arises regarding the admittance of persons into the inner perimeter, the Fire Incident Commander is to be consulted.
4. Should persons other than emergency response personnel put them selves into obvious danger, or interfere with fire fighting or rescue efforts, they should be removed from the inner perimeter. If this occurs, the officer should when practical, make a written report to document justify such actions.

NOTE: If the fire scene commander declares that the scene is a disaster, limited disaster, or major event, the Borough of Fort Lee Emergency Operation Plan will become operational and specific responsibilities and duties will be assigned to various personnel.

H. Scene Security

1. The inner perimeter security at a fire scene will be the responsibility of the fire department, unless assistance is specifically requested by that agency.
2. General scene security is the responsibility of the police department, and the officers assigned to crowd control.

**INTER-AGENCY PROCEDURES
FIRE SCENE RESPONSE
VOL. V, CH. 3**

3. If the fire department leaves the scene, and it cannot be secured in the absence of the owner/occupant, a police unit should remain at the scene to ensure its security.
4. Whenever any arson investigator, either locally or from the Bergen County Arson Squad, is responding, and the fire department is not going to remain at the scene until the investigator's arrival. The officer shall remain on the scene to protect the area as a crime scene until relieved by the Arson Investigator. During this time no person will be allowed entry into the fire area. The scene should be handled according to the Arson Policy Vol. 8 Ch. 3.

I. Death Investigation

1. Upon learning that a death has occurred at a fire scene, or a victim found who is critically injured, the patrol supervisor should request the fire department to disturb as little as possible, and to make no unnecessary overhaul.
2. A police department's Arson Investigator will be contacted to respond to the scene. If no Arson Investigator is available, the Bergen County Arson Squad will be contacted directly. The scene should be handled according to the Arson Policy Vol. 8 Ch. 3.
3. All notifications will be undertaken, as in any sudden death pending the approval of the Arson Investigators.
4. All deaths at fire scenes will be treated as homicides until cleared through investigation.

III. REPORTING PROCEDURES

- A. No report will be required on fire calls where no violation of criminal codes, local ordinances or administrative codes have been violated, as a fire report is generated by the fire department.
- B. A report should be prepared by the officer assigned by the patrol supervisor in charge of the police operations at any major fire scene. The report should document the police actions taken at any major fire scene or where there are indications of a violation of the law at any fire scene where an officer is on the scene, or for any of the following reasons.
 1. Fatality or serious injury to a civilian police officer, firefighter or other official.
 2. Explosions.

**INTER-AGENCY PROCEDURES
FIRE SCENE RESPONSE
VOL. V, CH. 3**

3. Major working fires involving a nursing home, church, school, office or apartment complex, shopping mall, government building or other multiple structure.
 4. Structure fires of incendiary or suspicious origin.
 5. Fires of undetermined or suspicious origin where the victim claims damage or losses in exceeds of \$10,000.
 6. All structure fires regardless of cause where the victim claims damage or losses in exceed of \$25,000.
 7. All fires when a vehicle is less than 4 years old and damage exceeds 75% of vehicle.
 8. All suspicious brush fires, including public parkland or extensive woodland damage.
 9. An involved officer should prepare a report if:
 - a. Rescue or evacuation attempts are performed.
 - b. Any officer is injured.
 - c. Any death or serious injury occurs.
 - d. Any police department or officers equipment or property is lost damaged, or destroyed.
 - e. Any crime or other suspicious activity is discovered.
 - f. Any investigation into the cause and origin is begun.
 - g. Any displacement of residents from their home.
- C. Disputes or communications problems between an officer of the police department and a fire officer should be handled through their respective chain of command. No further exchanges between the officers are to take place at the scene.
- l. An attempt to resolve problem may be made after the fire at either headquarters.

**INTER-AGENCY PROCEDURES
FIRE SCENE RESPONSE
VOL. V, CH. 3**

2. If not rectified, the situation should be brought to the attention of the police and fire chiefs.

IV. NOTIFICATION OF PROPER AUTHORITY

- A. The following authority will be notified for any part of Section III., B.1-3:

1. Chief of Police
2. Operations Division Commander
3. Borough Administrator

Note: This can be accomplished by utilizing the group page 545-0821 and enter 911.

- B. Bergen County Arson Squad: The assigned investigator will contact the Bergen County Arson Squad as per priority schedule, Section III., B.1-8. See Arson Policy (Vol. 8 Ch. 3) for additional guidelines.

- C. Other Authorities may be notified by the Fire Incident Commander as per Fort Lee Fire Department procedures, including but not limited to:

1. Borough of Fort Lee OEM
2. Department of Environmental Protection and emergency (DEPE)
3. Gas Utility Company
4. Electric Utility Company
5. Fires involving food establishments: Borough of Fort Lee Health officer.
6. Fires involving the removal of deceased, injured or live animals: Duty Animal Control Officer/or deputy.
7. Department of Social Services.
8. Building Code enforcement Official
9. Fire Code Official
10. Red Cross

**INTER-AGENCY PROCEDURES
FIRE SCENE RESPONSE
VOL. V, CH. 3**

V. AUTHORITY AT THE SCENE OF A FIRE

A. N.J.S.A. 40:14-54.1

1. "The Fire Chief or other superior officer is specifically charged with the duty of supervising and directing the operations at the fire scene and is to be the sole authority at the scene of a fire and within such fire lines such authority shall supercede that of any municipal police authority."

VI. MISCELLANEOUS PROCEDURES

- A. Testing: A fire home paging unit test will be conducted as per Fort Lee Fire Department procedures.
- B. Malfunctions: Whenever there is a malfunction of the communications system base, failures shall be reported to the Administrative Division Commander, Chief of Police, Fire Chief and Radio Communications for immediate repair.
- C. Power Failures: Whenever there is a power failure within Borough of Fort Lee, the Fire Chiefs are to be notified. Alternate communications may then be set up.
- D. Cancellation of Fire Calls: The Fire Company may be canceled only by the Fire Chief or other fire officer.

APPENDIX "A"
Authorized Department Firearms and Ammunition

Authorized department firearms for on duty personnel:

Smith and Wesson 4506, CS45, 4566, 4516 and 4513 TSW

Ammunition:

Winchester Western, 45 caliber 185 Grain Silver Tip Hollow Point.

Off duty or backup commercially available weapons will not be approved in calibers less than .380, or greater than .45 caliber, barrel exceeding 8" in length.

Off duty or backup ammunition:

Winchester Western .380 ACP 95 Grain, Ranger SXT, Hollow Point

Winchester Western, .38 Special 125 Grain, Jacketed Hollow Point, Speer .38 cal 135 Grain +P

Winchester Western, 9mm 147 Grain, Ranger SXT, Hollow Point

Winchester Western, 40 caliber 180 Grain, Ranger SXT, Hollow Point, Ranger SXT HP .40 cal 165 Grain

Winchester Western, 45 caliber 185 & 230 Grain, Silver Tip, Hollow Point

Any other ammunition should be similar to the above rounds and must be inspected and approved by the range officer.

Patrol Shotgun:

Remington 870 Pump Action 12 gauge

Ammunition: Winchester Ranger 12 Gauge, 2 ¾ inch, 1 oz Slug

APPENDIX "B"
Emergency Services Unit
Heavy Weapons and Ammunition

Heckler and Koch Universal Machine Pistol (UMP) .45 Cal select fire (0-1-2)

Ammunition:

Winchester Western, 45 caliber 185 Grain, Silver Tip, Hollow Point, Duty/Deployment

Winchester Western, 45 caliber 185 Grain, Full Metal Jacket, Training Ammo

Colt M-4 Carbine .223 select fire 0-1-F

Ammunition:

Winchester .223 Rem. 55gr Point Soft Point RA223R

Colt M-16

Ammunition:

Winchester .223 Rem. 55gr Point Soft Point RA223R

Remington 870 12 ga. Pump Action Short Barrel Shotgun

Ammunition:

Ammunition: Winchester Ranger 12 Gauge, 2 ¾ inch, 1 oz Slug

Styer SSG, 308, Bolt Action Rifle

Remington 700, 308, Bolt Action Rifle

Ammunition:

Hornady .308 TAP 168 gr Amax: 80965

Hornady .308 TAP 155 gr Amax:80925

APPENDIX "C"
Less Lethal Weapons and Ammunition

Remington 12 ga. Pump Action Long and Short Barrel Shotgun

Ammunition:

Defense Tech #23BR 12ga Bean Bag
Federal Labs 12ga Stabilized Bean Bag
CTS 2552 12ga Rubber Balls (small)
ECCO S&W 23CN 12ga CS David Barricade Projectile CS Gas Round

Multi Launcher 40 mm
Single Launcher 37 mm

Ammunition:

eXact iMpact 40mm blue foam round
40mm Direct Impact Marking
Direct Impact OC
TD 40mm Ferret CS Barricade Penetrating Projectile Liquid
Direct Impact Threat .40mm round
CM 60cal Stinger 40mm rubber ball
CTS 40mm Stinger Ball
CTS Training 40mm Liquid Barricade Projectile
TD 37mm Ferret Practical Barricade Penetrating Projectile
CTS Inert Liquid 37/38mm White Smoke Heavy Barricade Projectile
Defense Tech No 20W37/38mm wood baton round

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-14-05	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VIII
VOLUME TITLE: INVESTIGATION	# PAGES: 14					CHAPTER 12
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CHIEF THOMAS RIPOLI						
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REFERENCE: NJSA 2C:58 & 2C:39						

PURPOSE:

To establish procedures to ensure that an in depth background check on anyone who has submitted a Firearms Application.

POLICY:

The Chief of Police is vested with the responsibility for reviewing Firearm Identification Card Applications, Permit to Purchase Pistol Applications and Permit to Carry Firearms.

In order to ensure that the applicants meet statutory requirements, it is necessary to conduct an in depth background check on anyone who has submitted a Firearms Application as outlined in this policy. The procedures contained within the context of this policy will set forth guidelines for each phase of the firearm application process. The Voluntary Registration of Firearms will also be addressed within this policy.

All formal requests for Firearms Applications shall be directed to the Records Bureau.

PROCEDURE:

I. RECORDS BUREAU RESPONSIBILITY

- A. The following blank application forms, as designated by the State of New Jersey, shall be available in the Records Bureau:**

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

1. Firearm Purchaser Identification Card / Handgun Purchase Application (STS-33)
2. Voluntary Register of Firearms form. (SP 650)
3. Duplicate Firearm Purchaser Identification Card form. (STS-3)
4. Application For Permit To Carry Handgun (SP 642)
5. Consent for Mental Health Record Search form. (SP-66)
6. Request for Criminal History Record Information (SBI-212)

B. Firearms Purchase Identification Application:

1. Whenever someone contacts the Records Bureau seeking to purchase a rifle or shotgun, the Records Bureau will provide the person with an "APPLICATION FOR FIREARMS PURCHASER IDENTIFICATION CARD", a "CONSENT FOR MENTAL HEALTH RECORDS SEARCH" form. The Records Bureau may make arrangements for after hours pick up of the paperwork packet.
2. The Records Bureau is to advise the applicant that the fees outlined below must be returned with the application, payable as follows:
 - a. \$54.00 Money Order made payable to: Division of State Police S.B.I. This fee covers the state police fingerprinting fees. **ALL APPLICANTS ARE TO BE ADVISED THAT FINGERPRINTING IS DONE AT THE RECORD ROOM EACH WEEKDAY AT 1PM SHARP AND WEDNESDAY EVENINGS AT 7PM SHARP.**
 - b. \$5.00 Cash or Check made payable to: **Borough of Fort Lee.**
3. When a completed application is received, the Records Bureau should:
 - a. Make sure that both checks are attached to the application.
 - b. Make sure that the dollar amounts are correct.
 - c. Have the witness section of the Mental Health form signed by a sworn officer.
 - d. Complete the Request for Criminal History Record Information as needed and make sure that it is properly filled out by the applicant.
 - e. Place the completed package in the Record's Bureau Supervisor's mailbox.

C. Application to Purchase Handgun

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

1. Whenever someone contacts the Records Bureau seeking to purchase a handgun, the Records Bureau will provide the person with an "APPLICATION TO PURCHASE HANDGUN/ ID CARD", "CONSENT FOR MENTAL HEALTH RECORDS SEARCH" and CRIMINAL HISTORY RECORD INFORMATION" form. The Records Bureau may make arrangements for after hours pick up of the paperwork packet.
 - a. If the applicant does not possess a Firearms Identification Card, the Records Bureau is to provide the person with an "Application for Firearms Purchaser Identification Card" (see section I.B)
2. The Records Bureau is to advise the applicant that a check or cash must be returned with the application, made payable as follows:
 - a. \$2.00 Cash or Check made payable to **Borough of Fort Lee.**
3. When a completed application is received, the Records Bureau should:
 - a. Make sure that the check or cash is attached to the application.
 - b. Make sure the dollar amount collected is correct.
 - c. Sign the witness section of the Mental Health form.
 - d. Complete the Request for Criminal History Record Information as needed and make sure that it is properly filled out by the applicant.
 - f. Place the completed package in an Inter-Office Envelope and place it in the Records Bureau Supervisor's mailbox.

D. Voluntary Form of Register of Firearms

1. Anytime someone contacts the Records Bureau and requests to register a firearm, the Records Bureau should provide the person with the New Jersey Voluntary Registration Form. Applicant must have a NJ FIREARMS ID CARD.
2. There is no fee for this type of registration.
3. When completed, the original form is to be forwarded to the NJ State Police Firearms unit at the address on the form, the local police carbon copy should be forwarded to the Records Bureau Supervisor's.

E. Application for a Duplicate Firearms Purchaser Identification Card

1. This form is to be completed when:
 - a. An Identification Card has been stolen

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

- b. An Identification Card has been lost
 - c. When an Identification Card has been mutilated
 - d. When the bearer has changed address
 - e. When the bearer has changed their name
 - f. When the bearer has changed their gender
- 2. Applicant must fill out a request for criminal history record information form and provide a \$18.00 money order payable to the state police. A \$5.00 fee payable in cash or check to the BOROUGH OF FORT LEE is also required..
 - 3. When completed, the application is to be forwarded to the Records Bureau Supervisor's.

F. Carrying Permits

- 1. When someone contacts the Records Bureau and inquires about obtaining a permit application to carry a firearm, the Records Bureau shall:
 - a. If the Records Bureau Supervisor is working, refer the person immediately to the Records Bureau Supervisor.
 - b. If the Records Bureau Supervisor is not working, advise the person that they are to call the Records Bureau Supervisor anytime between Monday to Friday, 9:00 A.M. and 3:00 P.M. The Records Bureau Supervisor will make arrangements for the person to pick up the necessary application forms.
 - c. A fee of \$20.00 must accompany the Application for Permit to Carry, made payable to the Bergen County Clerk.

II. INVESTIGATIVE DIVISION

A. Fingerprinting

- 1. All applicants for Identification Cards, first time Handgun Purchase Permits or Handgun Carry Permits shall be fingerprinted as outlined within this section.
- 2. Firearms Identification Cards:
 - a. One black New Jersey State Application Fingerprint Card is to be completed by selecting the appropriate box.
 - b. One blue Federal Applicant Fingerprint Card is to be completed.

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

- c. When the fingerprint card is completed, the person fingerprinted is to sign each card.
- 3. First Time Handgun Purchase Permits:
 - a. Applicant must also apply for a Firearms Identification Card if He/She does not have one.
 - b. All fingerprint cards must be signed by the applicant and the officer taking the fingerprints.
 - c. If the applicant has a valid New Jersey Firearms I.D. Card (with a Fort Lee address) or has previously obtained a Handgun Purchase Permit from this department then there is no need to obtain fingerprints. Applicant must file Request for Criminal History form and submit \$18.00 fee in money order payable to NJ State Police SBI Unit

III. RECORD'S BUREAU SUPERVISOR'S RESPONSIBILITIES

A. Background Checks, Firearms I.D. Cards, Pistol Purchase Permits, Duplicate Firearms I.D. Cards and Voluntary Registration.

- 1. A motor vehicle Driver History may be obtained and placed with the file for Firearms I.D. Cards and Pistol Purchase Permits and Duplicate Firearms I.D. Cards.
- 2. The licensing authority shall investigate the same and, unless good cause for the denial thereof appears, shall grant the permit or the identification card, or both, if application has been made therefor, within thirty (30) days from the date of receipt of the application for residents of this State. All background checks and paperwork should be completed within thirty (30) days from the date that the application was received at police headquarters, pending FBI fingerprint review.
- 3. A Criminal Case History should be run on the applicant.
- 4. The Records Bureau Supervisor should evaluate the findings and either recommend "approved" or "**not** approved".

B. Firearms Identification Card

- 1. Application
 - a. Check the application to make sure that all questions have been answered by the applicant.

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

- b. Check block 29030 to see if the applicant listed a relative as a character reference (i.e. same last name or address). If they did, contact the applicant for a new reference.
- c. If the application has not been completed properly, so advise the applicant.
- d. Send out the character reference letter to both references listed on the application. Keep a copy of the returned letters with the application.
- e. When checking the application, if the applicant has answered "**YES**" to numbers 12, 13, 17, 18 or 20, do the following:

#12 and/or #13: Forward the applicant information to the respective Court in a letter requesting that they give you the disposition of the case.

#17 and /or #18: A letter has to be written to the doctor or hospital as noted on the application requesting that they give you a recommendation on the applicant's condition and if it would be unsafe for them to handle a firearm.

2. Mental Consent Form

- a. The applicant is required to sign the consent when filing the application.
- b. Refusal to sign the form requires immediate denial or disapproval of the application. In this event, the applicant fingerprints **are not to be submitted** to the S.B.I.
- c. It is the procedure that neither form is to be forwarded to the State Police (S.B.I.). The white (original) copy is made a part of the Borough of Fort Lee Police Department's firearm applicant file. The yellow copy is made part of the file of the Bergen County Adjuster or the responding institution and or doctor.
- d. Form **SP-66** is **not** used unless the applicant or the **investigation** indicated commitment or treatment for a mental problem. In the event of commitment or treatment, the form is to be forwarded to that particular institution or doctor for confirmation.
- e. Proper use of the **SP-66** for investigative purposes:
 - (1) If questions #17 or #20 of the application for firearms Purchase Identification Card, (Form STS-33), Application to Purchase Handgun, (Form STS-33), or Application for Permit to Carry

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

Handgun, (Form S.P. 642), is answered “yes”, **SP-66** is then used to confirm said commitment of treatment. The applicant is required to produce a certificate of a medical doctor or psychiatrist licensed in New Jersey, or other satisfactory proof, that they are no longer suffering from that particular disability in such a manner that would interfere with or handicap them in the handling of firearms. Failure to produce would require denial, and item C, under “Reason for disapproval” on form STS-33, checked off.

- (2) If the investigation reveals that questions #17 or #20 of the application are falsified, the form is forwarded to the institution or doctor for conformation. When confirmed, the application will be denied and items C and E under “Reason for Disapproval” on Form STS-33, should be checked off. The applicant may also be charged with 2C:39-10, a violation of the regulatory provisions relating to false representation in firearms applications.
 - f. Check the consent form to make sure that it has been completed, signed and witnessed.
 - g. Make a copy of the consent form to be attached to the application.
3. **Fingerprint Cards and \$49.00 Money Order** made payable to Division of State Police, S.B.I.
- a. Complete all sections of the fingerprint cards (two cards). Take the information from the application.
 - b. Make sure that the check for \$54.00 is a money order made payable to the Division of State Police, S.B.I. (must include S.B.I.).
 - c. Forward the money order with the fingerprint cards to the NJSP.
 - d. Send both completed fingerprint cards and the attached check to the State of New Jersey in the envelope that have been provided by them.
4. **Firearms Identification Card**
- a. When the Identification Card is issued, the right index finger of the cardholder must be placed on the back of the I.D. Card. The card must be right index fingered before it can be given to the applicant.
 - b. Keep the Identification Card with the application until it is approved or denied by the Chief of Police in the "pending" firearms application file.

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

5. Pending Firearms Application File
 - a. The applications are filed alphabetically in the pending firearms file until the following is received: (Note: All papers are kept with the application in the pending file also).
 - (1) Mental Consent Form - signed by the County Adjuster, if applicable.
 - (2) Two character reference letters
 - (3) State and Federal Criminal Records, both must be returned.
 - (4) Motor Vehicle Driver History, if obtained.
 - b. After all of the above have been returned, if any of the documents indicate any negative remarks about the applicant, bring it to the attention of the Chief of Police by attaching a note to him along with the application.

Example: Mental Consent Form lists a record of commitment to a mental institution. Criminal Records are listed on the State or Federal lookups. The Character Reference letters are returned with negative comments, i.e. bad temper, drinks, unstable, unemployed, etc.
6. After all the necessary information is received as outlined in Section II, do the following:
 - a. Complete the application.
 - b. Complete the Identification Card.
 - c. Enter the application information into the Firearms Register.
 - d. Check/Cash in the amount of \$5.00 is received by the Records Bureau and secured in the cash register.
 - e. The application is then given to the Chief of Police for his signature on the application, along with the Identification Card. Attach the Mental Consent Form, character reference letters, criminal records and any other information received to the back of the application for the Chief's review. The Identification Card should be attached to the front of the application with a paper clip.
7. After the application is returned from the Chief of Police, check to see that the application has been signed, dated and either approved or denied. Check to see that the I.D. Card has also been signed and dated. If the application is approved, do the following:
 - a. Separate the two-part application.

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

- (1) Original application is forwarded to the New Jersey State Police Firearms Unit.
 - (2) The copy of the application is filed in the Firearms File in the Records Room along with all attachments, letters, consent form and fingerprint cards.
- b. The Identification Card is to be held by the Records Bureau Supervisor until the applicant picks up the card in the Records Bureau.
- (1) The Records Bureau should contact and inform the applicant that their I.D. Card is ready.

8. Application Denied

- a. Send the department's form Letter of Denial to the applicant. This letter advises the applicant that he has thirty days to appeal the decision of the Chief of Police to the Superior Court, and that the applicant must advise the Police Department of his intent to appeal. If the Applicant does not appeal proceed as follows.
- b. Record that the application has been denied in the Firearms Register.
- c. Write on the top of the application, **DENIED**.
- d. Separate the two-part application.
 - (1) Original application is forwarded to the New Jersey State Police Firearms Unit.
 - (2) The copy of the application is filed in the Firearms File in the Records Room along with all attachments, letters, consent form and fingerprint cards.

C. Processing of application for permit to purchase a handgun

1. The Records Bureau Supervisor should receive the following from the Records Bureau staff:
 - a. The completed application
 - b. The signed Request for Criminal History Record Information form.
 - c. Motor Vehicle Driver History, if obtained.

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

- d. Character references.
 - e. The signed Mental Consent Form
 - f. \$2.00 permit fee **for each permit** requested.
2. Check the application, as follows:
- a. Check to make sure that all questions have been answered by the applicant.
 - b. Check block 29-30 to see if the applicant listed a relative as a character reference. If they did, contact applicant.
 - c. If the applicant has answered "**YES**" to numbers 12, 13, 17, 18 or 20, do the following:
 - (1) **#12 and/or #13:** Forward the applicant information the respective Court in a letter requesting that they give you the disposition of the case.
 - (2) **#17 and /or #18:** A letter has to be written to the doctor or hospital as noted on the application requesting that they give you a recommendation on the applicant's condition and if it would be unsafe for them to handle a firearm.
 - d. Make sure that the applicant has an S.B.I. number. If he does not, tell the applicant that he will have to be fingerprinted in order to obtain an S.B.I. number. The S.B.I. number is usually obtained when a person applies for a Firearms Identification Card.
3. Mental Consent Form
- a. Refer to **Mental Consent form III, A, 2**, of this policy.
4. Fingerprinting:
- a. The applicant must have a State Bureau of Identification (SBI) number on their Firearms ID card, they will be required to obtain two (2) character reference letters. Send the letters to the names listed under #29 and #30 on the application.
5. File the application and a copy of the Mental Health Consent Form in the pending Firearms File. The applications are filed alphabetically.

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

6. The application will remain in the pending file until the Mental Consent Form is returned. When it is received, proceed as follows:
 - a. Determine how many permits have been requested. This is found at the top of the application.
7. Type the permit.
8. Give the permit, application, Mental Health Consent Form to the Chief of Police for his signature on both the permit and application. The Chief will also date the permit and application.
9. When the application is approved by the Chief of Police, check the permit to make sure it has been signed and dated. The permit is then given to the Records Bureau Supervisor to call and advise the applicant that his permit is ready. Note: Be sure to include the telephone number of the applicant.
 - a. **Before** giving the Permit to Purchase to the applicant, the Records Bureau will have the applicant **sign the Permit in the space provided on the Permit to Purchase a Handgun & Form of Register.**
10. Advise applicant to file the respective copies as indicated on the form after purchase of handgun.

Application Denied

 - a. Send the department's form Letter of Denial to the applicant. This letter advises the applicant that he has thirty days to appeal the decision of the Chief of Police to the Superior Court, and that the applicant must advise the Police Department of his intent to appeal. If the Applicant does not appeal proceed as follows.
 - b. Record that the application has been denied in the Firearms Register.
 - c. Write on the top of the application, **DENIED.**
 - d. Separate the two-part application.
 - (1) Original application is forwarded to the New Jersey State Police Firearms Unit.
 - (2) The copy of the application is filed in the Firearms File in the Records Room along with all attachments, letters, consent form and fingerprint cards.
14. **S.B.I. Number.** Permits cannot be issued unless the applicant has a Firearms ID Card with a S.B.I. Number. This is obtained when he is fingerprinted. If the applicant does not have an S.B.I. Number, tell the applicant that he will have to be fingerprinted before he can receive the Permit to Purchase.

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

15. **Copy of Permit.** After the applicant has purchased a handgun, a copy (yellow) of the completed permit will be returned to headquarters. The information that has been completed on the permit by the **seller** must be recorded in the Firearms Register. The copy of the permit is attached to the permit application and filed in the Firearms File in the Records Room.

C. Application for a duplicate Firearms Purchaser Identification Card

1. Check the application to make sure the appropriate block(s) and information are completed and questions answered. Have Applicant submit Request for Criminal history form with \$18.00 money order payable to NJ State Police SBI.
2. If the application is for a "**Change of Address**", send a letter to the police department where the original I.D. Card was issued, and request a copy of the original application, and complete the file.
3. Type in **Borough of Fort Lee Police Department** on the line provided at the bottom of the application.
4. Type a new I.D. Card. If the application is for a Change of Address, a new card cannot be issued until a copy of the original application has been received. A supply of blank I.D. Cards are kept in the Record Bureau Supervisor's office.
5. Give the application and I.D. Card to the Chief of Police for his signature on both the application and card. The Chief of Police will sign the application and fill in the date of issue. The Chief of Police will sign the I.D. Card and date it.
6. If the I.D. Card does not contain the applicant's right index fingered already, the Records Bureau Supervisor will take the application and the I.D. Card and fingerprint the applicant's card and before giving it to the applicant.
7. Record the application in the Firearms Register.
8. Send the **white** copy of the application to the Superintendent of State Police. Address is noted on the application.
9. If the application is for a "change of address", send the **blue** copy to the original issuing authority.
10. The **yellow** copy of the application is filed in the Firearms File in the Records Room.

IV. INTRASTATE TRANSPORTATION OF CIVILLIAN FIREARMS

- A. New Jersey residents transporting their firearm must comply with NJSA 2C:39-6g.

V. TRANSPORTATION OF FIREARMS WITH CHANGE OF STATE RESIDENCY

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

- A. Any person who becomes a resident of this State may own firearms in this state providing that:
 - 1. They were legally purchased in their original state of residency.
 - 2. The firearm is not prohibited by any state or federal law.
 - 3. The ownership of a firearm is not prohibited by any state or federal law.
- B. The firearm(s) may be voluntarily registered with the department and the New Jersey State Police.

VI. INTERSTATE TRANSPORTATION OF CIVILLIAN FIREARMS

- A. New Jersey laws governing firearms permits, purchaser identification cards, registration and licenses do not apply to a person who is transporting a firearm through this State if that person is transporting the firearm in a manner permitted by federal law, 18 U.S.C.A. 926A.
- B. This federal law permitting interstate transportation of a firearm applies only if **all** of the following requirements are met:
 - 1. The person's possession of the firearm was lawful in the state in which the journey began;
 - 2. The person's possession of the firearm will be lawful in the state in which the journey will end;
 - 3. The person is transporting the firearm for a lawful purpose;
 - 4. The firearm is unloaded;
 - 5. The firearm is not directly accessible from the passenger compartment of the vehicle;
 - 6. The ammunition is not directly accessible from the passenger compartment of the vehicle;
 - 7. If the vehicle does not have a compartment separate from the passenger compartment, the firearm must be in a locked container other than the vehicle's glove compartment or console;
 - 8. The person is not:
 - a. a convicted felon
 - b. a fugitive from justice
 - c. an addict or unlawful user of drugs, or

**INVESTIGATION
FIREARMS APPLICATIONS AND PERMITS TO PURCHASE
VOL. VIII, CH. 12**

- d. an illegal alien
- 9. The person has not:
 - a. been adjudicated to be a mental defective
 - b. been committed to a mental institution
 - c. been dishonorably discharged from the armed forces, or
 - d. renounced his United States citizenship.
- C. A person who is transporting a firearm through the State of New Jersey in the manner permitted by 18 U.S.C.A. 926A, see Section II above, need not give notice.
- D. Procedures for Investigation of Conduct Involving the Possession or Transportation of Firearms.
 - 1. An officer who reasonably suspects that a person is transporting a firearm in violation of New Jersey law should make reasonable inquiries in order to confirm or dispel that suspicion.
 - 2. In a case where circumstances reasonably indicate that the person's possession and transportation of the firearm may be permitted by 18 U.S.C.A. 926A, the officer should make reasonable inquiries in order to determine whether the person's possession is permitted by that federal law.
 - 3. If reasonable inquiries lead an officer to conclude that the person's possession is lawful under either New Jersey law or 18 U.S.C.A. 926A, as described above in Section II, the officer should promptly allow the person to proceed.
 - 4. Whenever an officer has probable cause to believe that a person's possession of a firearm is in violation of New Jersey law and not permitted by 18 U.S.C.A. 926A, as described above in Section II, then the officer should make an arrest.

NOTE: See Assault Weapons Policy (Vol. 8 Ch. 15).

**OPERATIONS
FIREARMS
VOL. IV, CH. 2**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-18-01	REVISION DATE: 12/22/04	PAGE #: 9	SECTION: VII	APPROVED 12/28/04	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 9 AG/89	06/13/05 09-02-08	9 1	VI, A, 2 Proc.	06-14-05 05-12-09	CHAPTER 2
ACCREDITATION STANDARD(S): 1.3.9, 1.3.10	REFERENCE: V4C2	10/11/10	App- A	Weapo n	10/11/10	
SUBJECT: FIREARMS & QUALIFICATIONS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL: Guideline 9/90 (D-98-01), 9-1 Revised 6/2003, 89 pages. AG. Guidance on H.R. 218 06-07-05			Special Instructions Volume IV, Chapter 2A Qualifications Procedures.			
PROSECUTOR'S OFFICE: A-7, A-27, E-3			Appendix A, B and C added 09-02-08			
REFERENCE:						

PURPOSE:

To provide guidelines for officers to complete qualifications so that they may continue to lawfully carry a firearm in the state of New Jersey.

POLICY:

The authorization to carry a firearm and related equipment is a tremendous responsibility. Today, more than ever before in law enforcement history, police officers must be thoroughly qualified and certified to carry firearms and other related equipment. Therefore, this policy establishes procedures for the carrying of duty and non-duty weapons, authorized ammunition, holsters, auxiliary weapons, firearms qualifications, shotguns and safety rules. The care and cleaning of firearms will be outlined within this policy. The need to maintain and care for a firearm is critical.

All personnel will carry their badge and Police I.D. card while carrying a firearm, unless specifically excused by a supervisor during an operation or investigation

PROCEDURE:

Officers are not permitted to carry or use any authorized firearm or less lethal weapon unless they have qualified with such weapon under the supervision of a certified weapons or tactics instructor. A list of authorized weapons and ammunition are in Volume IV, Chapter 2 Appendix A-C.

**OPERATIONS
FIREARMS
VOL. IV, CH. 2**

Training Bureau will maintain a record of each weapon approved for use, including weapons issued to Honor Guard, ESU and the patrol shotgun locker. When weapons are issued to officers, they will sign for the weapon after inspection by the firearms instructor. A computerized file will be kept with all issued weapons and qualifications as well as in the firearms qualification logbook. Off duty approved weapons and there qualification records will also be kept in computerized files as well as in the qualification logbook.

I. FIREARMS and AMMUNITION

A. Carrying of Handguns

1. On Duty Police Officers
 - a. While on duty, supervisors and police officers are to carry the authorized department firearm. (See appendix A)
 - b. Written approval is required from the Chief of Police to carry any other weapon.
2. Off-Duty Police Officers.
 - a. Officers have the option to carry a firearm while off-duty. The specific firearm must be authorized. (See appendix A)
 - b. Authorization to carry must be requested, as follows:
 - (1) All officers that wish to carry a weapon other than the department authorized duty weapon must qualify at the Range under the supervision of a Range Officer on both HQC (handgun qualification course) and HNQC (handgun night qualification course).
 - (2) Firearms authorized to be carried off duty provided that the officer has qualified.
3. No member of the department shall carry any firearm into an Atlantic City Casino. State law prohibits anyone to carry firearms into a casino.
4. No member of the department is authorized to carry a department issued firearm while working for a private security business of any kind. All special requests for police protection, or traffic details must be authorized by the Chief of Police as per the Off-Duty / Secondary Employment Policy. (Vol. 1 Ch.15)

B. AMMUNITION

1. Ammunition carried in a department issued firearm shall be department issued ammo only. Homemade rounds are expressly prohibited. (See appendix A)

**OPERATIONS
FIREARMS
VOL. IV, CH. 2**

2. Ammunition carried in an off duty firearm shall be the ammo which the officer completed their last qualification with. The off duty ammo must be deemed safe and reliable by the Range Officer. (See appendix A)
3. Detective Bureau and Administrative officers should carry at least (1) spare magazine while on duty.
4. Uniform officers on patrol should carry at least two (2) spare magazines.

C. HOLSTERS

1. The department issued holster for Uniform Duty shall be at a minimum of a Level II holster, selected by the Range Officer and approved by the Chief of Police.
2. The department issued holster for Administration, Command Staff and Plainclothes assignments shall be at a minimum a Level I holster, selected by the Range Officer and approved by the Chief of Police.
3. All holsters must comply with the Uniform Policy (Vol. 1 Ch. 17).
4. All uniformed personnel will carry the weapon in a conventional manner, cross draw is not acceptable for uniformed personnel.
5. Non-uniformed personnel assigned to the Detective Bureau are authorized to carry the firearm in the following manner, while on duty:
 - a. Conventional manner in a body form type holster with a security strap.
 - b. Shoulder holster with security strap.
 - c. An ankle holster with a security strap.
 - d. All of the above holsters should be approved by the Range Officer periodically.
6. When in the public view, plainclothes officers should carry their weapons in a concealed manner.
7. Off duty officers may carry an approved weapon, in the following manner:
 - a. The weapon will be carried conventionally in a body form holster with security strap.
 - b. Shoulder holster with a security strap.
 - c. An ankle holster with a security strap.

**OPERATIONS
FIREARMS
VOL. IV, CH. 2**

- d. All of the above holsters should be approved by the Range Officer
8. When off duty, all personnel should carry firearms in a concealed manner.
9. **ALL** holsters that a weapon may be carried in should be brought to the range and used during qualifications in the presence of the Range Officer, and recorded.
10. Wallet holsters and waist-belt cross draw holsters are prohibited.

D. AUXILIARY / BACK-UP WEAPONS

1. Officers may carry an auxiliary weapon while on duty, if they have qualified with the weapon at the Range under the supervision of the Range Officer, and must follow all qualification guidelines as set forth in this policy.

II. MAINTENANCE, STORAGE, LOADING AND UNLOADING OF DEPARTMENT WEAPONS

- A. Department issued weapons are to be maintained and kept in working order.
- B. Any malfunction or maintenance problem is to be reported to the Firearms Armorer.
 1. If on duty, the officer should immediately report the problem to their supervisor.
 2. The supervisor should advise Com-Cen that the officer is unavailable for calls.
 3. The officer is to be directed to the Armorer. If the Armorer is off duty they shall be subject to recall.
 4. If the Armorer is unavailable, the supervisor should secure the officer's duty weapon and obtain another duty weapon for the officer. This action must be documented in a report to the Chief of Police, the Armorer and the officer.
 5. If the officer is off duty he should immediately report the problem to the Tour Commander.
 6. The Tour Commander should direct the officer to contact the Armorer.
 7. Only the Armorer, or an approved factory authorized repair facility is to repair or work on any department issued weapons. Individual officers are not to repair or modify their issued weapon.
- C. Department issued weapons are to be secured for safeguarding and to restrict unauthorized use. When not being worn they should be:
 1. Secured in the officer's uniform locker, or

**OPERATIONS
FIREARMS
VOL. IV, CH. 2**

2. Secured in a lockable gun case, safe, or box, or
3. Properly secured by the officer utilizing the department issued Combination Trigger Lock.
 - a. The trigger lock shall not be installed on a loaded weapon. The officer should verify that the weapon is not loaded and the magazine is removed.
 - b. The rubber washers shall not be removed.
 - c. Separate both parts of the trigger lock by first turning the dials to your personal code.
 - d. Turn the combination lock body counterclockwise of the other half of the trigger lock body.
 - e. Insert the shaft housing onto the opposite side of the trigger guard. Make sure the outside edges of both pieces match.
 - f. Once the two pieces begin to engage, center the lock so that it completely covers the trigger guard. Once in position, press the two ends together tightly. Make sure the lock can not be moved within the trigger guard.
 - g. To unlock follow the above instructions.

D. Care and Cleaning

1. Firearms should be stripped, cleaned and oiled at reasonable intervals as needed to insure proper functioning.
2. The Range Officer should strip, clean, oil and inspect each officer's weapon after each qualification.
3. Officers should be careful not to drop the magazines, as they may become sufficiently deformed and cause failure of a round to feed properly.

E. Shotguns

1. Shotguns not utilized during the shift shall be secured in the department Shotgun Locker.
 - a. The shotgun should be stored with the magazine empty and the slide open.
 - b. When an officer removes or returns a shotgun and ammunition to or from the locker, they should make the appropriate entry in the Shotgun Log. Shotguns should be removed at the start of the patrol shift and returned at the end of the patrol shift.

**OPERATIONS
FIREARMS
VOL. IV, CH. 2**

- c. Only sworn officers will be granted access to the Shotgun Locker, which will be locked at all times, except when officers are returning or removing equipment.
 - d. At no time should a shotgun be stored in a patrol car that is not used during the shift.
 - e. All shotguns removed from the patrol vehicle at the end of the shift should be safely unloaded, the slide will be open prior to entering the building.
 - (1) If a patrol car with a shotgun will be used on the next shift, the shotgun may remain in the vehicle during the shift change. The officer going off duty must sign the shotgun in, and the officer that will be using the patrol car must sign the shotgun out.
2. No member of the department should handle or use a shotgun unless they have been shotgun qualified by a Range Officer as per the SQC (shotgun qualification course) procedures.
- a. Specially marked weapons for use with S.I.M. Special Impact Munitions will not be used with live ammunition. See appendix B for Ammunition for Less Lethal.
3. The authorized ammunition that should be carried in a shotgun is listed in appendix A.
4. After the shotgun is properly recorded in the Weapons Log, it is to be placed in the Shotgun Locker or the patrol vehicle that will be used.
5. When shotguns are placed in a police car, the weapon should be locked in the electronic shotgun-locking device with the safety on and the magazine loaded with the required ammunition. **At NO TIME should a shotgun to be placed in the electronic locking device with a round loaded into the chamber.**
8. The following actions should be taken during the removal of the shotgun from the police vehicle, or while unloading and bringing the weapon into headquarters:
- a. Check to make sure that the safety is in the ON position.
 - b. Release the locking device and remove the shotgun from the vehicle. When removing the shotgun, keep your finger away from the trigger and outside trigger guard. **The weapon is to be pointed in an upward position.**
 - c. When the shotgun is outside the police car, the weapon will be safely unloaded utilizing the orange sand-filled weapons clearing barrel while removing the rounds from the magazine and securing them.

**OPERATIONS
FIREARMS
VOL. IV, CH. 2**

- d. After the magazine is empty, lock the slide back, check the port to ensure the chamber is clear and the weapon is unloaded. Visually and physically inspect the port and the magazine.
 - e. The weapon may then be taken into headquarters after it is unloaded.
7. Cleaning Instructions:
- a. Before the shotgun is cleaned, a second inspection of the port and magazine should to be conducted. This is to ensure that the weapon is, in fact, **unloaded**. Never assume that a weapon is unloaded until you physically check it yourself.
 - b. Shotguns should be stripped, cleaned and oiled at reasonable intervals as needed to insure proper functioning.
 - c. Before an officer places a shotgun into a police vehicle, the weapon should be clean. If a shotgun is not clean, the officer should clean the shotgun or notify the Range Officer.
8. Loading Instructions and Placement into the Police Vehicle:
- a. The safety should be in the **ON** position.
 - b. Lock the slide forward, with no rounds in the chamber.
 - c. Load the magazine with the required number of rounds.
 - d. Secure the shotgun in the vehicle.
9. Use of Shotgun:
- a. The shotgun may be deployed when tactically necessary.
 - b. Officers should be aware of the capabilities and limitations of the shotgun.
 - c. The officer's use of a shotgun must comply with the Use of Force Policy (Vol. 4 Ch. 1).
 - d. No unauthorized civilian is to handle or use a department shotgun.
10. When a police car must be taken out of service for repairs, the shotgun is to be removed, unloaded, placed in the shotgun locker unless it is being placed in another vehicle, and signed back into the Shotgun Log by the officer that is responsible for the weapon.

**OPERATIONS
FIREARMS
VOL. IV, CH. 2**

III. LOSS OF WEAPON

- A. All personnel are required to immediately report the loss of any department or personal weapon to the ranking supervisor on duty.
- B. A report is to be made to the police department having jurisdiction where the incident occurred.
- C. A written department report should be made of the loss as soon as practical.
- D. The Range Officer and the Chief of Police should be notified of the loss of a department weapon as soon as practical.

IV. DISPLAY / DISCHARGE

- A. An officer may display their weapons in accordance with the provisions of Penal Code 2C, or under the Attorney General's guidelines.
- B. No Officer will, however, display a weapon carelessly or negligently.
- C. All discharges, except during qualifications, must comply with the Use of Force Policy (Vol. 4 Ch. 1).

V. HEAVY WEAPONS

- A. Members of the Emergency Services Unit may carry other department heavy weapons as per the Heavy Weapons Policy (Vol. 4 Ch.17). Also see Appendix B for weapons and ammunition.

VI. RETIRED POLICE OFFICER CARRYING WEAPON

- A. A retired police officer is not considered an employee of the police department and would not be covered by the borough's insurance policy, therefore the following guidelines **must** be followed:
 - 1. The Fort Lee Police Department shall not supply a weapon to a retired police officer.
 - 2. The retired law enforcement officer, within six months after retirement, shall make application in writing to the Superintendent of State Police for approval to carry a handgun for one year. An application for annual renewal shall be submitted in the same manner. Absent statutory changes, this remains in effect, even after the passage of H.R. 218.
 - 3. Qualification with a weapon should be conducted at a state police or other approved range, not at the pistol range.

**OPERATIONS
FIREARMS
VOL. IV, CH. 2**

**VII. LAW ENFORCEMENT OFFICER SAFETY ACT OF 2004
(H.B. 218 National Concealed Carry for Cops Legislation)**

On July 22, 2004 the president signed in to law the “Law Enforcement Officers Safety Act of 2004. This law allows qualified active (on- or off duty) and honorably retired law enforcement officers to carry their firearms concealed nationwide. The following will cover issues for active police officers concerning the carrying of their firearms outside of this state.

- A. Officers who are carrying a weapon while off duty in another state do not have law enforcement authority, unless specifically granted that authority by that state.
- B. Officers can be restricted as to where they can carry concealed weapons by laws of other states.
- C. Officers should check the state laws where they intend to carry a concealed weapon prior to going out of state, to make sure they are in compliance.
- D. All training and qualifications requirements by this department must be maintained before an officer can carry a firearm out of state.
- E. Department standards such as make, model and caliber of weapon also pertain to concealed weapons carried by an officer traveling to another state.
- F. The officer must not be subject to disciplinary action by this department, where he/she is not permitted to carry a firearm. If so, he/she is not permitted to carry a firearm in another state under the act for the same period of time.
- G. Officers are not permitted to carry concealed firearms in another state if they are under the influence of drugs or alcohol.
- H. Officers should keep in mind that there is nothing that requires this department to indemnify actions taken by officers in another state as a private citizen.

**THE REMAINDER OF THIS POLICY COVERS QUALIFICATIONS AND IS
THE NEW JERSEY ATTORNEY GENERAL’S GUIDELINES.
Refer to Vol IV, Ch 2A**

Firearms Qualification

Semi-Annual Firearms Qualification and Requalification Standards for New Jersey Law Enforcement

Issued December 1989
Revised September 1990
Revised April 1998
Revised April 2001
Revised June 2003

TO: Law Enforcement Executives

FROM: Vaughn L. McKoy
Acting Director

DATE: June 26, 2003

SUBJECT: FIREARMS QUALIFICATION AND REQUALIFICATION
STANDARDS FOR NEW JERSEY LAW ENFORCEMENT

Recent firearms deployment changes in the law enforcement community, new firearms technology and thoughtful review of present policy have necessitated the amendment of the Firearms Qualification And Requalification Standards For New Jersey Law Enforcement, last updated in April 2001. After consultation with the New Jersey law enforcement firearms instructors community, the following changes have been incorporated in this edition of the Standards:

- The handgun night qualification course has been completely revised. The new course of fire replaces long, sustained strings of fire with more duty relevant testing, including the mandated use of handheld or gun-mounted lights. In addition, the minimum qualification score has been increased from 70% to 80% which parallels the requirement for daylight qualification.
- The recent problem with black bears in New Jersey has brought back the shotgun slug into the law enforcement arsenal. Agencies deploying the slugs requested guidance in the training and qualification of their personnel with this shotgun ammunition. Therefore, a "Shotgun Slug Qualification Course" (SSQC) has been developed for qualification under both daylight and night firing conditions. As with the traditional "OO Buck" ammunition, qualification will be required semi-annually.
- Recent technology has given birth to a new class of firearm referred to as the "Personal Defense Weapon" (PDW). Developed for military personnel assigned to confined areas, this firearm resembles a submachine gun in size and a rifle in performance. Several New Jersey law enforcement agencies are considering the purchase of this type of weapon. In the law enforcement community this type of weapon would be deployed

as a subgun, however, since the ammunition is fired at rifle-defined velocities, agencies are confused as to training and qualification requirements. Therefore, a new class of firearm, "Personal Defense Weapon" (PDW), has been added to the policy to define the firearm itself and its place in training and qualification. The PDW will be considered a submachine gun and all personnel utilizing such firearms will follow the subgun protocol for training and qualification. In addition, slight procedural changes were made to the Subgun Qualification Course to accommodate the widening variety of subguns being manufactured and deployed.

- A slight change was made to the Scoped Rifle Qualification Course regarding the time requirements at the 100 & 50 yard lines, shooting position at the 50 yard line as well as an adjustment to the qualification target.

The complete, updated Firearms Qualification And Requalification Standards For New Jersey Law Enforcement can be found at the Division of Criminal Justice's web site, www.njdcj.org.

These changes may be adopted as soon as possible, and become mandatory effective January 1, 2004.

If you have any questions concerning firearms qualification standards please call the Division of Criminal Justice State Range Master at (973) 599-5946.

TO: LAW ENFORCEMENT EXECUTIVES

FROM: WAYNE S. FISHER, PH.D.
DEPUTY DIRECTOR

DATE: MAY 21, 2001

SUBJECT: FIREARMS QUALIFICATION AND REQUALIFICATION
STANDARDS FOR NEW JERSEY LAW ENFORCEMENT

Revisions have been made to the Firearms Qualification and Requalification Standards for New Jersey Law Enforcement. The changes are the result of recommendations and review by many rangemasters and firearms instructors throughout the state. Revisions have been made in the courses of fire for handgun, subgun, service rifle and carbine qualification. In addition, a quailfing course of fire has been developed for scoped rifles. The statewide qualification protocol now includes standards for the entire range of firearms carried by law enforcement officers in the conduct of routine duties and specialized operation. Of particular note is an increase in the number of qualification sessions required for shotguns. Requalification will be required twice a year with any weapon carried on a regular basis as part of an officer's equipment for performance of routine official duties.

Increases in the number of requalification sessions required per year for specified firearms, as well as modifications in the course of fire, will be effective January 1, 2002. Police executives are encouraged, however, to augment their agency requalification procedures consistent with the attached revised standards at any time prior to that date.

If you have any questions concerning firearms qualification standards please call the Division of Criminal Justice State Rangemaster at (973) 599-5946

TO: ALL LAW ENFORCEMENT OFFICERS

DATE: December 1, 1989

SUBJECT: Semi-Annual Firearms Qualification and Requalification Standards for
New Jersey Law Enforcement

In compliance with the instructions of Attorney General Peter N. Perretti, Jr. and pursuant to the Criminal Justice Act of 1970, N.J.S.A. 52:17B-97 et seq., effective January 1, 1991 it is directed that all New Jersey law enforcement officers shall follow the attached Semi-Annual Firearms Qualification and Requalification Standards, and all New Jersey law enforcement agencies shall adopt such standards as agency policy.

The Attorney General's directive dated July 17, 1985 did not provide for specialized training with respect to automatic and semi-automatic assault weapons. Accordingly, all law enforcement officers who are authorized to use such weapons shall comply with the provisions of this manual concerning automatic and semi-automatic assault weapons commencing March 1, 1990.

Robert T. Winter
Director, Division of Criminal Justice

TO: ALL LAW ENFORCEMENT CHIEF EXECUTIVES

SUBJECT: Semi-Annual Firearms Qualification and Requalification Standards for New Jersey Law Enforcement

Following is the revised directive requiring all law enforcement officers to satisfactorily complete designated firearms qualification courses so that they may continue to lawfully carry a firearm in the State of New Jersey. This directive will be effective January 1, 1991.

The previously issued directive, dated June 17, 1985, mandated semi-annual firearms requalification, provided an explanation of Tennessee v. Garner and outlined the firearms requalification program. That program included requirements for requalification with both service and off-duty weapons, along with requirements for systematic record keeping of qualifying scores.

The Semi-Annual Firearms Qualification and Requalification Manual, which accompanies the revised directive, provides the approved training and qualification requirements for law enforcement personnel exempt from the provisions of N.J.S.A. 2C:39-5. These requirements are necessary to meet the mandates of N.J.S.A. 2C:39-6J. Subsection J, which became effective on March 17, 1986, provides in part:

A person shall qualify for an exemption from the provisions of N.J.S.A. 2C:39-5, ...if the person has satisfactorily completed a firearms training course approved by the Police Training Commission. Such exempt person shall not possess or carry a firearm until the person has satisfactorily completed a firearms training course and shall annually qualify in the use of a revolver or similar weapon.

This new directive and accompanying manual augment the original directive and provisions of N.J.S.A. 2C:39-6J by incorporating minimum standards for semi-annual firearms qualification. This directive and qualification procedures shall be implemented by all New Jersey law enforcement agencies. The system of firearms qualification to be implemented is designed to measure basic firearms skills using uniform standards.

The manual includes: standards for firearms qualification for revolvers, semi-automatic handguns and shotguns, as well as automatic and semi-automatic assault-type weapons. The manual also includes training guidelines, procedures regarding non-qualifying participants, record keeping and reporting procedures, and requirements for firearms instructors.

Officers must continue to qualify twice annually following the procedures and

requirements contained in the manual. These procedures do not prevent individual agencies from conducting additional in-service firearms training. Agencies are encouraged to conduct supplemental training to meet the special needs of their personnel.

I therefore direct, as a matter of law enforcement policy, that effective January 1, 1991 all officers must meet the minimum standards set forth in the Semi-Annual Firearms Qualification and Requalification Manual. Those personnel who do not successfully qualify or requalify with firearms shall not be permitted to carry firearms.

This directive is being issued to ensure the safety of law enforcement officers as well as promote the public safety and ensure a high level of public confidence in the competence and integrity of our law enforcement personnel in the performance of their official functions. This directive is to be distributed to and adopted by all law enforcement personnel within the state.

Robert Del Tufo
Attorney General

HANDGUN AND SHOTGUN QUALIFICATION
AND REQUALIFICATION

Section 1. General Provisions

Applicability: This policy applies to all law enforcement personnel in New Jersey effective March 1, 2001.

Supersession Notice: This policy supersedes the Attorney General's Directive of December, 1998 and replaces those portions of the 21 county policies currently in place, as indicated in this policy.

Summary: This policy delineates the Attorney General's requirements on firearms requalification by establishing standards for the conduct of semi-annual firearms requalification and associated training.

Purpose: This policy is intended to establish a uniform set of standards for semi-annual firearms requalification for any weapon, including a shotgun, which is issued or authorized for use both on and off duty. It identifies specific courses of fire that meet firearm requalification requirements. It identifies the minimum score and training necessary to meet the requalification standards as set forth in this manual.

On June 17, 1985, the Attorney General issued a directive requiring that all law enforcement personnel requalify with their firearms at least twice a year pursuant to plans submitted to and approved by the county prosecutor. This directive retains the twice a year requalification standard, augments the minimum standard now set forth in N.J.S.A. 2C:39-6J, and establishes a set of standards and requirements for requalification.

Law enforcement personnel must, therefore, continue to qualify twice annually pursuant to this policy and to their respective county plans not affected or covered by this policy. This policy is directed by the Attorney General, through the Division of Criminal Justice.

Section 2. Definitions

The following words and terms, when used in this manual, shall have the following meanings unless the context clearly indicates otherwise.

Ammunition.

Equivalent load. Ammunition used in training programs that resembles the service load in size, weight, velocity, recoil and trajectory, but not carried as a duty round.

Service load. Ammunition authorized by the agency and issued for duty use.

Chief or Agency Executive. The chief executive officer of any law enforcement agency in New Jersey.

Firearms Instructor. An individual who is certified by the Police Training Commission to instruct firearms in a basic recruit training program or possesses equivalent training as outlined in Section 6 of this manual.

Firearms Record. A record of firearms qualification activities for each officer required to participate. A record is to be completed, and maintained chronologically, each time the officer is required to qualify or requalify on a firearm. The record shall include relevant firearms data (make, model, caliber and serial number), training and qualification, location, date of qualification activities, qualification courses completed, ammunition used, scores fired, name of the supervising firearms instructor, and other pertinent information.

First Aider. This is a certified member of a volunteer first aid squad, a person certified as a first responder or emergency medical technician, or someone who is otherwise adequately trained in first aid.

Handgun. A firearm (semi-automatic or revolver) designed so that it can be held and fired with one hand.

Handgun Qualification Courses (HQC1 or HQC2). Standardized courses of fire for semi-annual handgun qualification for service and off-duty handguns. (Appendices A and B).

Handgun Night Qualification Course (HNQC). A standard course of fire under night firing conditions for semi-annual qualification for service and off-duty handguns. (Appendix C).

Handgun Night Qualification Course (HNQC) for Retired Law Enforcement Officers. A standard course of fire under night firing conditions for semi-annual handgun qualification. (Page 78).

Law Enforcement Agency. Any police force or organization of a municipality, county or state which has, by statute or ordinance, the responsibility of detecting crime and enforcing the general laws of the state.

Night Firing Conditions. Low light conditions either under natural subdued lighting or utilizing simulated subdued lighting.

Non-Qualifying Participant. A person who fails to achieve a minimum passing score while firing a prescribed qualification course.

Participant. An individual undergoing semi-annual firearms qualification.

Qualification Score--Handgun. A score of 80% or higher based on one firing of a Handgun Qualification Course (either HQC1 or HQC2) as contained in Appendices A and B.

Qualification Score--Handgun Night Firing. A score of 80% or higher based on one firing of the Handgun Night Qualification Course (HNQC) as contained in Appendix C or the HNQC for Retired Law Enforcement Officers (page 78), which ever is appropriate.

Qualification Score--Shotgun. A score of 80% or higher based on one firing of the Shotgun Qualification Course (SQC) as contained in Appendix D.

Qualification Score--Shotgun Night Firing. A score of 80% or higher based on one firing under subdued lighting conditions of the Shotgun Night Qualification Course (SNQC) as contained in Appendix D.

Qualification Score - Shotgun Slug. A score of 80% or higher based on one firing of the Shotgun Slug Qualification Course (SSQC) as contained in Appendix D1.

Qualification Score - Shotgun Slug Night Firing. A score of 80% or higher based on one firing under subdued light conditions of the Shotgun Slug Qualification Course (SSQC) as contained in Appendix D1.

Semi-Annual Qualification. A program consisting of two prescribed qualification sessions within a 12-month period (a calendar year), with at least three months time between each qualification. The program is to include semi-annual qualification with handguns and semi-annual qualification with the agency authorized shotgun utilizing standardized courses of fire under daylight and night firing conditions.

Shotgun. A smooth bore firearm that is specifically designed and capable of firing shotgun cartridges.

Shotgun Qualification Course (SQC). A standard course of fire for semi-annual qualification for shotguns as prescribed in this manual. (Appendix D).

Shotgun Night Qualification Course (SNQC). A standard course of fire under subdued light conditions for semi-annual qualification for shotguns as prescribed in this manual. (Appendix D).

Shotgun Slug Qualification course (SSQC). A standard course of fire for semi-annual qualification both day and under subdued light conditions utilizing shotgun slugs. (Appendix D1).

Supervising Firearms Instructor. An individual designated by the chief or agency executive to conduct firearms qualification and supervise the firearms instructors and participants during firearms qualifications activities. The supervising firearms instructor must satisfy the requirements of a firearms instructor and must have experience in conducting either a PTC-approved firearms course or an equivalent course.

Training/Qualification Schedule. Firearms training schedules that become part of the firearms records reflecting the personnel, dates and times of semi-annual qualification activities.

Section 3. Responsibilities

1. Division of Criminal Justice:
 - To establish a system of compliance, provide oversight for this policy and assist in implementing the policy statewide.
 - To provide all necessary and reasonable assistance to law enforcement agencies affected by this policy.
2. County Prosecutor:
 - To implement the Attorney General's policy on firearms qualification within the county jurisdiction, including reviewing qualification programs conducted by law enforcement agencies within the respective county jurisdiction for consistency with statewide standards, conducting qualification programs as required, and maintaining proper records.
 - To provide assistance to agencies within the county jurisdiction to enable them to conduct training and qualification programs in

accordance with the standards established within this policy.

3. State, County and Municipal Law Enforcement Agencies:
 - To schedule and conduct individual semi-annual firearms qualification programs as directed by this policy.
 - To maintain proper records as they relate to firearms qualification of agency personnel.
 - To take appropriate action with participants who fail to qualify. This action is to be determined by the agency chief executive.
 - To immediately notify the county prosecutor, or in the case of certain state agencies the Division of Criminal Justice, of those participants who fail to qualify with a service weapon.
 - To report annually to the county prosecutor, or in the case of certain state agencies the Division of Criminal Justice, concerning qualification activities conducted during the year. (See Section 10. Records and Reports). Every police agency within a county will report to the prosecutor of that county.
 - To ensure compliance with the standards contained in this policy.

Section 4. Agency Training and Qualification Requirements

- To conform to the requirements of N.J.S.A. 2C:39-6.
- To conduct semi-annual firearms qualification programs in conformance with the standards set forth in this manual.
- To qualify, twice annually, on a Handgun Qualification Course (either HQC1 or HQC2) with a minimum score of 80% with the service handgun. (See Appendices A or B for courses of fire).
- To qualify, twice annually, on a Handgun Qualification Course (either HQC1 or HQC2) with a minimum score of 80% with any off-duty handgun which has been determined by the agency executive or supervisory firearms instructor to be substantially different in design, function or caliber from the service handgun. (If an off-duty handgun does not differ substantially in design, function, or caliber

from the service handgun, a separate qualification with this weapon is at the discretion of the agency executive).

- To qualify, under night firing conditions, twice annually, on the Handgun Night Qualification Course (HNQC) with a score of 80% with the service handgun. (See Appendix C for course of fire).
- To qualify twice annually, under night firing conditions, on the Handgun Night Qualification Course (HNQC) with a minimum score of 80% with any off-duty handgun which has been determined by the agency executive or supervising firearms instructor to be substantially different in design, function or caliber from the service handgun. (If an off-duty handgun does not differ substantially in design, function or caliber from the service handgun, a separate qualification with this weapon is at the discretion of the agency executive.)
- To qualify those officers who are or might be assigned use of an agency issued shotgun twice annually on both the Shotgun Qualification Course (SQC) and the Shotgun Night Qualification Course (SNQC) with a score of 80% using the agency authorized shotgun.
- To qualify those officers who are or might be assigned use of the agency issued shotgun utilizing slug ammunition twice annually, both in daylight and under subdued light conditions, on the Shotgun Slug Qualification Course (SSQC) with a minimum score of 80% using the agency authorized shotgun.
- To provide remedial training for those personnel who do not meet the standards of qualification or take appropriate action until such time as the qualification standards are met.
- To train, on a semi-annual basis, all personnel in the use of force, including an update in all state, county and agency policies, statutes, and court decisions dealing with the use of force.
- To review semi-annually all firearms policies as they relate to:
 1. Warning shots
 2. Moving vehicles
 3. Removal of firearm from holster or display of firearms
 4. Surrender of firearm

5. Disposal of animals
 6. Carrying of weapons, on and off duty
 7. Consumption of alcohol, use of prescription drugs
 8. Covert operations
- To review semi-annually all relevant state, and municipal procedures for reporting the accidental or intentional discharge of a firearm while on or off duty, except those fired in training/requalification.
 - To develop and review semi-annually agency policies, rules and regulations defining:
 1. Official firearms and service ammunition
 2. Off-duty firearms
 3. Service ammunition
 4. Leather gear, to include loading devices for service and off-duty firearms.
 - To provide agency personnel with appropriate training for specialized weapons such as rifles and other tactical weapons.

Section 5. Qualification Program

Qualification. Qualification and requalification is required both during daylight hours and under night firing conditions. All qualification sessions must be conducted under the supervision of a qualified supervising firearms instructor.

Courses of Fire. Only those courses listed in this manual are to be used to meet the individual firearms qualification requirements set forth by this policy. Additional courses of fire and training programs may be included in the agency schedule for firearms training. The purpose of this program is not to prevent agencies from engaging in supplemental training courses that meet their special needs. Specialty training is encouraged.

Handgun Qualification Courses (HQC1 and HQC2). (See Appendices A and B). A Handgun Qualification Course must be completed two times a year for service handguns and for handguns authorized for use off duty and which are determined to be substantially different in design, function or caliber from the service handgun. This determination is to be made by the agency executive or supervising firearms instructor. Either course, HQC1 or HQC2, may be selected for qualification purposes.

If an off-duty handgun does not differ substantially in design, function or caliber from the service handgun, a separate qualification with this weapon, under either daytime or nighttime conditions, is at the discretion of the agency executive.

Handgun Night Qualification Course (HNQC). (See Appendix C). The Handgun Night Qualification Course is to be completed two times a year for service handguns and for handguns authorized for use off duty and which are determined to be substantially different in design, function or caliber from the service handgun. This determination is to be made by the agency executive or supervising firearms instructor. Either course, HQC1 or HQC2, may be selected for qualification purposes.

If an off-duty handgun does not differ substantially in design, function or caliber from the service handgun, a separate qualification with this weapon, under either daytime or nighttime conditions, is at the discretion of the agency executive.

Shotgun Qualification Course (SQC). (See Appendix D). The Shotgun Qualification Course is to be conducted semi-annually for the agency issued and approved shotgun.

Shotgun Night Qualification Course (SNQC). (See Appendix D). The Shotgun Night Qualification Course is to be conducted semi-annually for the agency issued and approved shotgun.

Shotgun Slug Qualification course (SSQC). (See Appendix D1). A standard course of fire for semi-annual qualification both day and under subdued light conditions utilizing shotgun slugs.

Participants should be advised of what is required for each course of fire and should be provided with a copy of each course of fire and training program before going to the range.

Supervising Firearms Instructor. The agency chief executive officer shall designate a supervising firearms instructor for each qualification session conducted.

Firearms Instructor. Proper instructor-participant ratios should be maintained during qualification sessions. (See Section 7. Supervising/Firearms Instructor Responsibilities).

Ammunition. Each participant shall be provided with service or equivalent loads for qualification with agency or department issued firearms.

Firearms. Qualification shall be conducted with a handgun approved by the

participant's agency. Shotgun qualification shall be conducted with the agency approved shotgun.

Before any firearm is used, the supervising firearms instructor (or designee) shall inspect and approve the firearm. Approval of a firearm shall be based on department or agency standards. The process of approving the service handgun, off-duty handgun or shotgun shall be governed by the agency or department policy. A copy of records of approval shall be kept on file by the agency or department. Any off-duty handgun determined to be similar to the agency's service handgun and, therefore, not fired for qualification must be presented to the supervising firearms instructor (or designee) for inspection during each of the agency's qualification periods.

If a firearm is determined not to be serviceable, either prior to or during its use, the supervising firearms instructor shall not allow the firearm to be used. The supervising instructor shall require the agency or department or the individual, in the case of an off-duty weapon, to furnish a serviceable replacement. A report must be filed by the supervising instructor with the agency or department indicating why the firearm was unserviceable and what action was taken to correct the problem.

Equipment. Each participant, prior to undergoing firearms qualification, must be equipped with the agency authorized belt, holster, magazines, loading device and bullet loops. The qualification course will be fired only with the use of agency authorized loading devices and equipment. This will be indicated on the qualification record form and training schedule. Ear protection is mandatory and eye protection is strongly recommended for all live-fire activity.

Clothing. Each participant should complete courses of fire wearing clothing similar to that worn while on duty. Uniformed and plain clothes personnel should wear the appropriate clothing and all equipment required in their respective assignments.

Indoor Ranges. Agencies may utilize indoor ranges to meet the requirements of this policy.

Range Conduct. Qualification on ranges will be conducted in accordance with the requirements listed in this policy.

Section 6. Firearms Instructor Qualification Requirements

All instructors (supervising firearms instructors and firearms instructors) engaged in the prescribed semi-annual firearms requalification program must satisfy one of the following requirements.

- An instructor must be certified by the Police Training Commission (PTC) to instruct firearms in an approved "Basic Course" as defined in N.J.A.C. 13:1-1.1.
- An instructor must possess training equivalent to the PTC-approved firearms instructor course and be able to demonstrate knowledge and skill in this field. Equivalent training includes successful completion of a firearms instructor training program such as offered by the Federal Bureau of Investigation, United States Secret Service, Federal Law Enforcement Training Center at Glynco, GA., New Jersey State Police, Smith and Wesson Academy or the National Rifle Association Police Firearms Instructor Program.
- An instructor must have satisfactorily completed some other recognized firearms instructor course as determined by the chief of police or agency executive.

Supervising firearms instructors must also have experience in conducting either a PTC-approved firearms course or an equivalent course.

Section 7. Supervising/Firearms Instructor Responsibilities

The supervising firearms instructor is responsible for:

- Conducting firearms activities in accordance with the standards set forth in this manual.
- Ensuring the safety of all individuals engaged in firearms activities. Complying with all requirements set forth in this policy and manual with respect to all participants involved in qualification activities and training.
- Ensuring proper firearms instructor-participant ratios at all times on the firing line. The following ratios are recommended:
 1. One firearms instructor for six participants using handguns during day-time firing.
 2. One firearms instructor for three participants using handguns during night-time firing conditions.
 3. One firearms instructor for each participant firing a shotgun.
- Ensuring that personnel equipped to provide first aid are present on the firearms range during all qualification activities. (This person can be a

certified member of a local volunteer first aid squad, an agency member certified as a first responder or emergency medical technician, or a member of the agency who is otherwise adequately trained.)

- Ensuring that adequate first aid supplies are on-site at all times.
- Ensuring that a suitable communications link exists between the firearms range, the local agency (especially if using a host facility), and local emergency services.
- Inspecting weapons and ammunition used in firearms training and either approving or disapproving their use.
- Verifying that any repaired weapon has been repaired by a competent individual or company and recording this information in the appropriate records.
- Ordering and removing from the range any participant, instructor, or other individual whose conduct or activity constitutes a danger to those individuals using the firearms range. Informing the chief or agency executive of the action taken and the reason.
- Determining the time allotted and method of instruction for participants who require remedial training after failing to achieve the qualification scores required.
- Supervising remedial training and subsequent qualification attempts.
- Submitting to the chief or agency executive a comprehensive report on each officer or participant who fails to achieve the minimum qualification score as set forth in this manual.
- Ensuring that appropriate records are completed for each participant, including the model and serial number of every weapon used, the scores achieved and other appropriate information.

Firearms instructors are responsible for:

- The direct control of officers assigned to them by the supervising firearms instructor.
- Instructing all officers or participants in range safety and the appropriate handling and firing of the handgun and shotgun. When using a host

facility, instructing participants in the policies for that facility.

- Rendering all possible assistance to officers to help them achieve the requirements as set forth in this manual.
- Remaining, at all times while on the firing line, with the officers who are under their direct supervision (unless properly relieved).
- Taking immediate and appropriate action when, in the instructor's judgment, the conduct or activity of a participant constitutes a danger to the instructor or to other individuals.
- Calling to the immediate attention of the supervising firearms instructor any firearm that appears to be faulty.
- Correctly recording firearms scores attained during the qualification session by each participant under their direct control and providing the supervising firearms instructor with completed daily score sheets.
- Conducting remedial training of non-qualifying participants under the supervision of a supervising firearms instructor.
- Providing the supervising firearms instructor with targets used by participants who did not qualify during initial and subsequent qualification attempts. (Subsequent qualification attempts are those conducted following remedial training.) These targets are to be signed [by (*sic*)] both the participant and the firearms instructor.

Section 8. Training Objectives

1. Safe Handling.

The participant will demonstrate the safe handling of handguns and shotguns. This will minimally be done while:

- (a) Securing all agency authorized shotguns, service handguns and off-duty handguns at all times.
- (b) Loading and unloading revolvers, semi-automatic pistols, manual and autoloading shotguns.
- (c) Utilizing authorized agency loading devices or bullet loops. (Authorized agency loading devices may include speed loaders, speed strips, bullet pouches and magazines.)

- (d) Holstering and drawing authorized agency handguns.
- (e) Inspecting weapons.
- (f) Operating weapons storage mechanisms in agency authorized vehicles.
- (g) Clearing malfunctions.

2. Firearms and Ammunition Identification.

Participants will identify agency authorized firearms and ammunition and explain the mechanical functions, capabilities and maintenance of agency firearms to include:

- (a) Those firearms and ammunition authorized for both on- and off-duty use.
- (b) The major parts of the service handgun and its basic mechanical functions.
- (c) The major parts of the agency authorized shotgun and its basic mechanical functions.
- (d) The effective range and lethal capabilities of agency handgun and shotgun.
- (e) The ability to clean the service handgun and agency shotgun effectively.

3. Shooting Principles.

The participant will explain the principles of good marksmanship and will demonstrate the techniques with the handgun and shotgun. The presentation will minimally include:

- (a) Stance
- (b) Grip
- (c) Breath control
- (d) Sight alignment
- (e) Trigger control
- (f) Follow through

The participant will demonstrate commonly recognized handgun shooting positions. These positions will minimally include:

- (a) Kneeling (barricade, strong and support side)
- (b) Crouched barricade position (over the top of cover)
- (c) Standing Point Shoulder with and without barricade
- (d) Weaver, Isosceles or Tactical Stance

- (e) Ready Positions
- (f) One-handed shooting (strong and support-handed)
- (g) Weapon Retention Position

The participant will demonstrate recognized shooting positions with the agency authorized shotgun. These positions will minimally include:

- (a) Police Ready Condition
- (b) Standing, point shoulder, muzzle depressed position

Section 9. Non-Qualifying Participants

A participant who fails to achieve a passing score on a prescribed qualification course shall receive remedial instruction. This instruction shall be provided after the supervising firearms instructor analyzes the problems which may have led to the failure. The time allotted and method of remedial training to be conducted shall be determined by the supervising firearms instructor. The supervising firearms instructor, in consultation with firearms instructors and the participant, will:

1. Review factors which may have contributed to or caused a participant's failure to qualify, including a check of the participant's firearm.
2. Document any subsequent attempts to qualify and the results of those attempts.

If after the remedial training and subsequent attempts to qualify the participant still does not fire a passing score, the supervising firearms instructor shall report this information to the chief or agency executive. The chief or agency executive will then determine what action is appropriate. The chief or agency executive is to notify in writing the county prosecutor (Division of Criminal Justice for some state agencies) of participants who fail to qualify on the service weapon.

If a participant fails to qualify, all targets that participant used during initial and subsequent qualification attempts (those conducted following remedial training) are to be kept on file until the participant achieves a qualifying score. These targets are to be signed by both the non-qualifying participant and the firearms instructor.

Section 10. Records and Reports

Required records and reports include the Firearms Record for Individual Participants and an annual report to the county prosecutor (or Division of Criminal Justice). Moreover, reports concerning participants who fail to qualify with a service weapon are to be made in accordance with Section 9. Non-Qualifying Participants.

Firearms Record for Individual Participants.

An individual written record as prescribed by this manual shall be maintained on each participant undergoing firearms qualification or requalification. Each record shall include the following information:

- Participant's name, the date and type of qualification course(s) completed and the scores achieved on each course.
- The name of the supervising firearms instructor for each qualification session or course.
- Identification of any firearm used (make, model, caliber and serial number).
- A general description of the ammunition used (make, type, caliber).
- The location where the qualification session was held (name of range).
- The location where the targets of non-qualifying participants are stored. (These targets must bear the signatures of the participant and scorer. Targets must be maintained on file until the participant achieves a qualifying score.)

The original copy of the firearms record shall be maintained as a normal business record. All records will be reviewed by the chief or agency executive upon completion of each semi-annual requalification.

Annual Report to the County Prosecutor or Division of Criminal Justice.

A yearly report shall be filed with the county prosecutor, or in the case of certain state law enforcement agencies with the Director of the Division of Criminal Justice. This report is to be filed no later than January 15th of the following calendar year. This report is to be filed by all law enforcement agencies subject to firearms qualification requirements set forth by this policy. This report shall include the following information.

- A description of agency authorized firearms and ammunition.
- The agency training/qualification schedule, including the dates and types of qualification sessions conducted during the report year.
- The number of participants who satisfied qualification requirements and the number of non-qualifying participants during each qualification session

Semi-Annual Firearms Qualification and Requalification Standards

for each type of course and weapon: service weapon, off-duty weapon and agency authorized shotgun.

AUTOMATIC AND SEMI-AUTOMATIC ASSAULT WEAPON ,
POLICE CARBINE AND SCOPED RIFLE TRAINING,
QUALIFICATION AND REQUALIFICATION

Section 1. General Provisions

Applicability: This policy applies to all persons who carry an automatic or semi-automatic assault weapon, police carbine or scoped rifle pursuant to N.J.S.A. 2C:39-6.

Summary: This policy delineates the Attorney General's requirements for automatic and semi-automatic assault-type weapons, police carbine and scoped rifle training and qualification and establishes relevant standards. The policy requires quarterly training sessions, two of which may be used for qualification purposes.

Purpose: This policy is intended to establish a uniform set of standards for automatic and semi-automatic assault-type weapons, police carbine and scoped rifle training, qualification and requalification. It identifies specific courses of fire that meet firearms qualification requirements, as well as the minimum score and training necessary to meet the qualification standards set forth.

Section 2. Definitions

The following words and terms, when used in this policy, shall have the following meanings unless the context clearly indicates otherwise.

Ammunition.

Equivalent load. Ammunition used in training programs that resembles the service load in size, weight, velocity, recoil and trajectory, but not carried as service ammunition.

Service load. Ammunition authorized by the agency and issued for duty use.

Automatic Assault Weapons. Any firearm, mechanism or instrument which does not require that the trigger be pressed for each shot and has a reservoir, belt, magazine or other means of storing and carrying ammunition which can be loaded into the firearm, mechanism or instrument and fired therefrom, regardless of barrel length.

Automatic/Semi-Automatic Police Service Rifle Qualification Course (ARQC).

Standard course of fire for semi-annual qualification for automatic and semi-automatic police service rifles. (Appendix G).

Automatic/Semi-Automatic Subgun Qualification Course (ASQC).

Standard course of fire for semi-annual qualification for automatic and semi-automatic assault-type submachine gun or Personal Defense weapons. (Appendix E).

Automatic/Semi-Automatic Subgun Night Qualification Course (ASNQC).

Standard course of fire under night firing conditions for annual qualification for automatic and semi-automatic assault-type submachine gun or Personal Defense weapons as prescribed in this manual. (Appendix F).

Chief or Agency Executive. The chief executive officer of any law enforcement agency or other agency in New Jersey with personnel subject to the automatic/semi-automatic assault weapons and police carbine training and qualification policy.

Cold Bore Shot. The first round fired from a firearm. May affect the strike of the projectile in relation to the zeroed accuracy of the firearm.

Firearms Instructor, Automatic/Semi-Automatic Assault Weapons. An individual who is certified, as per Section 6 of this policy, to instruct law enforcement personnel in the use of automatic or semi-automatic weapons.

First Aider. A certified member of a volunteer first aid squad, a person certified as a first responder or emergency medical technician, or someone who is otherwise adequately trained in first aid.

Firearms Record. A record of firearms qualification activities for each officer required to participate. A record is to be completed, and maintained chronologically, each time the officer is required to qualify or requalify on a firearm. The record shall include relevant firearms data (make, model, caliber and serial number), training and qualification location, date of qualification activities, qualification courses completed, ammunition used, scores fired, name of the supervising firearms instructor, and other pertinent information.

Law Enforcement Agency. Any police force or organization of a municipality, county, or state which has, by statute or ordinance, the responsibility of detecting crime and enforcing the general laws of the state.

Night Firing Conditions. Low light conditions either under natural subdued lighting or utilizing simulated subdued lighting.

Non-Qualifying Participant. A person who fails to achieve a minimum passing score while firing a prescribed qualification course.

Participant. An individual undergoing automatic or semi-automatic weapons or police carbine training, qualification or requalification.

Personal Defense Weapon PDW. Either automatic or semi-automatic assault weapon, previously defined, with a barrel length of less than 16 inches and capable of firing a 4.6 x 30mm or 5.7 x 28mm cartridge. Personnel utilizing this type firearm will conduct quarterly training and qualify semi-annually on the Automatic/Semi-Automatic Subgun Qualification Course (ASQC) (Appendix E) and semi-annually on the Automatic/Semi-Automatic Subgun Night Qualification Course (ASNQC) (Appendix F). Personnel utilizing handguns capable of chambering and firing either the 4.6 x 30mm or 5.7 x 28mm cartridges will qualify on the HQC & HNQC.

Police Carbine. Adopted by law enforcement as a supplement to the handgun, shoulder mounted semi-automatic firearm, having a barrel length of 16 inches or more and chambered to fire handgun ammunition. Or a submachine gun capable of firing semi-automatic only, deployed in patrol vehicles as a supplemental firearm for patrol.

Police Carbine Qualification Course (PCQC). A standard course of fire for semi-annual qualification for police carbine. (Appendix H)

Police Carbine Qualification Night Course (PCQNC). A standard course of fire under night conditions for semi-annual qualification for police carbine. (Appendix I)

Police Service Rifle. An automatic or semi-automatic assault weapon, as previously defined, which fires ammunition having a muzzle velocity of greater than 2,000 feet per second. (This definition excludes Personal Defense Weapons)

Qualification Score--Automatic/Semi-Automatic Assault Weapons. A score of 80% or higher on firing a prescribed automatic/semi-automatic assault weapons qualification course (ASQC or ARQC) as contained in Appendices E, G .

Qualification Score--Automatic/Semi-Automatic Subgun Night Firing. A score of 80% or higher based on firing of the prescribed course (ASNQC) as contained in Appendix F.

Qualification Score--Police Carbine. A score of 80% or higher on firing the police carbine course day or night (PCQC or PCQNC) as contained in Appendices H and I.

Qualification Score--Scoped Rifle. A score of 90% or higher, which includes a mandatory first round "cold bore" hit, on the scoped rifle qualification course (SRQC)

Appendix J

Quarterly Qualification. Qualification sessions for the scoped rifle will be conducted four times per year with two months between each qualification. This applies to those officers who are assigned as a law enforcement marksman using a scoped rifle for precision shooting.

Quarterly Training. For automatic and semi-automatic assault weapons, there will be four live fire training sessions within a 12-month period with at least two months time between each session. Each session shall be conducted under the supervision of a qualified supervising assault weapon firearms instructor and utilize a minimum of 10 rounds. Two of these sessions may be used for qualification purposes. Quarterly training does not apply to the Police Carbine.

Scoped Rifle. A bolt action or semi-automatic rifle, equipped with an optical scope used by a law enforcement marksman for precision shooting.

Scoped Rifle Qualification Course (SRQC). A standard course of fire for quarterly qualification of the scoped rifle.

Semi-Annual Qualification. A program consisting of two prescribed qualification sessions within a 12-month period,(the calendar year) with at least three months between each qualification. The program is to include semi-annual qualification with automatic/semi-automatic subguns, personal defense weapons or police service rifles, semi-annual qualification under night firing conditions with automatic/semi-automatic subguns, personal defense weapons and semi-annual qualification under day and night conditions with police carbines. (This program is required for those officers who are or might be assigned use of an automatic/semi-automatic subgun personal defense weapon, rifle or police carbine.)

Semi-Automatic Assault Weapons. Any weapon which is the semi-automatic version of an automatic assault weapon previously defined or any weapon which has its source of ammunition contained in a reservoir, belt, magazine or other means and the loading, extraction and ejection phase of functioning is mechanical, regardless of barrel length. This section of the policy does not apply to semi-automatic handguns carried as a law enforcement service sidearm.

Subgun (Submachine Gun). Either an automatic or semi-automatic assault weapon, as previously defined, which fires ammunition with a muzzle velocity of less than 2,000 feet per second.

Supervising Firearms Instructor, Automatic/Semi-Automatic Assault Weapons.
An individual designated by the chief or agency executive to conduct firearms

qualification and supervise firearms instructors and participants during qualification activities. The supervising firearms instructor must satisfy the requirements of an automatic firearms instructor and must have completed an automatic/semi-automatic weapons instructor course offered by the Division of Criminal Justice or an equivalent course. (See Section 6. Automatic/Semi-Automatic Weapons Firearms Instructor Qualification Requirements).

Training/Qualification Schedule. Firearms training and qualification activities schedules that reflect the participants of assault weapons and police carbine training and qualification activities as well as the dates and times of all qualification activities and related training.

Section 3. Responsibilities

1. Division of Criminal Justice:

- To establish a system of compliance, provide oversight for this policy, and assist in implementing the policy statewide.
- To provide all necessary and reasonable assistance to state, county, and municipal law enforcement agencies and other agencies affected by this policy.
- To maintain a record of those persons identified by state agencies who are authorized to carry an automatic or semi-automatic assault weapon pursuant to N.J.S.A. 2C:39-6.

2. County Prosecutor:

- To implement the Attorney General's policy on automatic and semi-automatic assault weapons, police carbine and scoped rifle qualification and ensure compliance within the county jurisdiction, including reviewing programs conducted by agencies within the respective county jurisdiction for consistency with statewide standards, conducting qualification programs as required, and maintaining proper records.
- To maintain a record of those persons identified by local agencies who carry an automatic or semi-automatic assault weapon pursuant to N.J.S.A. 2C:39-6.
- To provide assistance to agencies within the county jurisdiction to

enable them to conduct training and qualification programs in accordance with the standards established within this policy.

- To develop additional programs for specialized training to augment the Attorney General's policy to meet the particular needs of the county.
- To provide assistance to agencies within the county jurisdiction to enable them to conduct training in accordance with the standards established within this policy.

3. State, County and Municipal Law Enforcement Agencies and Other Agencies:

- To identify specific members within the agency that shall be issued automatic or semi-automatic assault weapons and report this information to the county prosecutor or, in the case of certain state agencies, to the Division of Criminal Justice.
- To schedule and conduct individual quarterly training programs, quarterly and semi-annual qualification as directed by this policy.
- To maintain proper records concerning automatic/semi-automatic assault weapons, police carbine and scoped rifle training of agency personnel.
- To take appropriate action when participants fail to qualify.
- To provide the county prosecutor with assistance in the automatic and semi-automatic assault weapons qualification process as needed.
- To report annually to the county prosecutor, or in the case of certain state agencies to the Division of Criminal Justice, concerning training and qualification activities conducted during the year. The report is to include the number of participants who qualified and the number of participants who failed to qualify during each qualification session and the dates and types of qualification courses conducted.
- To ensure compliance with the standards contained in this policy.

Section 4. Agency Training and Qualification Requirements

- To conform with the requirements of N.J.S.A. 2C:39-6.
- To conduct quarterly training sessions, two of which may include semi-annual qualification programs, for automatic and semi-automatic assault weapons in accordance with the standards set forth in this manual.
- To conduct automatic and semi-automatic assault weapons, police carbine and scoped rifle training and qualification activities separate and apart from handgun and shotgun qualification programs.
- To qualify those officers who are or might be assigned use of an agency issued automatic or semi-automatic assault weapon (submachine gun, personal defense weapon or a police service rifle), twice annually on a standardized automatic/semi-automatic assault weapons qualification course (ASQC, ARQC) with a minimum score of 80%. (See Appendices E, and G for courses of fire).
- To qualify those officers who are or might be assigned use of an agency issued automatic/semi-automatic police service rifle deployed for patrol supplement or entry purposes, submachine gun or a personal defense weapon twice annually, on the Automatic/Semi-Automatic Subgun Night Qualification Course (ASNQC) with a minimum score of 80%. (See Appendix F).
- To qualify those officers who are or might be assigned use of an agency issued police carbine twice annually on both the Police Carbine Qualification Course (PCQC) and Police Carbine Qualification Night Course (PCQNC) with a minimum score of 80%. (See Appendices H and I).
- To qualify those officers who may be assigned the use of the agency's scoped rifle four times a year on the Scoped Rifle Qualification course (SRQC) with a minimum score of 90% including an mandatory "cold bore" hit.
- To provide remedial training for those personnel who do not meet the standards of qualification or take appropriate action until such time as the qualification standards are met.
- To establish and conduct tactical training programs associated with

automatic and semi-automatic assault weapons, police carbine and scoped rifle use.

- To review annually agency policies, rules and regulations governing maintenance, storage and carrying procedure for automatic and semi-automatic assault weapons, police carbines and scoped rifles.

Section 5. Training and Qualification Programs

Qualification. Qualification and requalification are required during daylight hours for subguns, personal defense weapons, police carbines, police service rifles and scoped rifles and under night firing conditions for police service rifles deployed as patrol supplements or entry purposes, subguns, personal defense weapons and police carbines. All training and qualification sessions for subguns, personal defense weapons, police rifles and police carbines must be conducted under the supervision of a qualified supervising automatic/semi-automatic assault weapons firearms instructor.

Courses of Fire. Only those courses of fire listed in this manual are to be used to meet subgun, personal defense weapon, police rifle, police carbine and scoped rifle qualification requirements set forth by this policy. Additional courses of fire and training programs may be included in the agency schedule for training. The purpose of this policy is not to prevent agencies from engaging in supplemental training courses that meet their special needs. Specialty training is encouraged.

Automatic/Semi-Automatic Subgun Qualification Course (ASQC). (See Appendix E). This course must be completed two times a year with no less than three months between each qualification session. This course of fire shall be used for qualification of the personal defense weapon. The 50 yard-line course of fire may be fired at the 25 yard-line utilizing an appropriate reduced size target.

Automatic/Semi-Automatic Subgun Night Qualification Course (ASNQC). (See Appendix F). This course must be completed once a year with no less than three months between each qualification session. This course shall also be used as night qualification for police service rifles deployed as a patrol supplement or used as an entry firearm and personal defense weapons.

Automatic/Semi-Automatic Police Service Rifle Qualification Course (ARQC). (See Appendix G). This course must be completed two times a year with no less than three months between each qualification session. The 100 and 75 yard-line courses of fire may be conducted at the 50 yard-line utilizing an appropriate reduced size target. However, the 100, 75 and 50 yard-line courses

of fire may NOT be fired at the 25 yard-line.

Police Carbine Qualification Course (PCQC). (See Appendix H). This course must be completed two times a year with no less than three months between each qualification session.

Police Carbine Night Qualification Course (PCNQC). (See Appendix I). This course must be completed twice a year with no less than three months between each qualification session.

Scoped Rifle Qualification Course (SRQC). (See Appendix J). This course must be completed four times each year with two months in between qualifications. This qualification may be conducted by the marksman but must have an observer/spotter, who is a qualified agency firearms instructor, present during the qualification.

Participants should be advised of what is required for each course of fire and should be provided with a copy of each course of fire and training program before going to the range to train or qualify.

Training Programs. In addition to semi-annual qualification sessions for automatic and semi-automatic assault weapons, supplemental periodic training is required.

Quarterly Training. Four live fire training sessions within a 12-month period with at least two months time between each session. Each session shall be conducted under the supervision of a qualified supervising assault weapon firearms instructor and utilize a minimum of 10 rounds. Two of these sessions may be used for qualification purposes. Quarterly training does not apply to police carbines.

Supervising Firearms Instructor. The chief of police or agency chief executive officer shall designate a qualified supervising firearms instructor for each training and qualification session.

Firearms Instructors. Proper instructor-participant ratios should be maintained during all training and qualification sessions. (See Section 7. Supervising/Firearms Instructor Responsibilities.)

Ammunition. Each participant in the qualification and training program shall be provided with service or equivalent loads.

Automatic or Semi-Automatic Assault Weapons. Training and qualification

shall be conducted with an automatic or semi-automatic assault weapon approved by the agency.

Before any automatic or semi-automatic weapon is used, the supervising automatic/semi-automatic firearms instructor (or designee) shall inspect and approve the weapon.

Police Carbines. Training and qualification shall be conducted with a police carbine approved by the agency.

Before any police carbine is used, the supervising firearms instructor (or designee) shall inspect and approve the weapon.

Scoped Rifle. Training and qualification shall be conducted with a scoped rifle approved by the agency.

Before any scoped rifle is used, the supervising firearms instructor (or designee) shall inspect and approve the weapon.

Equipment. Only agency approved carrying and loading devices may be used during the training and qualification process.

Clothing. Participants should complete training and qualification sessions wearing clothing and equipment similar to that worn while on duty.

Range Conduct. Training and qualification on ranges will be conducted in accordance with the requirements listed in this policy. Deviations from prescribed targets, rounds fired and scoring are not authorized.

Section 6. Automatic/Semi-Automatic Assault Weapons Firearms Instructor Qualification Requirements (this section does not pertain to Scoped Rifle)

All automatic/semi-automatic weapons instructors (supervising firearms instructors and firearms instructors) engaged in the prescribed automatic/semi-automatic including police carbine training and qualification program must satisfy one of the following requirements.

- An instructor must be certified by the Police Training Commission (PTC) to instruct in an approved "Basic Course" as defined in N.J.A.C. 13:1-1.1.
- An instructor must possess training equivalent to the PTC-approved

firearms instructor course and be able to demonstrate knowledge and skill in firearms instruction. Equivalent training includes successful completion of a firearms instructor training program such as offered by the Federal Bureau of Investigation, U. S. Secret Service, Federal Law Enforcement Training Center, New Jersey State Police, Smith and Wesson Academy, or National Rifle Association Police Firearms Instructor Program.

- An instructor must have satisfactorily completed some other recognized firearms instructor course as determined by the chief of police or agency executive.

In addition to those qualifications required for automatic/semi-automatic assault weapons firearms instructors, supervising instructors must have successfully completed an automatic/semi-automatic assault weapons instructor course offered by the Division of Criminal Justice or an equivalent course, such as those courses offered by either the Drug Enforcement Administration or National Rifle Association. A Police Carbine instructor must have completed one of the following instructor's courses; Subgun, Police Service Rifle or a Police Carbine instructor course. A supervising firearms instructor for the personal defense weapons must have successfully completed a Subgun Instructor Course.

Section 7. Supervising/Firearms Instructor (Automatic/Semi-Automatic Assault Weapons) Responsibilities

1. The responsibilities of the supervising firearms instructor and firearms instructors are consistent with those responsibilities defined regarding duty weapon qualifications.
2. For automatic and semi-automatic assault weapons training, qualification and requalification, a ratio of one instructor to four participants is recommended.

Section 8. Training Objectives

1. Safe Handling.
2. Firearms and Ammunition Identification.
3. Shooting Principles.

Section 9. Non-Qualifying Participants

A participant who fails to achieve a passing score on a prescribed qualification course shall receive remedial instruction. This instruction shall be provided after the supervising firearms instructor analyzes the problems which may have led to the failure. The time allotted and method of remedial training to be conducted shall be determined by the supervising firearms instructor. The supervising firearms instructor, in consultation with firearms instructors and the participant, will:

1. Review factors which may have contributed to or caused a participant's failure to qualify, including a check of the participant's firearm.
2. Document any subsequent attempts to qualify and the results of those attempts.

If after the remedial training and subsequent attempts to qualify the participant still does not fire a passing score, the supervising firearms instructor shall report this information to the chief or agency executive. The chief or agency executive will then determine what action is appropriate and maintain whatever records are appropriate.

Section 10. Records and Reports

All required records and reports will follow the same format as that outlined in the handgun qualification policy. These records and reports are to include:

- An individual participant record (Firearms Record for Individual Participants).
- An annual report to the county prosecutor (or in the case of certain state law enforcement agencies, with the Director of the Division of Criminal Justice). In addition to that information outlined in the handgun qualification policy, this report is to contain the number of agency personnel who are authorized and qualified to carry an automatic or semi-automatic assault-type weapon, police carbine or scoped rifle.

Appendix A
Handgun Qualification Course (HQC1)

1. Familiarization Requirements for Each Participant.

- a. Demonstrate the safe handling of weapon.
- b. Demonstrate proper loading and unloading techniques.
- c. Demonstrate the techniques of proper physical stance.
- d. Demonstrate the techniques of good marksmanship.

2. Range - 25 yards.

3. Target - FBI type Q target, either paper or cardboard. Multiple targets may be used at the discretion of the agency executive or supervising firearms instructor.

4. Course.

- a. Total of 60 rounds per participant.
- b. Double action is required for revolvers for all phases. Semi-automatics are to be fired in the manner in which the individual weapon functions normally and are to be decocked when changing positions or hands.
- c. Reloading may take place at the discretion of the supervising firearms instructor. Additionally, discretion may be used as to the number of rounds with which the magazines are loaded to accomplish reloading exercises during the course. Similarly, the sequence of rounds fired at a given distance may be altered to accommodate a reloading exercise. A mandatory reload is required during Phase VI at the 7 yard line.
- d. To achieve a passing score of 80%, the participant must place a minimum of 48 shots within the border of the Q target silhouette.
- e. Physical or simulated barricades are required in Phase I and may be used at the discretion of the agency during any subsequent phase.

Phase I 25 Yard Line. Time: 30 seconds for each stage.
12 rounds. All positions fired with strong-hand.

Strong-hand kneeling or standing, barricade position.
Crouched over top of barricade position.
Support side of barricade, strong-hand kneeling or standing.

- On command, from a secured holstered position, standing 2 yards behind the barricade, approach the barricade and assume the strong-hand kneeling (or standing) barricade position, fire 4 rounds with the strong hand. (30 seconds)

---STOP TIME---

- Decock and remain behind cover with visual focus towards the threat area. Reload if necessary
- On command, assume a crouched (or high kneeling) position and fire 4 rounds over the top of the barricade using the strong hand. (30 seconds)

---STOP TIME---

- Decock and remain behind cover with visual focus towards the threat area. Reload if necessary
- On command fire 4 rounds kneeling or standing from the support side of the barricade with the strong hand. (30 seconds)

---STOP TIME---

- Reload if required and holster an uncocked weapon.
- Reload loading devices.

Phase II 15-Yard Line. Time: 5 seconds. 3 rounds.
Standing point shoulder position.

- On command, from a secured holster position, draw and fire 3 rounds in 5 seconds from a standing point shoulder position.

---STOP TIME---

- Reholster an uncocked weapon.

Phase III 15-Yard Line. Time: 25 seconds. 9 rounds.
Standing point shoulder position.
Strong-hand kneeling position.

- On command, from a secured holster position, draw and fire 3 rounds from a standing point shoulder position.
- Assume a strong-hand kneeling position, reload if required and fire 6 rounds from a strong-hand kneeling position.

---STOP TIME---

- Reload if required and holster an uncocked weapon.
- Reload loading devices.

Phase IV 10-Yard Line. Ready Position.
Each drill, Time: 3 seconds. 2 rounds.
(Total 6 rounds).

- On command, draw the weapon and assume the ready position, i.e., muzzle depressed below eye level.
- On command, bring weapon up to eye level and fire 2 rounds in 3 seconds. Repeat drill twice, firing a total of 6 rounds.

---STOP TIME---

- Reload if required and holster an uncocked weapon.
- Reload loading devices.

Phase V 7-Yard Line. Time: 4 seconds. 3 rounds.
Standing point shoulder position.

- On command, from a secured holster position, draw and fire 3 rounds in 4 seconds from a standing point shoulder position.

---STOP TIME---

- Reholster an uncocked weapon.

Phase VI 7-Yard Line. Time: 15 seconds. 6 rounds.
Standing point shoulder position. Mandatory reload

- On command, from a secured holster position, draw and fire 3 rounds from a standing point shoulder position.
- Reload and fire 3 more rounds within the 15 second time period.

---STOP TIME---

- Reholster an uncocked weapon

Phase VII 7-Yard Line. Time: 4 seconds. 3 rounds.
Standing point shoulder position.

- On command, from a secured holster position, draw and fire 3 rounds in 4 seconds from a standing point shoulder position.

---STOP TIME---

- Reload if required and holster an uncocked weapon.
- Reload loading devices.

Phase VIII 5-Yard Line. One handed - strong hand
Each drill, Time: 4 seconds. 2 rounds. (Total 6 rounds).

- On command, draw and fire 2 rounds using only the strong hand. (The support hand may be occupied with an extra magazine, identification wallet or some other object)
- Reholster an uncocked weapon
- Repeat twice
- Reload if required and holster an uncocked weapon.

Phase IX 5-Yard Line. One handed - support hand
Each drill, Time: 3 seconds. 2 rounds.
(Total 6 rounds).

- On command, draw and transfer the weapon to the support hand. Assume a ready position.
- On command with the support hand only, fire 2 rounds in 3 seconds. Repeat twice, firing a total of 6 rounds. (Strong arm should remain limp along the body.)
- Reload if required and holster an uncocked weapon.

Phase X 1-Yard Line (or as close to 1-yard line as safety dictates). Weapon retention position. (Begin with the support hand across the chest with the hand grasping the collar of the shooter's shirt or body armor.)
Each drill, Time: 2 seconds. 2 rounds.
(Total 6 rounds).

- On command, draw and fire 2 rounds in 2 seconds from the weapon retention position.
- Reholster an uncocked weapon.
- Repeat drill twice, firing a total of 6 rounds.
- Clear all weapons. Holster a safe, empty weapon.

---END OF COURSE---

Note: Participants using 5-shot weapons will fire a total of 50 rounds when completing this course (HQC1). These participants will fire the number of rounds indicated for each drill until all rounds within the weapon have been expended. The total number of rounds fired in all but two phases (Phases II and V) must be adjusted to accommodate 5-shot weapons. To achieve a passing score of 80%, participants using 5-shot weapons and firing a 50-round course must place a minimum of 40 shots within the border of the Q-target silhouette.

Strong-hand kneeling, barricade position.
Crouched over top of barricade position.
Support side of barricade, strong hand kneeling or standing

- On command, from a secured holstered position, standing 2 yards behind the barricade, approach the barricade and assume the strong-hand kneeling barricade position, fire 4 rounds with strong hand. (30 seconds)

---STOP TIME---

- Decock and remain behind cover with visual focus towards the threat area.
- Reload if needed (revolvers will reload and index the cylinder)
- On command assume a crouched position and fire 3 rounds over the top of the barricade using the strong hand. (25 seconds)

---STOP TIME---

- Decock and remain behind cover with visual focus towards the threat area. Reload if necessary
- On command using the strong hand fire 3 rounds, standing or kneeling on the support side of the barricade. (25 seconds)

---STOP TIME---

- Reload if required and holster an uncocked weapon.
- Reload loading devices.

Phase II 15-Yard Line. Time: 5 seconds. 3 rounds.
Point shoulder position.

- On command, from a secured holster position, draw and fire 3 rounds in 5 seconds from a point shoulder position.

---STOP TIME---

- Reholster an uncocked weapon.

Phase III 15-Yard Line. Time: 25 seconds. 7 rounds.
Point shoulder position.
Strong-hand kneeling position.

- On command, from a secured holster position, draw and fire 3 rounds from a point shoulder position.
- Assume a strong-hand kneeling position. Reload with 4 rounds, index if required, and fire 4 rounds from a strong-hand kneeling position.

---STOP TIME---

- Reload if required and holster an uncocked weapon.
- Reload loading devices.

Phase IV 10-Yard Line. Ready Position.
Each drill, Time: 3 seconds. 2 rounds.
(Total 6 rounds).

- On command, draw weapon and assume a ready position, i.e., muzzle depressed below eye level.
- On command, bring weapon up to eye level and fire 2 rounds in 3 seconds. Repeat drill twice, firing a total of 6 rounds.

---STOP TIME---

- Reload if required and holster an uncocked weapon.
- Reload loading devices.

Phase V 7-Yard Line. Time: 4 seconds. 3 rounds.
Standing point shoulder position.

- On command, from a secured holster position draw and fire 3 rounds in 4 seconds from a standing point shoulder position.

---STOP TIME---

- Reholster an uncocked weapon.

Phase VI 7-Yard Line. Time: 15 seconds. 6 rounds.
Standing point shoulder position. Mandatory reload/magazine
change

- On command, from a secured holster position, draw and fire 3 rounds from a standing point shoulder position.
- Reload and fire 3 more rounds within the 15 second time period.

---STOP TIME---

- Reholster an uncocked weapon.

Phase VII 7-Yard Line. Time: 4 seconds. 3 rounds.
Standing point shoulder position.

- On command, from a secured holster position, draw and fire 3 rounds in 4 seconds from a standing point shoulder position.

---STOP TIME---

- Reload if required and holster an uncocked weapon.
- Reload loading devices.

Phase VIII 5-Yard Line. One-handed - Strong hand.
Each drill, Time: 4 seconds. 2 rounds.
(Total 4 rounds).

- On command, draw and fire 2 rounds using only the strong hand.
(The support hand maybe occupied with an extra magazine, identification wallet or some other object.)
- Reholster an uncocked weapon
- Repeat once.

- Reload if required and holster an uncocked weapon.

Phase IX 5-Yard Line. One-handed - Support hand.
Each drill, Time: 3 seconds. 2 rounds.
(Total 4 rounds).

- On command, draw and transfer the weapon to the support hand. Assume a ready position.
- On command fire 2 rounds using only the support hand. Return to ready (The strong arm should be limp along the body).
- Repeat once.
- Reload if required and holster an uncocked weapon

Phase X 1-Yard Line (or as close to 1-yard line as safety dictates).
Weapon Retention Position. (Begin with the support hand across the chest with the hand grasping the collar of the shooter's shirt or body armor.)
Each drill, Time: 2 seconds. 2 rounds.
(Total 4 rounds).

- On command, draw and fire 2 rounds in 2 seconds from the weapon retention position.
- Reholster an uncocked weapon.
- Repeat drill once, firing a total of 4 rounds.
- Clear all weapons. Holster a safe, empty weapon.

---END OF COURSE---

Note: Participants using 5-shot weapons will fire a total of 50 rounds following the course of fire on page 76 for day light qualification (5-Shot HQC).

Appendix C
Handgun Night Qualification Course (HNQC)

1. **Familiarization Requirements for Each Participant.**
 - a. Demonstrate the safe handling of the weapon.
 - b. Demonstrate proper loading and unloading techniques.
 - c. Demonstrate the techniques of proper physical stance.
 - d. Demonstrate the techniques of good marksmanship.
2. **Range - 15 yards.**
3. **Target** - FBI type Q target, either paper or cardboard. Multiple targets may be used at the discretion of the agency of the agency (*sic*) executive or supervising firearms instructor.
4. **Course.**
 - a. Total of 40 rounds per participant.
 - b. Double action is required for revolvers for all phases. Semi-automatics are to be fired in the manner in which the individual weapon functions normally and are to be decocked when changing positions or hands.
 - c. Reloading may take place at the discretion of the supervising firearms instructor. Additionally, discretion may be used as to the number of rounds with which the magazines are loaded to accomplish reloading exercises during the course. Similarly, the sequence of rounds fired at a given distance may be altered to accommodate a reloading exercise.
 - d. To achieve a passing score of 80%, the participant must place a minimum of 32 shots within the border of the Q-target silhouette.
 - e. Night firing conditions may be artificially created. However, if light dimming goggles are used, handheld light must still be deployed were directed.
 - f. Some ambient light may be provided

Phase I 15-Yard Line. 6 rounds.
20 seconds each command
Standing to kneeling.

- On command utilizing a handheld or gun mounted light, from a secured holster position, draw and fire 1 round from a standing point shoulder position, assume a kneeling position and fire 2 rounds.
- Decock, holster and assume a standing ready position.
- Repeat once

Phase II 10-Yard Line. 6 rounds. (Instills shooting then moving from firing point)
5 seconds each command
Standing Point shoulder position.

- On command, draw and assume a ready position.
- On command utilizing a handheld or gun mounted light, fire 2 rounds, turn light off and step to the right.
- Decock and reassume a ready position.
- On command fire 2 rounds (on the same target) utilizing a handheld or gun mount light, turn light off and step back to the left.
- Decock and reassume a ready position.
- On command fire 2 rounds (on the same target) utilizing a handheld or gun mount light, turn light off and step to the right.
- Reload if necessary, decock, holster and step back to the left to the original shooting position.

Phase III 7-Yard Line. 4 rounds.
6 seconds each command
Point shoulder position.

- On command, draw and come to a ready position.

- On command utilizing a handheld or gun mounted light, fire 2 rounds from a point shoulder position.
- Decock and remain at the ready position
- Repeat once

Phase IV 7-Yard Line. 4 rounds.
20 seconds
Point shoulder position. Mandatory reload

- From a ready position.
- On command utilizing a handheld or gun mounted light, fire 2 rounds, reload and fire 2 rounds
- Decock and holster.

Phase V 5-Yard Line. 6 rounds.
5 seconds each command
One-handed, strong hand

- On command utilizing a handheld or gun mounted light (support hand with light may NOT in any way support the firing hand), draw and fire 2 rounds with the strong hand only.
- Decock and holster
- Repeat twice
- Reload if required and holster an uncocked weapon.
- **Secure handheld lights, no lights are used at the next position**

Phase VI 5-Yard Line. 6 rounds.
5 seconds each command
One-handed, support hand
NO LIGHTS (simulate the strong hand is disabled)

- On command, draw, assume a ready position. Pass the firearm over to the support hand and leave the strong arm limp at the side.

(Simulating disabling injury)

- Assume a ready position with the firearms in the support hand only.
- On command fire 2 rounds
- Decock and reassume a ready position
- Repeat twice
- Reload if necessary, decock and holster an uncocked weapon.

Phase VII 3 Yard line. 4 rounds
3 seconds each command
Standing Point Shoulder

- Standing, holding a handheld light in a manner the participant would while conducting a motor vehicle stop or field interview and inspecting credentials (i.e. light held over the shoulder or tucked under the armpit).
- On command draw and fire 2 rounds.
- Decock and holster
- Repeat once
- **Secure handheld lights, no lights are used at the next position.**

Phase VIII 1-Yard Line (or as close to a 1-yard line as safety dictates).
NO LIGHTS
3 seconds each command
Weapon retention position. (Begin with the support hand across the chest with the hand grasping the collar of the shooter's shirt or body armor.)
Each drill, 2 rounds. (Total 4 rounds).

- On command, from the interview stance position, draw and fire 2 rounds from a weapon retention position.
- Decock and holster.
- Repeat once.

- Clear all weapons. Holster a safe, empty weapon.

---END OF COURSE---

Note: Participants using 5-shot weapons will fire a total of 36 rounds following the course of fire on page 77 for low light qualification (5-Shot HNQC).

Retired officers will qualify in low light using the Handgun Night Qualification Course HNQC for Retired Law Enforcement Officers page 78.

Appendix D
Shotgun Qualification Course (SQC)
and
Shotgun Night Qualification Course (SNQC)

1. Familiarization Requirements for Each Participant.

- a. Demonstrate safe handling of a shotgun.
- b. Identify the major parts of the shotgun and explain the basic mechanical function of each major part.
- c. Demonstrate the point shoulder position and ready positions.
- d. Demonstrate the techniques of good marksmanship.
- e. Identify different types of shotgun ammunition.

2. Range - 25 yards.

3. Target - FBI type Q target, either paper or cardboard.

4. Course.

- a. Total of 10 rounds of authorized service load per participant.
- b. Minimum passing score of 80% is required. This is computed by dividing the number of actual hits placed anywhere on the Q target by the total number of possible hits.
- c. This same course of fire will be used for the Shotgun Qualification Course (SQC) conducted under daylight conditions and the Shotgun Night Firing Qualification Course (SNQC) conducted under night firing conditions, except the night firing course will not be timed.
- d. Night firing conditions may be artificially created.

Phase I 25-Yard Line.

- On command, inspect an empty safe weapon to become re-familiar with operation of the weapon.

- On command, proceed to the 20-yard line, carrying the weapon in a safe manner.

20-Yard Line. Time: 25 seconds. 5 rounds.

Police Ready Condition

Point Shoulder, Muzzle Depressed Position.

- With slide forward, safety on, load weapon with 4 rounds in magazine and assume a point shoulder, muzzle depressed position.
- On command, bring weapon up and work the action cycling a round into the chamber. Fire the 4 rounds in the weapon leaving action open after firing the fourth round.
- Combat load 1 round and fire from the point shoulder position.
- Upon firing the last round, leave action open and place safety on.

Phase II

10-Yard Line. Time: 35 seconds. 5 rounds.

Point Shoulder Position.

- On command, with shotgun in an empty, safe condition and action open, combat load 1 round, close action and load 2 rounds into the magazine.
- Assume point shoulder position; fire 3 rounds, keeping the action open after firing the third round.
- Combat load 1 round, close the action and load 1 round into the magazine.
- Assume point shoulder position; fire 2 rounds.

---STOP TIME---

- Place weapon in safe condition with the action open and the safety on.

---END OF COURSE---

Appendix D1
Shotgun Slug Qualification Course (SSQC)
and
Shotgun Slug Night Qualification Course (SSNQC)

1. **Familiarization Requirements for Each Participant.**
 - a. Demonstrate safe handling of a shotgun.
 - b. Identify the major parts of the shotgun and explain the basic mechanical function of each major part.
 - c. Demonstrate the point shoulder position and ready positions.
 - d. Demonstrate the techniques of good marksmanship.
 - e. Identify different types of shotgun ammunition.
2. **Range** - Agency will determine farthest distance slugs are to be deployed (i.e. 50yards, 25yards).
Phase I will be fired from the farthest distance determined and Phase II from the mid-point from the farthest distance to the target line.
The Shotgun Slug Night Qualification Course (SSNQC) will be fired from the 25 yard- line for Phase I and the 10 yard-line for Phase II
3. **Target** - FBI type Q target, either paper or cardboard.
4. **Course.**
 - a. Total of 10 rounds of authorized service slugs per participant.
 - b. Minimum passing score of 80% is required. This is computed by counting the number of hits placed inside the scoring area on the Q target and multiply by 10.
 - c. This same course of fire will be used for the Shotgun Slug Qualification Course (SSQC) conducted under daylight conditions and the Shotgun Slug Night Firing Qualification Course (SSNQC) conducted under night firing conditions, except the night firing course will not be timed.
 - d. Night firing conditions may be artificially created.

Phase I **Farthest distance for deployment of slugs determined by the agency for the SSQC**
25-Yard Line for the SSNQC.

- On command, inspect an empty safe weapon to become re-familiar with operation of the weapon.

Time: 25 seconds. 5 rounds.

Police Ready Condition

Point Shoulder, Muzzle Depressed Position.

- With slide forward, safety on, load weapon with 4 rounds in magazine and assume a point shoulder, muzzle depressed position.
- On command, bring weapon up and work the action cycling a round into the chamber. Fire the 4 rounds in the weapon leaving action open after firing the fourth round.
- Combat load 1 round and fire from the point shoulder position.
- Upon firing the last round, leave action open and place safety on.

Phase II **Mid-point between the farthest distance determined by the agency and the target line for the SSQC**
10-Yard Line for the SSNQC.

Time: 35 seconds. 5 rounds.

Point Shoulder Position.

- On command, with shotgun in an empty, safe condition and action open, combat load 1 round, close action and load 2 rounds into the magazine.
- Assume point shoulder position; fire 3 rounds, keeping the action open after firing the third round.
- Combat load 1 round, close the action and load 1 round into the magazine.
- Assume point shoulder position; fire 2 rounds.

---STOP TIME---

- Place weapon in safe condition with the action open and the safety on.

---END OF COURSE---

Appendix E
Automatic/Semi-Automatic Subgun
Qualification Course (ASQC)

(This course will also be used for Personal Defense Weapons qualification)

1. Familiarization Requirements for Each Participant.

- a. Demonstrate the safe handling of the weapon.
- b. Demonstrate proper loading and unloading techniques.
- c. Demonstrate the techniques of proper physical stance.
- d. Demonstrate the techniques of good marksmanship.

2. Range - 50 yards. (50 yard-line course of fire may be conducted at the 25 yard-line utilizing an appropriate reduced size target)

3. Target - FBI type Q target, either paper or cardboard.

4. Course.

- a. Total of 60 rounds per participant.
- b. Magazine capacity and mode of fire (semi-automatic or full automatic) will be given on command at each firing stage. While using the full automatic mode, short bursts consistent with the cyclic rate of the weapon should be used.
- c. To achieve a passing score of 80% on the course, the participant must place a minimum of 48 shots within the border of the Q-target silhouette.
- d. Firing positions as indicated in the course. Hip shooting is prohibited.
- e. Any form of full automatic firing is prohibited at distances greater than the 10-yard line.
- f.. Mandatory reloading may be forced anywhere in the course at the discretion of the supervising firearms instructor, otherwise

ammunition management is the responsibility of the participant including “secondary weapon transition techniques”

- g. Subguns having only semi-automatic capabilities will fire “full auto” stages with semi-automatic double taps.

3 yard line 6 rounds, standing
1.5 seconds each command

- From a standing ready position, on command fire a 2 round burst or semi-automatic double tap
- Repeat twice for a total of 6 rounds
- Place weapon on safe and move to the 5 yard line

5 yard line 6 rounds, standing
1.5 seconds each command

- From a standing ready position, on command fire a 2 round burst or semi-automatic double tap
- Repeat twice for a total of 6 rounds
- Place weapon on safe and move to the 7 yard line

7 yard line 10 rounds, standing - alternative threat areas;
standing to kneeling

- From a standing ready position, on command fire a 2 round burst or semi-automatic double tap to the body, then one round to the head. (2 seconds)
- Repeat once for a total of 6 rounds
- From a standing ready position, on command fire a 2 round burst or semi-automatic double tap, assume a kneeling position and fire a 2 round burst or semi-automatic double tap. (6 seconds)
- Place the weapon on safe and move to the 10 yard line

10 yard line 6 rounds, standing

1.5 seconds each command

- From a standing ready position, on command fire a 2 round burst or semi-automatic double tap
- Repeat twice for a total of 6 rounds
- Place the weapon on safe and move to the 15 yard line

15 yard line 4 rounds, standing to kneeling
8 seconds

Semi-automatic mode

- From a standing ready position, on command fire 2 rounds, assume a kneeling position and fire 2 rounds
- Place the weapon on safe and move to the 25 yard line

25 yard line 20 rounds, positions as per each stage
Semi-automatic mode

- From a standing ready position, (no cover) on command fire 1 round. (1 second)
- Repeat 4 times for a total of 4 rounds

Use of cover

- From a kneeling, **strong side**, ready position behind cover, on command roll out and fire 2 rounds (2 seconds)
- Repeat once
- From a standing (or over the top of cover), **strong side**, ready position behind cover, on command roll out and fire 2 rounds (2 seconds)
- Repeat once
- From a kneeling, **support side**, ready position behind cover, on command roll out and fire 2 rounds (2 seconds)
- Repeat once

- From a standing, (or over the top of cover) **support side**, ready position behind cover, on command roll out and fire 2 rounds (2 seconds)
- Repeat once
- Place weapon on safe and move to the 50 yard line

50 yard line 8 rounds, prone, kneeling

- From the prone position, on command fire 2 rounds. (4 seconds)
- Repeat once
- From the kneeling, **strong side of cover**, ready position, on command fire 2 rounds. (4 seconds)
- Repeat once
- Clear weapon and make it safe

—END OF COURSE—

Appendix F
Automatic/Semi-Automatic Subgun
Night Qualification Course (ASNQC)

(This course will also be used for Personal Defense Weapons qualification)

1. Familiarization Requirements for Each Participant.

- a. Demonstrate the safe handling of the weapon.
- b. Demonstrate proper loading and unloading techniques.
- c. Demonstrate the techniques of proper physical stance.
- d. Demonstrate the techniques of good marksmanship.

2. Range -25 yards.

3. Target - FBI type Q target, either paper or cardboard.

4. Course.

- a. Total of 50 rounds per participant.
- b. Magazine capacity and mode of fire (semi-automatic or full automatic) will be given on command at each firing stage. While using the full automatic mode, short bursts consistent with the cyclic rate of the weapon should be used.
- c. To achieve a passing score of 80%, the participant must place a minimum of 40 shots within the border of the Q-target silhouette.
- d. Firing position: Standing shoulder position.
Hip shooting is prohibited.
- e. Any form of full automatic firing is prohibited at distances greater than the 10-yard line.
- f. Night firing conditions may be artificially created.

5 yard line. 10 rounds. Semi-automatic or automatic mode.

Each drill - Time: 3 seconds. 2 round automatic burst or double

tap.

- Charge the weapon with a loaded magazine.
- On command, from standing shoulder ready, muzzle depressed position, fire a semi-automatic double tap or an automatic 2 round burst in 3 seconds.
- Repeat drill 4 times, firing a total of 10 rounds.

---STOP TIME---

7 yard line. 10 rounds. Semi-automatic or automatic mode.
Each drill - Time: 3 seconds.
2 round automatic burst or semi-automatic double tap.

- On command, from standing shoulder ready, muzzle depressed position, fire a semi-automatic double tap or an automatic 2 round burst in 3 seconds.
- Repeat drill 4 times, firing a total of 10 rounds.

---STOP TIME---

10 yard line. 10 rounds. Semi-automatic or automatic mode.
Each drill - Time: 3 seconds. 2 round automatic burst or semi-automatic double tap. (Total 10 rounds).

- On command, from standing shoulder ready, muzzle depressed position, fire a semi-automatic double tap or an automatic 2 round burst in 3 seconds.
- Repeat drill 4 times, firing a total of 10 rounds.

---STOP TIME---

- Reload if necessary

15 yard line. 10 rounds. Semi-automatic mode.

Drill 1 - Time: 6 seconds. 2 rounds.
Semi-automatic double tap. (Total 6 rounds).

- On command, from standing shoulder ready, muzzle depressed position, fire a semi-automatic double tap in 6 seconds. Place

weapon on safe and return to ready position.

- Repeat drill 2 times, firing a total of 6 rounds.

---STOP TIME---

Drill 2 - Time: 10 seconds. 4 rounds.

- On command, from standing shoulder ready, muzzle depressed position, fire 4 rounds in 10 seconds.

---STOP TIME---

25 yard line. 10 rounds. Semi-automatic mode.

Each drill - Time: 10 seconds. 5 rounds.

- On command, from standing shoulder ready, muzzle depressed position, fire 2 rounds standing then 3 rounds kneeling. Place weapon on safe and return to ready position.
- Repeat drill 1 time, firing a total of 10 rounds.

---STOP TIME---

END NIGHT COURSE, SCORE TARGETS

Appendix G
Automatic/Semi-Automatic Police Service Rifle
Qualification Course (ARQC)

1. Familiarization Requirements for Each Participant.

- a. Demonstrate the safe handling of the weapon.
- b. Demonstrate proper loading and unloading techniques.
- c. Demonstrate the techniques of proper physical stance.
- d. Demonstrate the techniques of good marksmanship.

2. Range - 100 yards. (100 & 75 yard-lines may be simulated with the use of an appropriate reduced target at the 50 yard-line. The 100 , 75 & 50 yard-line courses of fire may NOT be fired with reduced size targets at the 25 yard-line)

3. Target - FBI type Q target, either paper or cardboard.

4. Course.

- a. Total of 60 rounds per participant.
- b. Magazine capacity will be given on command at each firing stage.
- c. To achieve a passing score of 80%, the participant must place a minimum of 48 shots within the border of the Q-target silhouette.
- d. Firing positions are as indicated in the course.

Any form of full automatic firing is prohibited at distances greater than the 10-yard line.

100 yard line 10 rounds, Prone, sitting or squatting
One minute each position

- From the prone position, on command fire 5 rounds. (1 minute)

 - a. From a sitting or squatting position, on command fire 5 rounds (1 minute)

- Place weapon on safe and move to the 75 yard line

75 yard line 10 rounds, standing and kneeling
5 seconds each stage

- From a standing ready position, on command fire 2 rounds. (5 seconds)
- Repeat once for a total of 4 rounds
- From a kneeling ready position, on command fire 2 rounds. (5 seconds)
- Repeat twice for a total of 6 rounds
- Reload if necessary
- Place the weapon on safe and move to the 50 yard line

50 yard line 20 rounds, positions as per each stage
5 seconds each stage

- From standing ready position, on command fire 2 rounds. (5 seconds)
- Repeat once for a total of 4 rounds
- From a kneeling ready position, on command fire 1 round (5 seconds)
- Repeat 5 times for a total of 6 rounds
- From a standing or kneeling ready position behind cover, on command fire 1 round. (5 seconds)
- Repeat 4 times for a total of 5 rounds
- From a standing or kneeling ready position behind cover, on command fire 1 round (5 seconds)
- Repeat 4 times for a total of 5 rounds
- Reload if necessary, place the weapon on safe and move to

the 25 yard line

25 yard line 6 rounds, as per drill
30 seconds

Use of cover

- From a kneeling, strong side of cover ready position, on command fire 2 rounds; assume an over the top of cover position and fire 2 rounds; assume a support side kneeling position behind cover and fire 2 rounds. (30 seconds)
- Place weapon on safe and move to the 15 yard line

15 yard line 4 rounds, standing to kneeling
8 seconds

- From a standing ready position, on command fire 2 rounds; assume a kneeling position and fire 2 rounds. (8 seconds)
- Place the weapon on safe and move to the 7 yard line

7 yard line 5 rounds, standing, standing alternative threat areas

- From a standing ready position, on command fire a 2 round burst or semi-automatic double tap. (3 seconds)
- From a standing ready position, on command fire a 2 round burst or semi-automatic double tap to the body then one shot to the head. (4 seconds)
- Place weapon on safe and move to the 5 yard line

5 yard line 5 rounds, standing, standing alternative threat areas

- From a standing ready position, on command fire a 2 round burst or semi-automatic double tap. (3 seconds)
- From a standing ready position, on command fire a 2 round burst or semi-automatic double tap to the body then one shot to the head. (4 seconds)
- Clear the weapon and make it safe

---END OF COURSE---

Appendix H

Police Carbine Qualification Course (PCQC)

1. Familiarization Requirements for Each Participant

- a. Demonstrate the safe handling of the weapon.
- b. Demonstrate proper loading and unloading techniques.
- c. Demonstrate the techniques of proper physical stance.
- d. Demonstrate the techniques of good marksmanship.

2. Range - 50 yards

3. Target - F B I type Q target, either paper or cardboard.

4. Course

- a. Total of 60 rounds per participant.
- b. Magazine capacity will be given on command at each firing stage.
- c. To achieve a passing score of 80%, the participant must place a minimum of 48 shots within the border of the Q-target silhouette.
- d. Firing positions are as indicated in the course.

50 yard line 10 rounds, Kneeling, prone
40 seconds each stage

- From the kneeling ready position, on command fire 5 rounds (40 seconds)
- Place weapon on safe and assume the prone position
- From the prone position, on command fire 5 rounds. (40 seconds)
- Place weapon on safe, stand up and move to the 25 yard line

25 yard line 20 rounds, **use of cover**

- Standing or kneeling. From the ready position on the **strong side** of cover, on command roll out and fire 2 rounds, roll out from the **support side** of cover and fire 2 rounds. (10 seconds)
- Repeat once for a total of 8 rounds
- Standing or kneeling. From the ready position on the **strong side** of cover, roll out and fire 2 rounds, reload, roll out and fire 2 rounds. (15 seconds)
- Kneeling or crouching. From the ready position behind cover, on command fire 2 rounds **over the top of cover**. (3 seconds)
- Repeat 3 times for a total of 8 rounds
- Place the weapon on safe and move to the 15 yard line

15 yard line 15 rounds, standing and kneeling, mandatory reload

- From a standing ready position, on command fire 2 rounds, assume a kneeling position and fire 2 rounds. (10 seconds)
- Repeat once for a total of 8 rounds
- From a standing ready position, on command fire 2 rounds assume a kneeling position, reload and fire 5 rounds. (15 seconds)
- Place the weapon on safe and move to the 10 yard line

10 yard line 5 rounds, standing side steps

- From a standing ready position, on command double tap the body, step to the right and double tap the body, step to the left and fire 1 round to the head. (No time)
- Place the weapon on safe and move to the 7 yard line

7 yard line 6 rounds, standing
1 second each command

Semi-Annual Firearms Qualification and Requalification Standards

- From a standing ready position, on command double tap the target. (1 second)
- Repeat twice for a total of 6 rounds
- Place the weapon on safe and move to the 5 yard line

5 yard line 4 rounds, standing, transition to handgun

(Transition by bringing the back of the support hand holding the forend of the carbine to the top of the support thigh. This will bring the muzzle down in a safe direction and keep the stock of the carbine from blocking the draw. This may be practiced “dry” prior to live fire.)

- From a standing ready position, on command double tap the target, transition to the handgun and double tap the target.
- Holster an uncocked handgun
- Clear and make safe the carbine

—END OF COURSE---

Appendix I
Police Carbine Qualification Night Course (PCQNC)

1. Familiarization Requirements for Each Participant

- a. Demonstrate the safe handling of the weapon.
- b. Demonstrate proper loading and unloading techniques.
- c. Demonstrate the techniques of proper physical stance.
- d. Demonstrate the techniques of good marksmanship.

2. Range - 25 yards

3. Target - FBI type Q target, either paper or cardboard

4. Course

- a. Total of 40 rounds per participant.
- b. Magazine capacity will be given on command at each firing stage.
- c. To achieve a passing score of 80%, the participant must place a minimum of 32 shots within the border of the Q- target silhouette.
- d. Firing positions are as indicated in the course.

Phase I **25 yard line. Total 10 rounds**

Standing to Kneeling Cover Position

- Assume a standing, shoulder ready, position.
- On command shooter moves to and assumes kneeling cover position, fires 5 rounds.
- Time: 10 seconds
- Repeat once

--- STOP TIME ---

Phase II **15 yard line.** Total 10 rounds.

Standing Muzzle Depressed Position

- On command, shooter assumes a standing, shoulder ready, muzzle depressed position.
- On command fire 2 shots.
- Time: 4 seconds
- Repeat twice
- Total 6 rounds

Standing to Kneeling Position

- On command, shooter assumes a standing, shoulder ready, muzzle depressed position.
- On command shooter assumes a kneeling position and fires 4 rounds.
- Time: 8 seconds

--- STOP TIME ---

Phase III **10 yard line.** Total 10 rounds.

Standing Assault Ready Position

- On command, shooter assumes a standing assault ready position.
- On command fire a semi-automatic double taps.
- Time 2 seconds
- Repeat 4 times
- Total 10 rounds

--- STOP TIME ---

Phase IV 7 yard line. Total 10 rounds

Standing Assault Ready Position to Transition

- On command, shooter assumes a standing assault ready position.
- On command fire a semi-automatic double tap.
- Time 2 seconds
- Repeat twice for a total of 6 rounds
- On command fire a semi-automatic double tap then transition to the handgun and fire a double tap.

--- END OF COURSE ---

Appendix J
Scoped rifle Qualification Course (SRQC)

1. Familiarization Requirements for Each Participant

- a. Demonstrate the safe handling of the weapon.
- b. Demonstrate proper loading and unloading techniques.
- c. Demonstrate the techniques of proper physical stance.
- d. Demonstrate the techniques of good marksmanship.

2. Range - 100 yards

3. Target - New Jersey Division of Criminal Justice Scoped Rifle Qualification Target

4. Course

- a. Total of 10 rounds per participant. (More rounds may be fired if “follow-up” shots are necessary)
- b. Load rifle to magazine capacity close bolt on an empty chamber or round in the chamber and bolt handle up with safe “off”.
- c. To achieve a passing score of 90%, the participant must place a minimum of 8 shots inside the prescribed sub-targets and must have hit the “cold bore” sub-target.
- d. Firing positions are as indicated in the course.

Note: Bolt action rifles: After each shot the shooter must work the action of the bolt to chamber the next round.

Alibis - Should the observer call a “miss” the shooter may immediately fire another round. If the second round scores no penalty will be incurred, even if original time limit lapsed. (This does not apply to the “cold bore” shot)

If the shooter did not follow through and is not ready to fire a “follow-up” round, the shooter will **not** be given an “alibi”.

100 yard line 1 round, “Cold Bore” shot, (this shot must have hit the “CB” sub-target to continue)

7 seconds

- In the prone position chamber 1 round
- On command fire one shot on the “CB” sub-target (7 seconds)
- If the shot was a miss, shooter must abort the remainder of the course; record a “non-qualification” status; take the necessary time and action to return the rifle to “cold bore” status. Once “cold bore” status has been achieved, the shooter may attempt qualification again.
- With positive results the shooter should clear the chamber of the rifle, close and lock the bolt on an empty chamber or have a round in the chamber with the bolt handle up (unlocked) and safety “off” and move to the 75 yard line

75 yard line 2 rounds, prone

6 seconds

- In the prone position chamber 1 round
- On command fire 1 round on sub-target # 1 and 1 round into sub-target # 2 (6 seconds)
- Clear the rifle’s chamber and close and lock the bolt on an empty chamber or chamber the next round and leave the bolt handle up (unlocked) with the safety “off”.
- **Carrying all equipment, the shooter will jog to and touch the target, then jog back to the 50 yard line**

50 yard line 3 rounds shooter’s choice of position(no prone), rifle may be supported (rifle on top of bench or other object)

10 seconds

- Assume position, chamber 1 round
- On command fire 1 shot on each sub-target “A”, “B”,and “C” (10 seconds)

- Clear the chamber, close and lock the bolt on an empty chamber or chamber a round and leave the bolt handle up (unlocked) with the safety “off”
- Move to the 25 yard line

25 yard line 3 rounds, shooter’s choice of position (no prone), rifle may be supported

1 second each command

- Assume position, chamber 1 round
- On command fire 1 round on sub-target “25” (1 second)
- Repeat twice for a total of 3 rounds
- Clear the chamber of the rifle, close and lock the bolt on an empty chamber or chamber a round and leave the bolt handle up (unlocked) with the safety “off”
- Carrying all equipment, jog back to the 100 yard line

100 yard line 1 round, shooter’s choice of position

5 seconds

- Assume position and chamber 1 round
- On command fire 1 round on the “triangle” sub-target (5 seconds)
- Unload the rifle and make it safe

—END OF COURSE---

In-Service Requalification HQC 1

Range: 25 yards

Target: FBI "Q" type

60 rounds

<u>Range</u>	<u>Rounds</u>	<u>Position</u>	<u>Course of fire</u>	<u>Time</u>
25 yds	4	Kneeling strong side of cover	Shooter will start standing 2 yards behind the barricade. On command the shooter will move forward and fire 4 rds from the strong side of cover kneeling. Remain behind cover in a ready position with visual focus towards the threat area.	30 sec.
	4	Over the top of cover	On command fire 4 rds over the top of cover. Remain behind cover in a ready position with visual focus towards the threat area.	30 sec.
	4	Support side of cover, kneeling or standing (Strong hand)	On Command fire 4 rds with the strong hand (supported is recommended) from the support side of cover kneeling or standing. Reload if necessary decock and holster. Replenish loading devices	30 sec.
15 yds	12	Standing	Draw and fire 3 rds standing, decock and holster	5 sec.
15 yds		Standing & kneeling	Draw and fire 3 rds standing, assume a kneeling position and fire 6 rds kneeling	25 sec.
10 yds	6	Ready	From the ready position fire 2 rds on each command to fire	3sec. (3X)
7 yds	12	Standing	Draw, fire 3 rds, decock and holster	4 sec.
7 yds		Standing	Draw, fire 3 rds, make a magazine change, fire 3 rds, decock and holster	15 sec.
7 yds		Standing	Draw, fire 3 rds, decock and holster	4 sec.
5 yds	12	Standing one hand, strong side	Draw fire 2 rds one-handed with the strong hand, decock and holster	4 sec. (3X)
5 yds		Standing one hand, support hand	Weapon should be in the support hand at the ready. Fire 2 shots one-handed with the support hand each command, return to the ready.	3 sec. (3X)
1 yd	6	Standing, weapon retention	Assume an interview stance position. Draw and fire 2 rds from the weapon retention position, decock and holster.	2 sec. (3X)
End course, score targets (48 hits = 80%)				

In-Service Requalification HQC 2

Range: 25 yards

Target: FBI "Q" type

50 rounds

<u>Range</u>	<u>Rounds</u>	<u>Position</u>	<u>Course of fire</u>	<u>Time</u>
25 yds	4	Strong side of cover kneeling	Shooter will start standing 2 yards behind the barricade. On command the shooter will move forward and fire 4 rds from the strong side of cover kneeling. Remain behind cover in a ready position with visual focus towards the threat area.	30 sec.
	3	Over the top of cover	On command fire 4 rds over the top of cover. Remain behind cover in a ready position with visual focus towards the threat area.	25 sec.
	3	Support side of cover, kneeling or standing (Strong hand)	On Command fire 4 rds with the strong hand (supported is recommended) from the support side of cover kneeling or standing. Reload if necessary decock and holster. Replenish loading devices	25 sec.
15 yds	10	Standing	Draw and fire 3 rds standing, decock and holster	5 sec.
15 yds		Standing & kneeling	Draw and fire 3 rds standing, assume a kneeling position and fire 4 rds kneeling	25 sec.
10 yds	6	Standing, Ready	From the ready position fire 2 rds on each command to fire	3 sec. (3X)
7 yds	12	Standing	Draw, fire 3 rds, decock and holster	4 sec.
7 yds		Standing	Draw, fire 3 rds make a magazine change, fire 3 rds, decock and holster	15 sec.
7 yds		Standing	Draw, fire 3 rds, decock and holster	4 sec.
5 yds	8	Standing one hand, strong side	Draw fire 2 rds one-handed with the strong hand, decock and holster	4 sec. (2X)
5 yds		Standing one hand, support hand	Weapon should be in the support hand at the ready. Fire 2 shots one-handed with the support hand each command, return to the ready.	3 sec. (2X)
1 yd	4	Standing, weapon retention	Assume an interview stance position. Draw and fire 2 rds from the weapon retention position, decock and holster.	2 sec. (2X)
End course, score targets (40 hits = 80% - 2 points per hit)				

Semi-Annual Firearms Qualification and Requalification Standards

Handgun Night Qualification Course HNQC

(for retired officers HNQC see page 78)

Range: 15 yards

Target: FBI "Q" type

40 rounds

<u>Range</u>	<u>Rounds</u>	<u>Position</u>	<u>Course of fire</u>	<u>Time</u>
15 Yds	6	Standing To Kneeling	From a secured holster position, draw and fire 1 round standing then 2 rounds kneeling, utilizing a handheld or gun mounted light. Decock, holster and recover to a standing <u>ready position</u> . From the ready position fire 1 round standing then 2 rounds kneeling. Reload if necessary, decock and holster.	20 sec.
10 Yds	6	Standing Point Shoulder	From a <u>ready position</u> , on command fire 2 rounds utilizing a handheld or gun mounted light, light off and step to the right. On command fire 2 rounds utilizing a handheld or gun mounted light, light off and step to the left. On command fire 2 rounds utilizing a handheld or gun mounted light, light off and step to the right. Reload if necessary, decock and holster.	5 sec.
7 Yds	4	Standing Point Shoulder	Draw and bring the weapon to a ready position. On command fire 2 rounds utilizing a handheld or gun mounted light and return to the ready position. Repeat once	6 sec.
	4	Standing Point Shoulder; Mandatory magazine change	From a ready position on command fire 2 rounds utilizing a handheld or gun mounted light, make a magazine change and fire 2 rounds, decock and holster.	20 sec.
5 Yds	12	One Handed shooting (strong side)	From a secured holstered position on command draw and fire 2 rounds, utilizing a handheld or gun mounted light, (support hand may not be used to stabilize the handgun). Repeat twice	5 sec.
		One handed shooting (support side)	Weapon should be in the support hand at a ready position. (Strong side hand and arm is limp at the side.) No handheld lights may be used. On command fire 2 rounds and return to the ready. Repeat twice, decock and holster	5 sec.
3 yards	4	Standing Point Shoulder	Standing, holding a handheld light in a manner the officer would while making a motor vehicle stop or conducting a field interview and examining identification (i.e. over the shoulder or under the armpit) from a secured holstered position draw and fire 2 rounds. Repeat once. Decock and holster	3 sec.
1 yd	4	Weapon Retention	Without a light from a secured holstered position, on command draw and fire 2 rounds from the weapon retention position. Repeat once.	3 sec.
End course, score targets (32 hits = 80%)				

*Ambient light may be provided. If light dimming goggles are used, handheld lights must be deployed where indicated.

Semi-Annual Firearms Qualification and Requalification Standards

In-Service Requalification HQC 1 (5 Shot)

Range: 25 yards

Target: FBI "Q" type

50 rounds

<u>Range</u>	<u>Rounds</u>	<u>Position</u>	<u>Course of fire</u>	<u>Time</u>
25 yds	4	Kneeling strong side of cover	Shooter will start standing 2 yards behind the barricade. On command the shooter will move forward and fire 4 rds from the strong side of cover kneeling. Remain behind cover in a ready position with visual focus towards the threat area.	30 sec.
	3	Over the top of cover	On command fire 1 rd over the top of cover, reload and fire 2 shots over the top of cover. Remain behind cover in a ready position with visual focus towards the threat area.	30 sec.
	3	Support side of cover, kneeling or standing (Strong hand)	On Command fire 3 rds with the strong hand (supported is recommended) from the support side of cover kneeling or standing. Reload if necessary and holster. Replenish loading devices	30 sec.
15 yds	10	Standing	Draw and fire 3 rds standing, and holster	5 sec.
		Standing & kneeling	Draw and fire 2 rds standing, assume a kneeling position reload and fire 5 rds kneeling	25 sec.
10 yds	5	Ready	From the ready position fire 2 rds on each of the first two commands to fire and 1 rd on the last command	3 sec. (3X)
7 yds	10	Standing	Draw, fire 3 rds, and holster	4 sec.
			Draw, fire 2 rds, reload, fire 2 rds, and holster	15 sec.
			Draw, fire 3 rds, reload and holster	4 sec.
5 yds	10	Standing one hand, strong side	Draw fire 2 rds one handed with the strong hand, and holster on the first two fire commands and 1 rd on the last fire command	4 sec. (3X)
		Standing one hand, support hand	Weapon should be in the support hand at the ready. Fire 2 shots one handed with the support hand on each of the first two commands, and 1 rd on the last fire command. Return to the ready after each set.	3 sec. (3X)
1 yd	5	Standing, weapon retention	Assume an interview stance position. Draw and fire 2 rds from the weapon retention position, and holster. On the last command fire only 1 rd.	2 sec. (3X)
End course, score targets (2 points per hit; 40 hits = 80%)				

5 Shot - Handgun Night Qualification Course HNQC

Range: 15 yards

Target: FBI "Q" type

36 rounds

<u>Range</u>	<u>Rounds</u>	<u>Position</u>	<u>Course of fire</u>	<u>Time</u>
15 Yds	5	Standing To Kneeling	From a secured holster position, draw and fire 1 round standing then 2 rounds kneeling, utilizing a handheld or gun mounted light. Holster, recover to a standing ready position. From the ready position fire 1 round standing then 1 round kneeling. Reload and holster.	20 sec.
10 Yds	5	Standing Point Shoulder	From a ready position, on command fire 2 rounds utilizing a handheld or gun mounted light, light off and step to the right. On command fire 2 rounds utilizing a handheld or gun mounted light, light off and step to the left. On command fire 1 round utilizing a handheld or gun mounted light, light off and step to the right. Reload and holster.	5 sec.
7 Yds	4	Standing Point Shoulder	Draw and bring the weapon to a ready position. On command fire 2 rounds utilizing a handheld or gun mounted light and return to the ready position. Repeat once	6 sec.
	4	Standing Point Shoulder; Mandatory reload	From a ready position on command fire 1 round utilizing a handheld or gun mounted light, reload and fire 3 rounds, top off the cylinder and holster.	20 sec.
5 Yds	10	One Handed shooting (strong side)	From a secured holstered position on command draw and fire 2 rounds, utilizing a handheld or gun mounted light, (support hand may not be used to stabilize the handgun). Repeat once, then repeat firing one round. Reload and holster	5 sec.
		One handed shooting (support side)	Weapon should be in the support hand at a ready position. (Strong side hand and arm is limp at the side.) No handheld lights may be used. On command fire 2 rounds and return to the ready. Repeat once, then repeat firing one round, reload and holster	5 sec.
3 yards	4	Standing Point Shoulder	Standing, holding a handheld light in a manner the officer would while making a motor vehicle stop or conducting a field interview and examining identification (i.e. over the shoulder or under the armpit) from a secured holstered position draw and fire 2 rounds. Repeat once. Top off the cylinder and holster.	3 sec.
1 yd	4	Weapon Retention	Without a light from a secured holstered position, on command draw and fire 2 rounds from the weapon retention position. Repeat once.	3 sec.
End course, score targets (29 hits = 80%)				

*Ambient light may be provided

Handgun Night Qualification Course HNQC
For Retired Law Enforcement

Range: 15 yards

Target: FBI "Q" type

40 rounds

<u>Range</u>	<u>Rounds</u>	<u>Position</u>	<u>Course of fire</u>	<u>Time</u>
15 Yds	6	Standing Point Shoulder	From a secured holster position, draw and fire 2 rounds and returned to a ready position. From the ready position, on command fire 2 rounds and return to the ready. From the ready position on command fire 2 rounds, reload if necessary, decock and holster.	6 sec.
				4 sec.
10 Yds	6	Standing Point Shoulder	Draw and bring the weapon to a ready position. On command fire 2 rounds and return to the ready position. Repeat twice, reload if necessary, decock and holster	4 sec.
7 Yds	4	Standing Point Shoulder	Draw and bring the weapon to a ready position. On command fire 2 rounds and return to the ready position. Repeat once	4 sec.
	4	Standing Point Shoulder; Mandatory magazine change	On command fire 2 rounds, make a magazine change and fire 2 rounds, return to the ready position	15 sec.
	4	Standing Point Shoulder	On command fire 2 rounds and return to the ready position. Repeat once. Decock and holster.	4 sec.
5 Yds	12	Standing Point Shoulder	From a secured holster position, draw and fire 3 rounds, then assume a ready position.	5 sec.
			From a ready position, on command fire 2 rounds, and return to a ready position, repeat twice.	4 sec.
			From a ready position on command fire 3 rounds, reload if necessary, decock and holster	5 sec.
1 yd	4	Weapon Retention	From a secured holstered position, on command draw and fire 2 rounds from the weapon retention position. Repeat once.	3 sec.
End course, score targets (40 hits = 100%; 32 hits = 80% minimal for qualification)				

Shotgun Qualification Course

Used for both daylight and night qualification

Range: 20 yards

Target: FBI "Q" type

10 rounds

<u>Range</u>	<u>Rounds</u>	<u>Position</u>	<u>Course of fire</u>	<u>Time</u>
20 Yds	5	Standing Point Shoulder	On command with the action forward, safety on and muzzle depressed, load the shotgun with 4 rounds into the magazine. On command from a standing point shoulder position, fire the 4 rounds; Combat load a 5 th round and fire that 5 th round. Action open, safety on, muzzle depressed.	25 sec.
10 Yds	5	Standing Point Shoulder	With the action open and safety on, on command combat load 1 round, load 2 rounds into the magazine and fire those 3 rounds. Combat load 1 round and load 1 round into the magazine; fire those 2 rounds. Action open, safety on, muzzle depressed.	35 sec.
<p>End course, score targets: Score any hit on the paper or cardboard not just in the scoring silhouette. 9 pellet OO Buck - 72 hits = 80% 8 pellet OO Buck - 64 hits = 80%</p>				

Shotgun Slug Qualification Course

Used for both daylight and night qualification

Range: see note below Target: FBI “Q” type 10 rounds

Agency will determine farthest distance slugs are to be deployed (i.e. 50yards, 25yards)

Phase I will be fired from the farthest distance determined

Phase II from the mid-point from the farthest distance to the target line.

The Shotgun Slug Night Qualification Course (SSNQC) will be fired from the 25 yard- line for Phase I and the 10 yard-line for Phase II

<u>Range</u>	<u>Rounds</u>	<u>Position</u>	<u>Course of fire</u>	<u>Time</u>
50 Yds	5	Standing Point Shoulder	On command with the action forward, safety on and muzzle depressed, load the shotgun with 4 rounds into the magazine. On command from a standing point shoulder position, fire the 4 rounds; Combat load a 5 th round and fire that 5 th round. Action open, safety on, muzzle depressed.	25 sec.
25 Yds	5	Standing Point Shoulder	With the action open and safety on, on command combat load 1 round, load 2 rounds into the magazine and fire those 3 rounds. Combat load 1 round and load 1 round into the magazine; fire those 2 rounds. Action open, safety on, muzzle depressed.	35 sec.
<p>End course, score targets: Score only hits <u>inside the scoring area</u> of the Q target # of hits X 10 = % Qualification = 80%</p>				

Semi-Annual Firearms Qualification and Requalification Standards

Subgun Qualification Course (ASQC)

(This course will also be used for Personal Defense Weapon Qualification)

All positions are beginning at the "shoulder ready" position.

Magazine change may be forced at instructor's discretion. Otherwise, participant is responsible for ammo management, including secondary weapon transition techniques.

Range 50 yards

Target: FBI "Q" type

60 rounds

<u>Range</u>	<u>Rds</u>	<u>Position</u>	<u>Fire Mode</u>	<u>Course of fire</u>	<u>Time</u>
3 yds	6	Standing	Auto	On command fire a 2 round burst	1.5 sec. (3X)
5 yds	6	Standing	Auto	On command fire a 2 round burst	1.5 sec. (3X)
7 yds	6	Standing	Auto (2rds body, 1 rd head)	On command fire a 2 round burst to the body, then one shot to the head	2 sec. (2X)
	4	Standing to kneeling	Auto	On command from a standing position fire a 2 round burst, assume a kneeling position and fire a 2 round burst	6 sec.
10 yds	6	Standing	Auto	On command fire a 2 round burst	1.5 sec. (3X)
15 yds	4	Standing to Kneeling	Semi	On command fire 2 rounds, assume a kneeling position and fire 2 rounds	8 sec.
25 yds	4	Standing	Semi	On command fire 1 round	1 sec. (4X)
25 yds	4	Kneeling strong side of cover (roll out)	Semi	On command fire 2 rounds	2 sec. (2X)
25 yds	4	Standing strong side of cover (roll out) or over the top of cover	Semi	On command fire 2 rounds	2 sec. (2X)
25 yds	4	Kneeling support side of cover (roll out)	Semi	On command fire 2 rounds	3 sec. (2X)
25 yds	4	Standing support side of cover (roll out) or over the top of cover	Semi	On command fire 2 rounds	3 sec. (2X)
50 yds	4	Prone	Semi	On command fire 2 rounds	4 sec. (2X)
50 yds	4	Kneeling strong side of cover	Semi	On command fire 2 rounds	4 sec. (2X)

48 hits = 80% score same as HQC

Subgun Night Qualification Course

(This course will also be used for Personal Defense Weapon or Rifle night qualification)

Range: 25 yards

Target: FBI Q Type

50 rounds

Range	Rds	Position	Fire Mode	Course of fire	Time
5 yds	10	Standing	Auto or Semi-auto	On command fire a 2 round burst or semi-automatic double tap	3 sec. (5X)
7 yds	10	Standing	Auto or Semi-auto	On command fire a 2 round burst or semi-automatic double tap	3 sec. (5X)
10 yds	10	Standing	Auto or Semi-auto	On command fire a 2 round burst or semi-automatic double tap	3 sec. (5X)
15 yds	10	Standing	Semi-auto	On command fire a semi-automatic double tap	6 sec. (3X)
		Standing	Semi-auto	On command fire 4 rounds	10 sec.
25 yds	10	Standing to Kneeling	Semi-auto	On command fire 2 rounds standing; then 3 rounds kneeling rounds	10 sec. (2X)
40 hits = 80%					

**Automatic/Semi-Automatic Police Service Rifle
Qualification Course (ARQC)**

Range: 100 yards

Target: FBI "Q" type

60 rounds
3 - 20 rd magazines

<u>Range</u>	<u>Rounds</u>	<u>Position</u>	<u>Course of Fire</u>	<u>Time</u>
100 yds	5	Prone	On command fire 5 rounds	1 min.
	5	Sitting or Squatting	On command fire 5 rounds	1 min.
75 yds	4	Standing	On command fire 2 rounds	5 sec. (2X)
	6	Kneeling	On command fire 2 rounds	5 sec. (3X)
50 yds	4	Standing	On command fire 2 round;	5 sec. (2X)
	6	Kneeling	On command fire 1 round	5 sec. (6X)
	5	Standing or kneeling from strong side of cover	On Command fire 1 round	5 sec. (5X)
	5	Standing or kneeling from support side of cover	On command fire 1 round	5 sec. (5X)
25 yds	6	Kneeling, strong side cover; over the top of cover; Kneeling support side of cover	On Command fire 2 rounds from the strong side of cover; Fire 2 rounds over the top of cover; Fire 2 round from the support side of cover	30 sec.
15 yds	4	Standing to kneeling	On command fire a double tap standing, Drop to kneeling an fire a double tap from kneeling	8 sec.
7 yds	2	Standing	On command fire a double tap; or 2 round burst;	3 sec.
	3	Standing	On command fire a double tap or 2 round burst to the chest, then 1 shot to the head	4 sec.
5 yds	2	Standing	On command fire a double tap; or 2 round burst;	3 sec.
	3	Standing	On command fire a double tap or 2 round burst to the chest, then 1 shot to the head	4 sec.

60 rounds fired score same as HQC 48 hits = 80%

If the rifle is to be used as **patrol supplement** or as an **entry weapon**, use the Subgun Night Qualification Course for semi-annual low light qualification.

Police Carbine Qualification Course (PCQC)

Range: 50 yards

Target: FBI "Q" type

60 rounds

Range	Rounds	Position	Course of fire	Time
50 yds	10	Kneeling	From a kneeling ready position, fire 5 rds,	40 sec..
		Prone	From a prone position, on command fire 5 rounds	40 sec.
25 yds	20	Cover	Roll out from strong side of cover and fire 2 rounds; roll out from the support side of cover and fire 2 rds	10 sec. (2X)
			Roll out fire 2 rds from strong side of cover, reload fire 2 rds from the strong side of cover	15 sec.
			Over the top of cover fire 2 rds	3 sec. (4X)
15 yds	20	Standing & kneeling	Fire 2 rds from standing, assume the kneeling position and fire 2 rds	10 sec. (2X)
		Standing & kneeling	Fire 2 rds standing, assuming kneeling, reload, fire 5 rds kneeling	15 sec.
10 yds		Standing (side steps)	Double tap the body, step to the right and double tap the body, step to the left and fire one shot to the head	N/A
7 yds	10	Standing	Double tap the target	1 sec. (3X)
5 yds		Standing	Fire 2 rds from the carbine, transition to handgun and fire 2 rds	8 sec.
End course, score targets (48 hits – 80%)				

Police Carbine Night Qualification Course PCNQC

Range: 25 yards

Target : FBI Q Type

40 rounds

<u>Range</u>	<u>Rds</u>	<u>Position</u>	<u>Fire Mode</u>	<u>Course of fire</u>	<u>Time</u>
25 yds	10	Standing to kneeling, cover	Semi-auto	From a standing position, on command move to a kneeling cover position and fire 5 rounds	10 sec. (2X)
15 yds	10	Standing	Semi-auto	On command fire a semi-automatic double tap	4 sec. (3X)
		Standing to kneeling	Semi-auto	From a standing position, on command assume a kneeling position and fire 4 rounds	8 sec.
10 yds	10	Standing	Semi-auto	On command fire a semi-automatic double tap	2 sec. (5X)
7 yds	10	Standing	Semi-auto	On command fire a semi-automatic double tap	2 sec. (3X)
		Standing	Semi-auto	On command fire a semi-automatic double tap, transition to the handgun and fire a double tap	N/A
32 hits = 80%					

Scoped Rifle Requalification

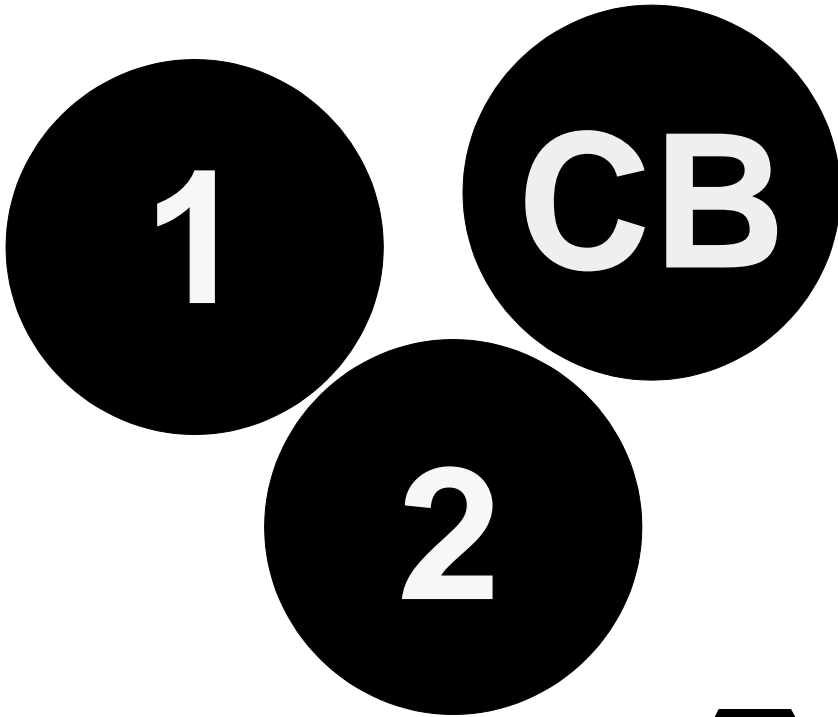
Range: 100 yards

Target: NJ DCJ scoped rifle target

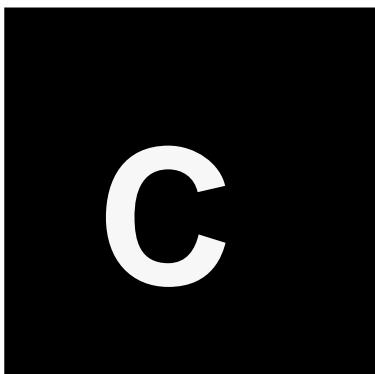
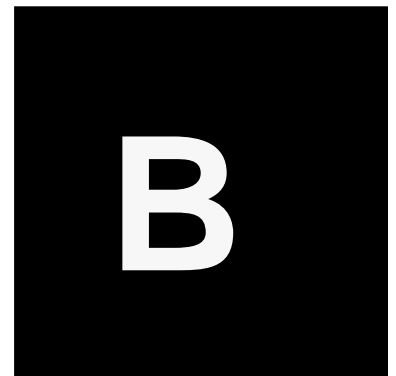
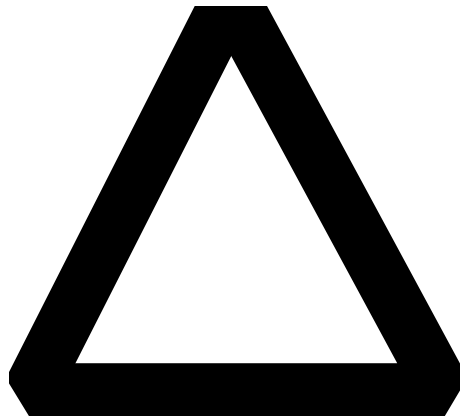
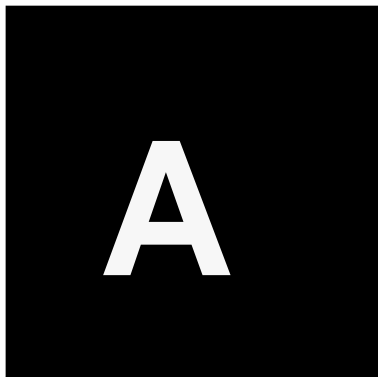
10 rounds

Range	Rounds	Position	Course of fire	Time
<ul style="list-style-type: none"> To begin the shooter will fully load the magazine of the rifle, then close and lock the bolt on an empty chamber or round in chamber, bolt forward, bolt handle up (safety will always remain "off"). The rifle will be in this condition whenever the shooter moves from position to position. At any point during the qualification, if the spotter advises, "miss", the shooter may <u>immediately</u> fire another round. If the second round scores no penalty will be incurred even if original time elapsed. (This does not apply to the cold bore shot) If the shooter did not follow through and is not ready to fire a "follow-up" round, the shooter will not be given an "alibi". 				
100 yds	1 (Cold Bore)	Prone	On command fire one round (cold bore) on (CB) circle. Shooter will immediately re-chamber a round. Fired round must score to continue the course.	7 sec.
75 yds	2	Prone	On command fire 1 round on # 1 and 1 round on # 2. Shooter will immediately re-chamber a round after the second round. Reload, close and lock the bolt on an empty chamber.	6 sec.
Carrying all equipment, the shooter will jog to the target line and touch the target, then jog back to the 50-yard line and assume a shooting position.				
50 yds	3	Shooter's choice (No prone) –supported (rifle on top of bench or other object)	On command fire 1 shot on A, B and C. Shooter will immediately re-chamber a round after the third round. Reload, close and lock the bolt on an empty chamber. Move to the 25-yard line.	10 sec.
25 yds	3	Shooter's choice supported (no prone)	On command fire 1 round on "25" circle. Shooter will immediately re-chamber a round after the each round. Assure at least two rounds are in the magazine, then close and lock the bolt on an empty chamber.	1 sec. (3X)
Carrying all equipment, jog back to the 100-yard line.				
100 yds	1	Shooter's choice	On command fire 1 round on the "triangle" target. Shooter will immediately re-chamber a round. Clear the rifle – End of Qualification	5 sec.
Cold Bore round + 8 other hits to qualify (90%)				

New Jersey Division of Criminal Justice
Scoped Rifle Qualification Target



Name: _____
Observer: _____
Date: _____
Time: _____
Weather: _____



Semi-Annual Firearms Qualification and Requalification Standards

Qualification Matrix					
<u>Weapon</u>	<u>Day Qualification</u>	<u>Night Qualification</u>	<u>Quarterly Training</u>		<u>Instructor Requirements</u>
			<u>Yes</u>	<u>No</u>	
Handgun	Semi-annually	Semi-annually		X	Firearms Instructor Course
Shotgun	Semi-annually	Semi-annually		X	Firearms Instructor Course
Subgun	Semi-annually	Semi-annually	X		Firearms Instructor + Subgun Instructor Course
Personal Defense Weapon	Semi-annually	Semi-annually	X		Firearms Instructor + Subgun Instructor Course
Police Rifle	Semi-annually	Semi-annually if rifle is deployed as patrol supplement or use for entries	X		Firearms Instructor + Police Service Rifle/Assault Rifle Instructor Course
Police Carbine	Semi-annually	Semi-annually		X	Firearms Instructor + Subgun or Assault Rifle or Police Carbine Instructor Course
Scoped Rifle	Quarterly	/		X	Marksman may self-qualify with mandatory observer/spotter from agency's firearms staff

**FORFEITURE
VOL. VII, CH. 18
DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES**

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 09-20-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 6					CHAPTER 18
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: ASSET FORFEITURE – COUNTY LEVEL						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL: AG 2-1						Special Instructions
PROSECUTOR'S OFFICE: E1 V-7 C-18 V-7 C-11						
REFERENCE:						

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. Officers should follow the procedures outlined in this policy when seizing items subject to forfeiture. Any situations which are not covered in this policy and procedure should be reviewed by the Office of the Prosecutor prior to any action being taken.

PROCEDURE:

I. PROPERTY SUBJECT TO FORFEITURE

A. Prima Facie Contraband

1. Controlled dangerous substances
2. Firearms which are unlawfully possessed, carried, acquired or used.
3. Illegally possessed gambling devices.

Untaxed cigarettes.

Untaxed special fuel.

B. All property which has been, or intended to be, utilized in the furtherance of an unlawful

**FORFEITURE
VOL. VII, CH. 18**

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 which is earmarked for use as financing for an illegal gambling or drug 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, narcotics, 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:
 2. The property/funds shall be secured in the department's Evidence Locker.
 3. Real property shall not be seized without first obtaining authorization from the Bergen County Prosecutor's Office.
- B. The officer interested in pursuing forfeiture proceedings shall immediately notify a Detective Division Supervisor.
1. A Request for Distribution of Forfeited Property Form (Form "A") shall be completed by the Borough of Fort Lee Police Department , Property Evidence Officer, prior to submission to the Bergen County Prosecutor's Office within 48 hours following the seizure.
 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 will remain with seizing agency unless otherwise advised by the Bergen County Prosecutor's Office.

**FORFEITURE
VOL. VII, CH. 18**

3. Any money seized in connection with an arrest for an indictable offense should be forwarded to the Bergen County Prosecutor's Office within 72 hours of seizure along with notification, prior to delivering the money.
 - a. Contact the Bergen County Prosecutor's Office to make arrangements.
 - b. When the money is delivered, a receipt will be given to the Borough of Fort Lee Police Department for its records.
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 considered for seizure, contact should be made with a Detective Supervisor for a determination.
5. All money found in the possession of a person being charged with simple possession of CDS can be seized and deposited with the Bergen County Prosecutor's Office if the sum exceeds \$500.00, contact should be made with a Detective Supervisor for a determination.
 - a. The investigative supervisor shall have final authority as to whether funds and or property will be seized for forfeiture.
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 if found evidence of prior distribution of CDS, should be seized and deposited with the Bergen 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. Vehicles and Money may only be seized in connection with an arrest for indictable crimes. A Detective will investigate as to whether a vehicle or money is subject to forfeiture, a vehicle which is seized will be stored by the Borough of Fort Lee Police Department at a location which does not incur any storage expense.

B. Bergen County Prosecutor's 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 Bergen County Prosecutor's Office shall be responsible for filing the forfeiture civil action upon notification by the Borough of Fort Lee Police Department

III. RECEIVING FORFEITED FUNDS/ASSETS

A. Receiving from Bergen County Prosecutor's Office:

**FORFEITURE
VOL. VII, CH. 18**

1. A letter shall be sent from the Bergen County Prosecutor's Office indicating that a final judgement order has been signed.
2. The funds shall be deposited in the Borough of Fort Lee Forfeiture Account, which is maintained by the Bergen County Prosecutor's Office.

B. Receiving from Borough of Fort Lee Chief Financial Officer:

1. A letter shall be sent to the Bergen County Prosecutor's Office requesting authorization to use forfeiture funds from the account.
 - a. Include amount and intended use.
 - b. The letter shall state that there are no budgeted funds for the intended purchase.
 - c. The letter must be signed by the Chief of Police. If the amount requested is in excess of \$5000.00, the Borough Administrator must also sign the letter.
2. A letter of authorization **must** be received from the Bergen County Prosecutor's Office prior to receiving the funds from the Borough of Fort Lee Forfeiture Account.
 - a. A purchase order shall be prepared and sent to the Chief Finance Officer requesting the voucher.
 - b. The requested item will be purchased out of the Borough budget. After the item is received and paid for, the County voucher will be signed by the Chief of Police. The voucher along with proof of payment will then be forwarded to the Prosecutor's Office for reimbursement.
 - b. **All** correspondence shall be maintained for seven (7) years in a forfeiture file, as well as the appropriate case file, pending future review. Additionally all purchases will reported quarterly to the N.J. Attorney General's Office.

C. Use of Forfeited Assets:

Vehicles

Vehicles that have been authorized disbursed to the Borough of Fort Lee Police Department may be titled and used by the department.

The vehicles shall not be sold or transferred at Borough of Fort Lee auctions, they shall be returned to the Bergen County Prosecutor's Office for auction.

- (1) The proceeds upon sale of the vehicle, shall be deposited into The Borough of Fort Lee 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.” Contained within N.J.A.C., 13:77-1.4 is the following definition of “law enforcement purpose.”
- B. Forfeited funds may not be used for the payment of regular salaries or to create new personnel positions.
- C. Forfeiture funds shall not be used to meet normal operating needs of a law enforcement agency.
- D. Funding entities may not anticipate forfeiture funds when enacting law enforcement budgets.
- E. 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 an expenditure. N.J.A.C. 13:77-2.4.

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 Bergen County Prosecutor’s Office and the Division of Criminal Justice by the 15th of the month following the end of the reporting period.

FORFEITURE
VOL. VII, CH. 18

B. Guidelines for Forfeiture

1. The Narcotics Bureau will complete the forms and maintain all paperwork and log books concerning asset forfeiture.
2. See Quarterly Report Instructions.
3. The form shall be submitted when **forfeited** cash or property has been received, used or disposed of by our department.
4. Regardless of whether any forfeited cash or property has been received, used or disposed of by our department, a quarterly report must be submitted.

**AUTHORITY
FUGITIVE PROCEDURE
VOL. VII, CH. 17**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-26-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 3					CHAPTER 17
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: FUGITIVE PROCEDURE						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure that there are proper procedures to follow when a fugitive from justice is in the custody of the Fort Lee Police Department.

POLICY:

When a fugitive from another state is apprehended in Fort Lee, whether on local charges or on a check through N.C.I.C., it is the responsibility of the Police Department to give immediate notice to the state where that fugitive is wanted. Determination should be made by that jurisdiction on extradition of the party involved.

The Uniform Extradition Act, N.J.S. 2A:160-1 et seq., requires that a state seeking extradition of a fugitive complete its paperwork within 90 days after the complaint is sworn in. Therefore, it is imperative that prompt notice is given to the state where the fugitive is wanted in order for that state to be able to make a speedy determination as to whether or not to extradite and to begin to prepare the required work.

**AUTHORITY
FUGITIVE PROCEDURE
VOL. VII, CH. 17**

PROCEDURE:

I. SIGNING OF FUGITIVE COMPLAINTS

- A. When a person is charged in Fort Lee on local charges or is stopped and is run in NCIC, and the officer making the arrest or stop learns that the defendant is also wanted as a fugitive in another jurisdiction, the officer is to have the jurisdiction in question notified. If there are no local charges, the officer should wait for a decision from the other jurisdiction on whether to extradite the subject. If they do not wish to extradite, the officer should release the subject after obtaining all needed information for an incident report.
- B. Complaints on local charges should be signed in the usual manner. The officer should then verify whether or not the jurisdiction with the fugitive warrant will extradite, hard copy verification should be utilized (teletype/fax etc). If so:
 - 1. The officer will sign a fugitive from justice complaint on a separate warrant (should be only charge on the warrant).
 - 2. Judge should be contacted for arraignment on any criminal charges and for the fugitive from justice complaint.
- C. After fugitive complaint is signed by our department, and the fugitive refuses to waive extradition, bail will be set on the complaint by a Superior Court Judge. (R.3:26-2 allows Superior Court Judges to set bail in extradition proceedings). If the fugitive waives extradition, the fugitive will be held without bail for a period of ten days pending the return to the demanding state.

II. BERGEN COUNTY SUPERIOR COURT WARRANT

- A. The Bergen County Prosecutor's Office Fugitive Unit is responsible for recording and entering fugitives into N.C.I.C./S.C.I.C., based on the following types of warrants:
 - 1. Warrants on Indictment
 - 2. Failure to Appear for Early Disposition Conference
 - 3. Failure to Appear for Arraignment
 - 4. Failure to Appear for Pre-Trial Conference
 - 5. Failure to Appear for Trial
 - 6. Failure to Appear for Sentencing
 - 7. Juvenile warrants Pre-Judication

AUTHORITY
FUGITIVE PROCEDURE
VOL. VII, CH. 17

Other Superior Court Warrants,(i.e. Violation of Probation and Contempt of Court), are the responsibility of the Bergen County Sheriff's Office Warrant Unit.

III. REQUEST TO ARREST FUGITIVES BY BAIL BONDSMAN OR BOUNTY HUNTERS

- A. When this agency receives a request to assist with the arrest of a fugitive by a bail bondsman or bounty hunter, the agency should verify the person's identity, confirm the warrant through N.C.I.C./S.C.I.C. and the issuing agency.
- B. All fugitives arrested will be lodged in the Bergen County Jail Facility and be given the option to exercise their right for an extradition hearing.

**ADMINISTRATION
GRIEVANCE PROCEDURE
VOL. I, CH. 21**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-23-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 2					CHAPTER 21
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: GRIEVANCE PROCEDURES (Non-Contractual)						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

It is important that all employees know that all levels of the agency understand that resolution of differences is paramount to employee morale, overall effectiveness and efficiency.

POLICY:

This policy is designed to maintain a sound personnel system by the establishment of a formal mechanism to resolve **non-contractual** employee grievances with management. The procedures set forth in this policy should be followed when non-contractual grievances are presented to a supervisor. Contractual agreement grievances should follow the procedures set forth in the employee's contract.

PROCEDURE:

(A) STEP ONE

An Employee with a grievance shall within ten (10) calendar days of the occurrence of the event grieved present the same to his immediate superior. After full disclosure of the facts surrounding the event being grieved, the immediate superior must make every earnest effort to reach a satisfactory settlement with the Employee and Griever. The immediate supervisor shall render a decision within three (3) calendar days of his receipt of the grievance.

(B) STEP TWO

In the event the grievance is not resolved at **STEP ONE**, the Employee shall reduce the grievance and decisions respectively to writing and file same with the Captain or person in charge of the unit to which the Employee is assigned within three (3) calendar days of his receipt

**ADMINISTRATION
GRIEVANCE PROCEDURE
VOL. I, CH. 21**

of the matter and all reports related thereto. The Captain shall respond within three (3) working days.

(C) STEP THREE

In the event the grievance is not resolved at **STEP TWO**, the matter and all reports shall be submitted to the Chief of Police within three (3) calendar days for his determination in writing within five (5) calendar days of his receipt of the matter and all reports related thereto. In the absence of the Chief the grievance shall be presented to the Ranking Officer in charge of the Department for determination.

(D) STEP FOUR

If the Employee wishes to appeal, the determination of **STEP THREE** proceeding, he should within five (5) working days submit the grievance in writing together with description of prior steps to the Borough Administrator who shall decide the matter within ten (10) working days of the presentation to him.

(E) STEP FIVE

If the Employee or PBA wishes to appeal the determination of the Borough Administrator, then he shall within five (5) working days of the Administrator's determination file said appeal with the Mayor and Council by filing his appeal with Borough Clerk, as agent for Mayor and council. The Mayor and Council shall respond within fifteen (15) working days.

(F) STEP SIX

1. If the grievance is not settled through the preceding steps, either party may refer the matter to the Public Employment Relations Commission within fourteen (14) calendar days after determination of the **Step Five** preceding.
2. Arbitration hearing shall be held until after the expiration of at least thirty (30) days after the decision rendered by the Mayor and Council.
3. No matter in dispute that is subject to the review and/or the decision of the Civil Service Commission of the State of New Jersey may be submitted to arbitration.
4. The time limits expressed herein shall be strictly adhered to. If any grievance has not been initiated within the time limits specified, the grievance shall be deemed to have been waived. If any grievance is not processed to the next succeeding step in the grievance procedure within the time limits prescribed, then the disposition of the grievance at the last preceding step shall be deemed to be conclusive. Nothing herein shall prevent the parties from mutually agreeing to extend or contract the time limits provided for in the Grievance Procedure. A failure to respond at any step within the provided time limits shall be deemed a denial.

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-24-2003	REVISION DATE: 01-11-2010	PAGE #: 3	SECTION: I, C, 2, b	APPROVED	VOLUME VI
VOLUME TITLE: GENERAL	# PAGES: 4					CHAPTER 5
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: HARASSMENT IN THE WORKPLACE						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The purpose of this policy is to maintain a healthy work environment and to provide procedures for reporting, investigation and resolution of complaints of harassment, sexual or otherwise.

DISCUSSION:

It is the policy of this department that all employees have the right to work in an environment free of all forms of harassment. The department does not condone, and will not tolerate, any harassment. Therefore, the agency shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment, sexual or otherwise.

I. PROCEDURE

A. Prohibited Activity

1. No employee shall either explicitly or implicitly ridicule, mock, deride or belittle any person.
2. Employees shall not make offensive or derogatory comments based on race, color, sex, religion or national origin either directly or indirectly to another person. Such harassment is a prohibited form of discrimination under state and federal

**GENERAL
HARASSMENT IN THE WORKPLACE
VOL. VI, CH. 5**

employment law and is also considered misconduct subject to disciplinary action by this department.

3. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
 - b. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
 - c. 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.

B. Employee's Responsibilities

1. Each supervisor shall be responsible for preventing acts of harassment. This responsibility includes:
 - a. Monitoring the unit work environment on a daily basis for signs that harassment may be occurring;
 - b. Counseling all employees on the types of behavior prohibited, and the department procedures for reporting and resolving complaints of harassment;
 - c. Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his line of supervision; and
 - d. Taking immediate action to limit the work contact between two employees where there has been a complaint of harassment, pending investigation.
2. Each supervisor has the responsibility to assist any employee of this department, who comes to that supervisor with a complaint of harassment, in documenting and filing a complaint with the internal investigations authority.
3. Each employee of this department is responsible for assisting in the prevention of harassment through the following acts.

**GENERAL
HARASSMENT IN THE WORKPLACE
VOL. VI, CH. 5**

- a. Refraining from participation in, or encouragement of, actions that could be perceived as harassment;
 - b. Reporting acts of harassment to a supervisor; and
 - c. Encouraging any employee, who confides that he is being harassed, to report these acts to a supervisor.
4. Failure to take action to stop known harassment shall be grounds for discipline.

C. Complaint Procedures

1. Employees encountering harassment shall tell the person that their actions are unwelcome and offensive. The employee shall document all incidents of harassment in order to provide the fullest basis for investigation.
2. Any employee who believes that he is being harassed shall report the incident(s) to his supervisor as soon as possible so that steps may be taken to protect the employee from further harassment, and appropriate investigative and disciplinary measures may be initiated. Where this is not practical, the employee may instead file a complaint with another supervisor, with the internal investigations authority, or the chief.
 - a. The supervisor or other person to whom a complaint is given shall meet with the employee and document the incidents complained of, the person(s) performing or participating in the harassment, and the dates on which it occurred.
 - b. The department employee taking the complaint shall complete an investigation report and expeditiously deliver the complaint to the appropriate investigative authority.
 - c. Any employee who feels he/she has been subjected to harassment by the Chief of Police, should report the incident to the Borough Administrator. The Borough Administrator will contact the Bergen County Prosecutor's Office to initiate an investigation.
3. The officer in charge of Internal Affairs Investigations shall be responsible for the investigation of any complaint alleging harassment.

**GENERAL
HARASSMENT IN THE WORKPLACE
VOL. VI, CH. 5**

- a. The officer in charge of Internal Affairs Investigations shall immediately notify the Chief of Police and the Prosecutor's Office if the complaint contains evidence of criminal activity, such as battery, rape or attempted rape.
 - b. The investigator shall include a determination whether other employees are being harassed by the person, and whether other agency members participated in, or encouraged the harassment.
 - c. The internal investigations authority shall inform the parties involved of the outcome of the investigation.
 - d. A file of harassment complaints shall be maintained in a secure location in the chief's office.
4. There shall be no retaliation against any employee for filing a harassment complaint, or assisting, testifying, or participating in the investigation of such a complaint.
 5. Complainants or employees accused of harassment may file a grievance/appeal in accordance with department procedures when they disagree with the investigation or disposition of a harassment claim.
 6. 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. 4 A:7-3.2(b).

D. TRAINING

1. Training shall be provided to all employees to ensure compliance with this policy.

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
ACCIDENT SCENES
VOL. V, CH. 10-1**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-26-2003	REVISION DATE: 08-04-05	PAGE #: 3 and 4	SECTION: A, B	APPROVED	VOLUME V
VOLUME TITLE: INTER-AGENCY PROCEDURES	# PAGES: 5					CHAPTER 10-1
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: HANDLING HAZARDOUS MATERIALS ACCIDENT SCENES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure uniform and proper police responses at collision scenes involving the spillage of hazardous materials (Haz-Mat), including typical automotive type fluids.

SCOPE:

This procedure shall cover all motor vehicle collision responses involving a Haz-Mat spill, but shall define and differentiate between minor and major spills.

DEFINITIONS:

- A. Hazardous Materials** Shall be defined as any material, chemical, fluid, substance or matter form defined as a hazardous material in the United States Dept. of Transportation Guidebook for the Handling of Hazardous Materials.

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
ACCIDENT SCENES
VOL. V, CH. 10-1**

For the purpose of this policy, Hazardous Materials shall be defined as any fluid or material normally carried, stored, or transported in a motor vehicle, whether or not the material is pertinent to the operation of the vehicle. This includes specifically all lubricants, coolants, and fluids carried on board a vehicle for the maintenance of its operation.

- B. Minor Hazardous Material Spill** - Shall be defined as the spillage of less than five gallons combined of any of the above described automotive fluids at the scene of a collision **excluding gasoline or any flammable, volatile, or toxic substance carried as cargo on or in the vehicle.**

- C. Major Hazardous Material Spill** Shall be defined as any spill in which the total amount of spilled materials exceeds five gallons, or includes any amount of gasoline wherein an immediate fire hazard is present, or includes the spillage of any hazardous material as defined by the US DOT being carried as cargo on the involved vehicle.

Also included is any spill of any quantity that presents an imminent threat of entering a storm drain, thereby potentially contaminating a downstream waterway. Spills of less than five gallons are specifically included in this definition when the above criteria is met.

PROCEDURES:

I. Initial Response

- A. Upon arrival the officer should:
 - 1. Scan the scene for possible hazards. If the accident may involve hazardous materials the officer should:
 - a. Resist rushing in! Approach incident from upwind, stay clear of all spills, vapors, fumes and smoke.
 - b. From a safe distance, if possible Identify the material by finding any one of the following:
 - (1) The 4-digit I.D. number on a placard or orange panel.
 - (2) The 4-digit I.D. number (after UN/NA) on a shipping document or package.
 - c. Consult the 1996 North American Emergency Response Guidebook for instructions and follow Hazardous Materials Policy (Vol. 5 Ch. 10).

- B. Proceed into the scene after determining that it is safe to do so.

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
ACCIDENT SCENES
VOL. V, CH. 10-1**

II. Collisions Involving Minor Haz-Mat Spills

- A. Upon arriving at the scene of a collision where a minor Haz-Mat spill has occurred in accordance with the definitions outlined above, the responding officer shall have two choices:
1. If, in the officer's judgement, the spill reasonably threatens to enter a storm drain, the Bergen County Health Department's Environmental Division Haz-Mat spill team may be contacted via Com-Cen and asked to respond to place absorbent material on the spill.
 - a. If this agency cannot respond, the borough's Office of Emergency Management Coordinator should be contacted and asked to respond, or preferably the assigned officer should handle the spill if it meets the criteria described in section 2c below.
 - (1). If either of the above agencies responds, the reporting officer must complete a FLPD investigation report.

or;

 2. The officer on the scene may ask another unit to respond to the scene with absorbent material, and spread the material over the spill.
 - a. ESU will be equipped with absorbent material and will be utilized for this task if it is available.
 - b. If ESU is not available, absorbent material will be stored in a designated area at Headquarters or the DPW, and should be retrieved by the unit assigned to assist the reporting officer.
 - (1). If more than one bag is needed, the Fire Department will be called to respond and an investigation report must be completed.
 - c. If a minor threat exists for the spilled material to enter a storm drain, and that threat can be effectively thwarted by police personnel placing absorbent material on it, then this is also acceptable.
 3. After the absorbent material is spread, the owner of the vehicle(s) that spilled the material will be notified by OEM that they are responsible for the cleanup of the spill and the absorbent material used to collect it.

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
ACCIDENT SCENES
VOL. V, CH. 10-1**

- a. There is no need to complete an investigation report if the spill is handled by police personnel and there is only one bag used; rather, on the NJ TR1 form note the use of absorbent material in the narrative.
- b. If there is more than one bag of absorbent material used, an investigation report will be completed. Records bureau will forward the report to OEM for any further action.

B. Collisions Involving Major Haz-Mat Spills: Upon determining that a major Haz-Mat spill has taken place as defined in the "definitions" section of this policy, the officer at the scene of the collision should:

1. Immediately secure the scene using adequate personnel and make a determination as to the level of danger present;
2. Make immediate and proper notification via Com-Cen to the Fire Department, VAC, Office of Emergency Management Coordinator, NJ DEP, and convey an accurate description of the incident to those agencies, including a description and codes of D.O.T. cargo placards on tank or container trucks that are leaking;
 - a. Police personnel at the scene of a major Haz-Mat spill should make no attempt to contain the spill or decontaminate the area; rather, emphasis should be placed on isolating and evacuating the affected area so as to minimize the effect of the spill on civilians in the immediate area.
 - b. Police personnel will not cancel a Haz-Mat response from one of the above agencies unless a trained, certified Haz-Mat specialist has inspected the spill and determines what, if any, resources should be cancelled.
2. The Road Supervisor should respond to the scene and coordinate operations with the responding agencies.
 - a. The Road Supervisor should request the Tour Commander to notify the Chief of Police via the Chain of Command.
3. If potentially dangerous fumes or fire danger is present, evacuate the area of immediate danger;
 - a. Larger scale evacuations will be carried out on the Fire Chief's orders only.

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
ACCIDENT SCENES
VOL. V, CH. 10-1**

4. The reporting officer will properly document the response and actions of all responding departments and resources, and document those on a standard FLPD investigation report.
 - a. Copies of the reports will be forwarded by the records bureau to the borough's Emergency Management Office for proper follow-up.
5. Upon completion of the cleanup/decontamination process, the reporting officer will complete the NJ TR1 collision form with all resources and DEPE numbers properly noted and entered. The report will be reviewed and processed using standard FLPD procedures.

HAZMAT reports will no longer be completed by the Police Department.

C. Medical Treatment

1. Avoid contamination of on-scene personnel.
2. The following basic first aid should be rendered:
 - a. Move or direct the victim to fresh air.
 - b. Ensure that the victim is directed to the VAC crew on-scene.
 - c. Apply artificial respiration if victim is not breathing. Do not use mouth-to-mouth method if victim ingested or inhaled the substance; induce artificial respiration with the aid of a pocket mask equipped with a one-way valve or other proper respiratory medical device.

Note: For further information regarding the handling of Haz Mat incidents not involving a motor vehicle collision, please refer to Vol. 5 Ch. 10.

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
VOL. V, CH. 10**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE:	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME V
VOLUME TITLE: INTER-AGENCY PROCEDURES	# PAGES: 10					CHAPTER 10
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: HANDLING HAZARDOUS MATERIALS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

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.

POLICY:

Any time 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, substances, fire and explosion.

I. AUTHORITY:

- A. The Borough of Fort Lee Fire Department is the lead agency for Hazardous Materials Emergencies response. The Borough of Fort Lee 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.)

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
VOL. V, CH. 10**

1. The Hazardous Materials Organization within Borough of Fort Lee consists of:
 - a. Borough of Fort Lee Fire Department - (initial response, lead agency, incident command).
 - b. Borough of Fort Lee Fire Inspector - (support, technical assistance).
 - c. Office of Emergency Management (support, logistics).
 - d. Borough of Fort Lee Public Works - (support, resource assistance).
 - e. Borough of Fort Lee Health Department - (technical assistance, environmental and health monitoring).
 - f. Borough of Fort Lee Police Department - (initial notification and response, alert and warning, incident assessment, scene security, traffic control, environmental crimes investigations).

II. OPERATIONS AND CONTROL:

- A. The following is a description of the total hazardous materials incident response within Borough of Fort Lee.
 1. Initial Notification.
 - a. Normally, the initial notification of a hazardous materials transportation or fixed site incident is received by the Borough of Fort Lee Police Department Communications Center.
 - b. The Police Department Communications operator will obtain the applicable information.
 - c. The Police Department Communications operator will immediately dispatch both police and fire department personnel to the scene and will provide all relevant data from the Initial Contact to all responding emergency departments.
 - d. The Borough of Fort Lee Communications Center will notify the following personnel of the incident, additional personnel or agencies will be notified by the Emergency Management Coordinator as required:
 - (1) **Emergency Management Coordinator**
 - (2) **New Jersey DEPE at (609) 292-7172**
 - (3) **Chief of Police** (large scale)
 - (4) **Borough of Fort Lee Health Officer**

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
VOL. V, CH. 10**

- e. The DOT Hazardous Material Manual, as well as a "Community Right to Know" binders for local businesses will be located in the Communications 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 judgements whether to risk personal injury to free injured or trapped victims. Consideration will be given to the environment, traffic, population, etc.
 - (3) The following observations should be made by first responder after considering personal safety, looking at overall picture.
 - (a) Type of Incident: (i.e., motor vehicle, building, etc.)
 - Any personal injuries
 - Fire
 - Actual spills
 - Fumes
 - Run Off
 - (b) Transportation Accident:
 - Are any fumes present
 - Determine if fire is present or threatened
 - Determine if actual spill occurred
 - Are Placards present and there UNID #
 - Determine direction of run off of spill
 - Identify any personal injuries
 - Type of vehicle involved

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
VOL. V, CH. 10**

- Type of container involved, i.e., Tanker
 - License plate number of vehicle and trailer
 - Name of company involved
 - Locate driver of vehicle
 - Obtain bills of lading
 - Obtain from driver type of material
- (c) Fixed Facility Accident or Fire:
- Are any fumes present
 - Determine if fire is present or threatened
 - Determine if actual spill occurred
 - Identify HAZMAT, type and location in building
 - Determine direction of run off of spill
 - Locate Plant Manager or responsible party
 - Identify any personal injuries
 - Type and quantity of containers involved
 - Company HAZMAT or Fire Brigade present
 - Owner is responsible to respond and take necessary action for containment and eventual cleanup of site.
- (4) 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 Communications Center personnel to relay this information to responding agencies and departments.

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
VOL. V, CH. 10**

- (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.
- (e) It is the responsibility of the incident commander or his/her designee to inform the Police Communications 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 Borough of Fort Lee Police Department Communications Center shall notify the N.J. Department of Environmental Protection Emergency at (609) 292-7172, for notification purposes or request of additional help or support.
- (g) The incident commander will also have the Communications 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 the 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:
 - Police

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
VOL. V, CH. 10**

- Emergency Medical Services (EMS)
 - Health Department
 - OEM
 - Public Works Department
 - 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:
- Local Officials
 - Bergen County Emergency Management
 - Responding Bergen County Departments
 - N.J. Department of Environmental Protection
 - N.J. State Police Emergency Management
 - N.J. State Police, Netcong Barracks
 - Environmental Protection Agency
 - Cleanup Contractors
 - Company officials or representatives
 - Tow Truck Operators
- (m) Officers are to complete detailed investigation reports or accident reports on every hazardous spill. Reports are to include:
- Causes
 - Violations
 - Evacuation methods
 - Estimated number of people evacuated

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
VOL. V, CH. 10**

- Location of the incident
- Nature: Fire - Gas - Explosion

III. HAZARDOUS MATERIALS RESOURCES:

- A. Presently, Borough of Fort Lee has no specialized equipment or personnel to respond to a hazardous materials incident (with regard to containment and clean-up). 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. Bergen County Office of Emergency Management (BCPD)**
Phone Day (see Vol. 3 Ch 7)
Phone Nights and Weekends (see Vol. 3 Ch 7)
 - 2. Bergen County Sheriff's Department**
Phone Day (see Vol. 3 Ch 7)
Phone Nights and Weekends (see Vol. 3 Ch 7)
 - 3. State Police, North Region**
Phone Day, Totowa.....(see Vol. 3 Ch 7)
Phone Nights and Weekends(see Vol. 3 Ch 7)
 - 4. Department of Environmental Protection**
Phone Day(see Vol. 3 Ch 7)
Phone Nights and Weekends(see Vol. 3 Ch 7)
 - 5. Public Service Electric and Gas**
Electric 1-800-286-9247
Gas 1-973-772-4477.....
 - 6. Clean-Up Contractors** As Needed
 - 7. Other Utilities** As Needed

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
VOL. V, CH. 10**

IV. ENVIRONMENTAL EMERGENCY OR INVESTIGATION/CRIME:

- A. Contact the Bergen County Prosecutor's Office for assistance on a 24-hour basis. (Environmental Crimes Unit)
 - 1. Normal business hours: (see Vol. 3 Ch 7)
 - 2. After normal business hours: (see Vol. 3 Ch 7)
 - 3. Duty Prosecutor, if the above individuals cannot be reached.

- B. 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.
 - 5. The actual containment of the hazardous/toxic material shall be handled by state, county or local HAZ-MAT Units, local health officers, municipal fire departments or any other agencies having authorization to handle such emergencies.
 - 6. The agency in closest proximity to the site should be contacted immediately to assure that the situation is dealt with promptly and properly.

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
VOL. V, CH. 10**

C. Notification shall be made to the New Jersey Emergency Response Unit, 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. Tanker Truck, LPG, Gasoline, Chlorine Accidents
10. Radioactive Transportation and Medical Facility Accidents

D. Notification shall also be made to:

1. Borough of Fort Lee Health Officer

V. 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 |

**INTER-AGENCY PROCEDURES
HANDLING HAZARDOUS MATERIALS
VOL. V, CH. 10**

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
FLPDOM:	Fort Lee Police Department Operations Manual
SARA:	U.S. Superfund Amendments & Reauthorization Act
SCBA:	Self Contained Breathing Apparatus
TCPA:	N.J. Toxic Catastrophe Prevention Act

**OPERATIONS
HEAVY WEAPONS SIGN-OUT PROCEDURES
VOL. IV. CH 18**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-23-2003	REVISION DATE: 09-16-2008	PAGE #: 2	SECTION: II, A	APPROVED	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 3					CHAPTER 18
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: HEAVY WEAPONS SIGN-OUT PROCEDURES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE: 83-4a						

PURPOSE:

To provide uniform guidelines and procedures for the deployment of heavy weapons and the proper documentation of said deployment.

I. DEFINITIONS:

A. Heavy Weapons:

For the purposes of this procedure, heavy weapons shall be defined as any firearm in this department's arsenal that is not an individual officer's issued service weapon or off duty weapon. Heavy Weapons contained in this department's arsenal may include, but not necessarily be limited to:

1. Submachine guns, semi or full automatic
2. Shotguns
3. Assault weapons, semi or full automatic
4. High Powered rifles, with or without scope

OPERATIONS
HEAVY WEAPONS SIGN-OUT PROCEDURES
VOL. IV. CH 18

II. PROCEDURES:

- A. Only personnel who are properly trained and qualified in the use of each specific heavy weapon shall be permitted to draw said weapon for field deployment. No officer, who is not fully updated and qualified in the use of a heavy weapon, shall draw same knowing that he or she is not fully qualified in its use. See Volume IV, Chapter 2 Appendix A-C for authorized weapons and ammunition
- B. A list of personnel who are qualified in the use of heavy weapons shall be posted on the tactical room door, on the patrol shotgun cabinet at the police desk. It shall be the responsibility of the firearms training unit to forward this information via his chain of command to the ESU Commander or his designee for updating and maintaining this posting.
- C. The sign out procedure for heavy weapons is as follows:
 - 1. The qualified officer should advise the Tour Commander that he is signing out a heavy weapon.
 - 2. The Tour Commander will ascertain what weapon that the officer is signing out and verify that he or she is in fact properly qualified with that weapon.
 - a. The Tour Commander will additionally verify that the officer will properly secure the weapon in the field, through the use of a vehicle mounted shotgun rack, weapons case, or other approved method.
 - 3. The Tour Commander will then authorize issuance of the shotgun cabinet key for qualified personnel.
 - 4. The barcode system will be used to sign out the weapon.
 - 5. ESU personnel on a daily basis will have heavy weapons signed out for ESU 1 or 2. The sign-out book in the Tac-Room will be completed
- D. In ESU deployment situations, the team commander or a team Leader will be responsible for the deployment of any heavy weapons to team personnel.
- E. The ESU commander or team leader will be responsible for the proper completion of the sign out log after the assignment is completed.
- F. The officer signing out the weapon will then complete an entry in the logbook (Tac-room), or barcode system and give the key back to the Tour Commander (desk locker) after drawing the weapon.

OPERATIONS
HEAVY WEAPONS SIGN-OUT PROCEDURES
VOL. IV. CH 18

- A. The weapon will be loaded OUTSIDE of police headquarters in a manner consistent with its respective proper handling procedures and ALWAYS WITH THE MUZZLE POINTED IN A SAFE DIRECTION.

- 5. Upon completion of the tour or the ESU assignment, all heavy weapons will be unloaded, made safe, and double checked, by another officer if possible, at police headquarters, with the weapon's muzzle pointed into a weapon clearing containment unit.

- 6. The officer will then carry the heavy weapon into headquarters with the action open and muzzle pointed in a safe direction at all times, and once again retrieve the respective key from the Tour Commander (desk locker). The officer will then return the weapon to its proper storage area, complete the entry in the sign out log, or barcode system and ensure that any keys are returned to their proper storage location.

**COMMUNITY ASSISTANCE
HOMELESS PERSONS
VOL. III, CH. 6**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-02-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME III
VOLUME TITLE: COMMUNITY ASSISTANCE	# PAGES: 4					CHAPTER 6
ACCREDITATION STANDARD(S):	REFERENCE: V# -III C#-6					
SUBJECT: HOMELESS PERSONS						DISTRIBUTION ALL
ISSUING AUTHORITY: ACTING CHIEF BERNARD M. HART						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

Police, in their daily interaction with the public, will sometimes encounter adults that are homeless. These adults may be abused, neglected, exploited or even self-neglecting. This policy will explain the police responsibility to these people in order to provide them shelter for their safety. Assistance for these people can be obtained on a local level and county level.

PROCEDURE:

HOUSING OF HOMELESS IN THE BOROUGH OF FORT LEE

- A. Emergency Housing, One or Two Nights Maximum.
 - 1. The police department will check through the NCIC/SCIC and ATS/ACS computer for any previous criminal records, warrants and/or if the person is listed as missing. An attempt will be made to run a character check with the local police authority where the person originated from.
 - 2. The Borough of Fort Lee Welfare Director will be notified and can be part of this screening process.
 - 3. Initial screening will exclude anyone under the influence of alcohol and/or drugs, or whose behavior would be dangerous to themselves or others.

**COMMUNITY ASSISTANCE
HOMELESS PERSONS
VOL. III, CH. 6**

4. Placement may be made only by the Borough of Fort Lee Welfare Director.
 - a. Homeless shelters should be called first.
 - b. When the welfare director can not be reached, an L.A.B. (Local Assistance Board) member should be notified.
 - c. When a L.A.B. member cannot be notified, then the Police may place the person(s) in the Holiday Inn until either the welfare director or L.A.B. member can be reached. A report should be completed and a voucher signed by the Hotel, these will then be forwarded to welfare department.
 5. The Borough of Fort Lee Welfare Director will do a follow-up investigation the next day and refer to the county level if the need arises.
- B. This service is for emergencies only and is not advertised to the general public. This service is only to be used when all other avenues are exhausted.
- C. Emergency notifications, addresses and telephone numbers:
1. Local Welfare Director:

Jillian Raimondo
500 Windsor Dr. apt 103
Palisades Pk, NJ. 07650
201-592-3581 office
201-346-0762 home
201-517-2411 pager

 - a. L.A.B. MEMBERS:

Argia Rubino 89 Bluff Rd. Fort Lee, NJ 201-227-4033 work 201-224-0035 home	Beverly Rosas 217 Riverdale Dr. Fort Lee, NJ. 201-947-1067 home
Sam Lipp 5 Horizon Rd. Fort Lee, NJ. 07024 201-886-0188 home	Pat Rumi 333 Tremont Ave. Fort Lee, NJ. 201-947-6729 home 201-592-3600 work
Father John Ryan Madonna Rectory 340 Main St. Fort Lee, NJ 201-944-2727	

**COMMUNITY ASSISTANCE
HOMELESS PERSONS
VOL. III, CH. 6**

2. Notify the Bergen County Board of Social Service for homeless families with children at 201-368-4200, if not during business hours contact county communications.
3. The following information will be needed for placement:
 - a. Name
 - b. Date of Birth
 - c. Social Security Number

II. SHELTERS:

- A. If a female is homeless due to a domestic violence situation or just does not wish to return to the scene of the violence, Shelter our Sisters can be called at 201-944-9600 they are located at 733 Pomander Walk. Teaneck, NJ.
- B. The following homeless shelters should be called for available beds prior to calling Welfare Director, unless extenuating circumstances exist.

ESU CHURCH PROGRAM
214 STATE ST. HACKENSACK,NJ
201-488-5100

BERGEN COUNTY C.A.P. SHELTER
21 E. KANSAS ST. HACKENSACK,NJ
201-489-2449

ANTHONY HOUSE
246 2ND ST. JERSEY CITY, NJ
201-656-0139

GOOD SHEPPARD SHELTER
336 BROADWAY PATERSON, NJ.
973-742-9244

SHELTER FOR HOMELESS (Singles)
300 BLOOMFIELD ST. HOBOKEN, NJ.
201-656-5069

ST. JOHNS LUTHERAN CHURCH (Men)
3511 PALISADE AVE. UNION CITY, NJ.
201-863-6630

**COMMUNITY ASSISTANCE
HOMELESS PERSONS
VOL. III, CH. 6**

ST. PAULS SHELTER (Men)
BROADWAY AND E. 18TH ST. PATERSON, NJ.
973-279-5309

EVA'S SHELTER (Women)
389 GRAND ST. PATERSON, NJ.
973-523-6220

MORRIS COUNTY SHELTER
57 PARK PL. MORRISTOWN, NJ.
973-993-0833

ST. LUCY'S SHELTER
619 GROVE ST. JERSEY CITY, NJ.
201-656-7201

III TRANSPORTATION

- A. The Police Department will transport homeless persons to shelters as needed.

**ADMINISTRATION
 INFANT PROTECTION ACT
 VOL, 7. CH, 24**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-26-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: ADMINISTRATION	# PAGES: 3					CHAPTER 25
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: INFANT PROTECTION ACT						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The Safe Haven Infant Protection Act NJSA 30:4C-15.7 took effect on August 7, 2000, the Act permits a parent or parents who want to permanently give up rights to an infant, or a person acting on the parents behalf, the ability to voluntarily deliver, and subsequently leave an infant at a Police Station or a Hospital Emergency room.

POLICY:

Officers of this department will follow the below procedures when encountering a person that wants to voluntarily deliver, and subsequently leave an infant at the Police Station or a Hospital Emergency Room.

PROCEDURES:

I. HEADQUARTERS

- A. If the parent, or person acting on behalf of the parent, comes in to Headquarters with an infant that appears to be no more than 30 days old and wants to leave the child with the police, but does not express an intent to return for the child, the Police should proceed as follows:
 - 1. Take physical custody of the infant.

**ADMINISTRATION
INFANT PROTECTION ACT
VOL, 7. CH, 24**

2. Take any action to protect the infant's physical health and safety.
3. Offer the parent, or person acting on behalf of the parent, literature provided by the Department of Human Services (if we have it).
4. Offer the parent(s) medical services or inquire if they are in need of medical care.
5. If offered, record basic, non-identifying information from the parents, or the person that brought the child to the police station. Record this information for use in your investigation report. (**A parent or person who brings an infant to a police station is not required to provide any information. He or she will most likely be nervous, anxious and perhaps distrusting. Be concerned and supportive when reaching out. Do not be judgmental. Remember that the physical safety of the infant is of paramount concern.**) Such information may include;
 - a. The child's past or present health problems.
 - b. The child's Race
 - c. The composition of the child's birth family, the age of the parents.
 - d. Was the child given a name.
 - e. The child's date and place of birth.
 - f. Any pre-natal history (Did the mother receive medical care while pregnant, was baby delivered in a hospital or birthing center, was the baby full term and birth weight).
 - g. The physical and mental health history of each parent
 - h. Whether either parent is HIV positive or has any serious medical problems.
 - i. Did the mother take or misuse drugs or alcohol while pregnant.
 - j. Why the infant is being given up.
 - k. Is the father aware of the birth of the child.
6. Transport the infant to the nearest Hospital Emergency Room, or arrange for the infants safe transportation to the hospital.
 - a. The Hospital will retain custody.
7. Consult the County Prosecutor's Office immediately if the infant appears to be abused or neglected (in this case do not allow the person dropping off the child to leave, contact Juvenile Bureau).

**ADMINISTRATION
INFANT PROTECTION ACT
VOL, 7. CH, 24**

8. Offer details to the emergency room staff about the child being brought to the police station. Provide details of any non-identifying information obtained from the parent or person bring the child in, to be documented on the child's medical chart, and to be later shared by the hospital with DYFS.
9. Provide a copy of the police report of the incident to DYFS on request.
10. Assist DYFS in the searching of listings for missing children, to ensure that the infant has not been reported missing.

NOTE: Police Officers and staff who act in good faith when attempting to help these infants and their parents shall be immune from civil and criminal liability under the law.

The above are the suggested guidelines from the state in handling these cases.

Our officers will complete an investigation report on such incidents, documenting as much information as possible (keeping in mind that the person(s) dropping off the child do not have to identify themselves or give any information) . The VAC should be contacted immediately to transport the infant to the hospital, the officer should also respond to document who the infant was turned over to.

As soon as possible, and no later than the first business day after taking possession of the child, DYFS is to be notified through the Safe Haven Hotline 1-800-839-2339 that the hospital has taken possession of the child.

BOROUGH OF FORT LEE POLICE DEPARTMENT

EQUIPMENT INSPECTION REPORT

	SATISFACTORY	UNSATISFACTORY	N/A
1. IN HOUSE COMPUTER/PRINTER	[]	[]	[]
2. FURNITURE	[]	[]	[]
3. LIGHTS	[]	[]	[]
4. SHOTGUNS	[]	[]	[]
5. TELEPHONES	[]	[]	[]
6. TYPEWRITERS	[]	[]	[]
7. COPY MACHINE	[]	[]	[]
8. LOCKERS	[]	[]	[]
9. TRAINING SUPPLIES & AIDS	[]	[]	[]
10. FLARES (HEADQUARTERS)	[]	[]	[]
11. FIRE EXTINGUISHERS (Hdqt's)	[]	[]	[]
12. LAPTOP COMPUTERS	[]	[]	[]
13. STATIONARY SUPPLIES	[]	[]	[]
14. BUILDINGS & GROUNDS	[]	[]	[]
16. POSTINGS	[]	[]	[]
17. BREATHALYZER	[]	[]	[]
18. POLICE VEHICLES	[]	[]	[]
19. RADIOS	[]	[]	[]
20. RADAR UNITS	[]	[]	[]
21. SPARE RADIOS	[]	[]	[]
22. VEHICLE KEYS	[]	[]	[]

COMMENTS:

Bureau / Unit:

Date:

Inspecting Supervisor's Signature:

Badge #:

BOROUGH OF FORT LEE POLICE DEPARTMENT

EQUIPMENT INSPECTION REPORT

	SATISFACTORY	UNSATISFACTORY	N/A
1. IN HOUSE COMPUTER/PRINTER	[]	[]	[]
2. FURNITURE	[]	[]	[]
3. LIGHTS	[]	[]	[]
4. SHOTGUNS	[]	[]	[]
5. TELEPHONES	[]	[]	[]
6. TYPEWRITERS	[]	[]	[]
7. COPY MACHINE	[]	[]	[]
8. LOCKERS	[]	[]	[]
9. TRAINING SUPPLIES & AIDS	[]	[]	[]
10. FLARES (HEADQUARTERS)	[]	[]	[]
11. FIRE EXTINGUISHERS (Hdqt's)	[]	[]	[]
12. LAPTOP COMPUTERS	[]	[]	[]
13. STATIONARY SUPPLIES	[]	[]	[]
14. BUILDINGS & GROUNDS	[]	[]	[]
16. POSTINGS	[]	[]	[]
17. BREATHALYZER	[]	[]	[]
18. POLICE VEHICLES	[]	[]	[]
19. RADIOS	[]	[]	[]
20. RADAR UNITS	[]	[]	[]
21. SPARE RADIOS	[]	[]	[]
22. VEHICLE KEYS	[]	[]	[]

COMMENTS:

Bureau / Unit:

Date:

Inspecting Supervisor's Signature:

Badge #:

BOROUGH OF FORT LEE POLICE DEPARTMENT

INSPECTION REPORT
PERSONNEL

Inspecting Officer _____ Name Rank Date

Officer Inspected _____ Name Rank Squad

	<u>ITEM</u>	<u>SATISFACTORY</u>	<u>UNSATISFACTORY</u>	<u>N/A</u>
1.	UNIFORM HAT	[]	[]	[]
2.	UNIFORM SHIRT	[]	[]	[]
3.	UNIFORM TIE	[]	[]	[]
4.	BREAST BADGE/NAME PLATE	[]	[]	[]
5.	PORTABLE RADIO/HOLDER	[]	[]	[]
6.	TIE CLIP	[]	[]	[]
7.	DUTY BELT	[]	[]	[]
8.	AMMO POUCHES & MAGAZINES	[]	[]	[]
9.	CUFF CASE	[]	[]	[]
10.	HAND CUFFS & KEY	[]	[]	[]
11.	HOLSTER	[]	[]	[]
12.	DUTY WEAPON	[]	[]	[]
13.	UNIFORM TROUSERS	[]	[]	[]
14.	UNIFORM SHOES OR BOOTS	[]	[]	[]
15.	UNIFORM NAME PLATE	[]	[]	[]
16.	UNIFORM JACKET CLASS A" and "B"	[]	[]	[]
17.	BODY ARMOR	[]	[]	[]
18.	FLASHLIGHT	[]	[]	[]
19.	BATON/HOLDER	[]	[]	[]
20.	PEPPER SPRAY?HOLDER	[]	[]	[]
21.	BALLISTIC VEST	[]	[]	[]
22.	SPECIFY OTHER _____	[]	[]	[]
23.	I.D.	[]	[]	[]

COMMENTS: _____

**INVESTIGATION
INTERVIEW/INTERROGATION ROOMS
VOL VIII, CH 6.1**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-11-2008	REVISION DATE: 01-26-09 1/18/11	PAGE #: 2 2	SECTION: I.F, H.2 G	APPROVED 05-11-2009 1/18/11	VOLUME VIII
VOLUME TITLE: INVESTIGATION	# PAGES: 2					CHAPTER 6.1
ACCREDITATION STANDARD(S):42.2.10 71.3.1	REFERENCE: V#C#					
SUBJECT: INTERVIEW / INTERROGATION ROOMS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL: Directive 2006-2		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish policies and procedures for the safe utilization of the interview and interrogation rooms.

BACKGROUND:

Interview and interrogation rooms are designed to provide a place to safely conduct interviews and interrogations.

POLICY:

It is the policy of the Fort Lee Police Department to ensure the safety of its personnel, as well as the safety of any arrestee or person being interviewed or interrogated. The rooms designated for such tasks are located in the General Investigations (2), Narcotics (1) and Juvenile Bureau (1). These rooms are audio and video taped to meet standards established by Attorney General Directive 2006-2:

When a person is suspected of committing any first, second or third degree crime, investigating officers will electronically record the entirety of all custodial interrogations occurring in a place of detention, this shall apply to adults and juveniles alike.

I. PROCEDURES:

- A. A detective supervisor will be notified prior to the use of interview/interrogation rooms, if none are available, another on duty supervisor will be notified.

**INVESTIGATION
INTERVIEW/INTERROGATION ROOMS
VOL VIII, CH 6.1**

- B. Before entering an interview/interrogation room, where a person is in police custody and has been searched for weapons, officer's weapons will be secured in gun lockers provide in those areas.
 - 1. All arrestees will be handcuffed while in custody and being placed in an interview/interrogation room.
 - 2. Once the investigating officer is certain that the arrestee is unarmed, they may be secured to a bar provided in 2 of the 4 rooms (Narcotics Bureau does not have one).
- C. Only one suspect/arrestee will be permitted in an interview/interrogation room at a time.
 - 1. Juveniles may be accompanied by a parent or guardian, who is not otherwise involved in the investigation.
- D. Generally, officers will not enter an occupied interview/interrogation room alone except in an emergency.
- E. Interviews and interrogations will be conducted with at least two officers present whenever possible, for security purposes.
- F. When conducting an interview or interrogation and the need for assistance arises; the panic buttons in each room can be used.
- G. Some interview rooms are equipped with a desk and chairs. General Investigations is equipped with a computer in one room for taking statements.
- H. Prisoners/arrestees should be restricted to using bathroom facilities in the cells.
 - 1. Supervisors may approve the use of one of the other restrooms, however the prisoner is to be guarded at all times when doing so and the restroom shall be checked prior to and after it is used by a prisoner/arrestee.
 - 2. Comfort breaks and water should be provided if requested.
- I. At no time will a subject be left alone in an interview/interrogation room without being monitored.
 - 1. Prisoner/arrestees will be returned to a cell when interrogation is completed.
 - 2. Suspects that will be charged after an interview/interrogation will be processed in accordance with Holding Facility Policy Volume VII, Chapter 8.

**AUTHORITY
HOLDING FACILITIES/CELLS
VOL. VII, CH. 8
APPENDIX C**

NEW JERSEY JUVENILE JUSTICE COMMISSION

COMPLIANCE MONITORING UNIT

INCIDENT REPORT

Facility Name:

Date:

Person Completing Form:

Phone:

Type of Incident (*assault, attempted suicide, etc.*):

Date and Time of Incident:

Outside Agencies Involved (*police, fire dept., health dept., etc.*):

DETAILED DESCRIPTION OF INCIDENT: (attach copies of all internal incident reports; copies of outside agency reports when involved; provide names of all individuals involved, including victims, alleged perpetrators, witnesses, etc. *Use additional pages if necessary.*)

** This form is to be utilized to report incidents such as deaths, all suicide attempts by hanging and all Other suicide attempts which require immediate / emergency medical attention. This form should also be used to report alleged sexual assaults by juveniles or staff, or any other incidents which result in substantial injury to juveniles or staff and require medical attention outside of the facility. Deaths and suicide attempts must be reported within 24 hours of occurrence. All other incidents must be reported within 3 working days of occurrence.*

New Jersey Juvenile Justice Commission
Compliance Monitoring Unit
PO 107
Trenton, N.J. 08625-0107
phone: 609-530-5200
fax: 609-530-5039

**BOROUGH OF FORT LEE POLICE DEPARTMENT
DETENTION AREA SANITATION INSPECTION REPORT FORM**

Month _____

Corridor & Cells _____

Eye Wash Station _____

Date	Condition	Walls	Ceiling	Floor	Sanitary Unit	Bunk	Mattress	Check If All OK	Inspected By
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
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25									
26									
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28									
29									
30									
31									

Instructions: if all facilities are satisfactory, check "ALL OK". If any area is found to be unsatisfactory, print the cell number under the appropriate heading note the problem.

FORT LEE POLICE DEPARTMENT JUVENILE CELL LOG

DATE AND TIME PLACED IN CELL OR HOLDING: CASE #:				BY OFFICER:	
CELL #:	NAME- LAST:	FIRST:	MIDDLE:		
AGE:	SEX:	RACE:	PHYSICAL CONDITION:	INJURED OR ILL:	
IF INJURED OR ILL, TAKEN TO:			MEDICATION:		
COMPLAINANT:		BADGE #:	ADDRESS/DEPARTMENT:		
OFFENSE DATE:	TIME:	STRIP SEARCHED: YES <input type="checkbox"/> NO <input type="checkbox"/>	BY:	WITNESSED BY:	
CHARGE OR CIRCUMSTANCES OF CUSTODY:					
MEAL PERIODS	BREAKFAST FED BY:	LUNCH FED BY:	DINNER FED BY:		
TELEPHONE CALLS MADE	NUMBER CALLED:	TIME:			
JUVENILES MAY BE HELD UP TO 6 HOURS; WAS JUVENILE HELD BEYOND 6 HOURS : YES <input type="checkbox"/> NO <input type="checkbox"/>					
JUVENILES IN CUSTODY MAY NOT HAVE SIGHT AND SOUND CONTACT WITH ADULT DETAINEES					
DID JUVENILE HAVE CONTACT WITH ADULT DETAINEES: YES <input type="checkbox"/> NO <input type="checkbox"/>					
AFTER PROCESSING, ONLY JUVENILES HELD FOR DELINQUENT BEHAVIOR MAY BE HELD SECURELY					
WAS JUVENILE HELD SECURELY: CELL YES <input type="checkbox"/> NO <input type="checkbox"/> LOCKED IN HOLDING ROOM/CELL YES <input type="checkbox"/> NO <input type="checkbox"/> CUFFED YES <input type="checkbox"/> NO <input type="checkbox"/>					
CELL CHECKS					
TIME:	CONDITION:	OFFICER:			
TIME:	CONDITION:	OFFICER:			
TIME:	CONDITION:	OFFICER:			
TIME:	CONDITION:	OFFICER:			
TIME:	CONDITION:	OFFICER:			
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TIME:	CONDITION:	OFFICER:			
TIME:	CONDITION:	OFFICER:			
TIME:	CONDITION:	OFFICER:			
DATE OF RELEASE:	TIME:	RELEASED BY:			
RELEASED TO: (PARENT/GUARDIAN)			ADDRESS:		
TRANSPORTED TO:			BY:		

AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2
DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-14-05	REVISION DATE: 04-01-2009 05-18-2009	PAGE #: 3 7 10 7	SECTION: III.A.8 III.D.8 IV.A.1 III. E	APPROVED 05-11-2009 05-18-2009	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 17					CHAPTER 2
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: JUVENILE PROCEDURES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL: AG12-1 V-7 C-2		Special Instructions				
PROSECUTOR'S OFFICE: A10						
REFERENCE:						

PURPOSE:

When a young person enters the Juvenile Justice System, it is important that he or she be diverted to that part of the Juvenile system that will provide the optimum rehabilitation to a particular offender.

POLICY:

A youthful offender is usually capable of altering his conduct and becoming a law-abiding citizen. Youthful offenders must be helped to understand that success in later life will be very difficult, if not impossible to attain, if they continue to break the law.

Juveniles, unlike adult offenders, are governed by a separate set of laws that govern the manner in which juveniles are to be processed, charged, court proceedings and case disposition. This policy will set forth guidelines that address the handling of juvenile offenders and any other situation when a juvenile may become involved with the police but not actually involved as an accused.

PROCEDURE:

I. DEFINITIONS

- A. Juvenile** - An individual who is under the age of 18 years.
- B. Delinquency** - The commission of an act by a juvenile which, if committed by an adult, would constitute:

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

1. A crime.
2. A disorderly persons or petty disorderly persons offense.
3. A violation of any other penal statute, ordinance, or regulation.
4. Violations of Title 39, Chapters 3, 4, 6 or 8 by a juvenile of any age does not constitute delinquency and a motor vehicle summons should be signed.

II. JUVENILE FUNCTION

- A. The Borough of Fort Lee Police Department shall be responsible for the following juvenile administrative functions:
1. Investigate offenses with known or suspected juvenile offenders.
 2. Process and screen juvenile arrests, the Juvenile Officer shall screen the cases with the **Bergen County Juvenile Intake Unit**.
 3. Coordinate and prepare court cases in which a juvenile offender is involved, Coordination shall be done with the **BCJIU** as well as the Bergen County Prosecutor's Office Juvenile Unit.
 4. The Detective Division shall maintain a liaison with the Bergen County Prosecutor's Office.
 5. The Juvenile Bureau shall maintain a list of social service agencies that provide services to juveniles.
 6. The Chief of Police shall designate a liaison between the schools and the police department, this officer will also be designated in the Memorandum of Agreement between the schools and the police department, which is updated and filed annually with the Bergen County Prosecutor's Office.
- B. The Chief shall designate at least one officer within the department who shall serve as the Juvenile Officer to handle and coordinate juvenile matters on a full/part-time basis as workload requires.
- C. Juvenile Officer's Responsibilities.
1. Maintain liaison with all legal and investigative personnel assigned juvenile responsibilities.
 2. Coordinate, prepare and screen all juvenile involved complaints/reports.
 3. Participate in juvenile programs designed to decrease criminal activity, such as **D.A.R.E.**

AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2

4. Participate in data collection relating to juveniles for submission in the department's Annual Report. Evaluation of the juvenile function shall be based upon the final report.

III. JUVENILE ARREST

A. Reports

1. If the juvenile is handled by the department, the officer is to complete the Juvenile Arrest/Contact Report.
 - a. The officer must also complete the prescribed form so a central registry of station house adjustments can be maintained.
2. If the juvenile is referred to the Juvenile Conference Committee (JCC), Intake Service Conference (ISC) or County Juvenile Court, the officer will complete an Investigation Report and a Juvenile Custody Report to be forwarded with the Juvenile Complaint to Juvenile Intake, Bergen County Probation within 48 hours.
 - a. The complaint shall be screened with Juvenile Intake by the Juvenile Officer.
3. All delinquency offenders are to be transported to police headquarters.
4. Juveniles accused or charged shall not be included in the department's Master Name Index File because of confidentiality reasons.
 - a. The juvenile charged shall be included in a separately secured Juvenile Index File.
 - (1) Access shall be limited because of confidentiality reasons.
5. Retention and dissemination of reports, fingerprints, photographs, and other forms of identification pertaining to juveniles shall be in accordance with 2A:4A-60 through 2A:4A-62. (**See III,F,2**)
6. Release of juvenile arrest information to non-law enforcement agencies (Army/Navy recruiters etc.) should be directed to the Superior Court, c/o Family case Management.
7. Any incident or arrest involving juveniles who possess weapons in school or on school grounds must be reported to the Bergen County Prosecutor as soon as possible after the incident or arrest has occurred.
8. Attempts should be made to notify a parent or guardian when a Juvenile is taken into custody, these attempts should be documented.

B. Alternative to Remanding to Juvenile Court

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

1. An officer who apprehends a juvenile for a non-serious offense may do one of the following:
 - a. Curbside Warning (**CW**)/Station House Adjustment (**SHA**)
 - (1) **CW** and **SHA**, should be made where the juvenile's conduct would constitute a disorderly person or petty disorderly person offense and the juvenile has not had any previous **CW and SHA**. When a **CW and SHA** is done the officer must complete the juvenile arrest/contact report.
 - b. Recommend Juvenile Conference Committee
 - (1) No prior record
 - (2) No prior attendance at the Juvenile Conference Committee
 - (3) Non-serious offense
 - (4) Age of juvenile

The Juvenile Conference Committee can make any of the following recommendations, but not limited to:

 - (1) Community service
 - (2) Write essay
 - (3) Order restitution
 - (4) Recommend holding driver's license
2. Any juvenile complaints that are signed will be forwarded to the BCPO who can recommend any of the following:
 - a. Juvenile Conference Committee.
 - b. Intake Screening Conference.
 - c. Juvenile Court.
3. Referral of Juveniles to Intake will meet the criteria N.J.S. 2A:4A-26.
4. Juvenile Release

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

- a. The release of a juvenile **Shall** be to a parent or legal guardian. If no parent or legal guardian can take custody of the juvenile, then a responsible neighbor or other responsible adult can do so.
- b. In some circumstances upon supervisory approval a juvenile over the age of 14 can be released on his/her own recognizance per 2A:4A-35.

C. Department Cells

1. A juvenile is not to be detained in a cell or lock-up designed to hold adults, unless they are violent and/or uncontrollable and/or pose a threat to their own safety. (Refer to Volume VII, Chapter 8).

D. Detention of Juveniles

1. Criteria for placing juvenile in detention (2A:4A-33)
 - a. Where it will not adversely affect the health, safety or welfare of the juvenile, the juvenile shall be released pending the disposition of a case, if any, to any person or agency provided for in this section upon assurance being received that such person or persons accept responsibility for the juvenile and will bring him/her before the court as ordered.
 - b. No juvenile shall be placed in detention without the permission of a judge or the court intake service.
 - c. A juvenile charged with delinquency may not be placed or retained in detention under this act prior to disposition, except as otherwise provided by law, unless:
 - (1) Detention is necessary to secure the presence of the juvenile at the next hearing as evidenced by a demonstrable record or recent willful failure to appear at juvenile court proceedings or to remain where placed by the court or the court intake service; or
 - (2) The physical safety of persons or property of the community would be seriously threatened if the juvenile were not detained and the juvenile is charged with an offense which, if committed by an adult would constitute a crime; or
2. If detention is desired (must be 4th degree or higher), it should be approved by a supervisor, the officer shall:
 - a. Contact Prosecutor's Juvenile Intake Squad by calling 201-527-2322 normal working hours.
 - b. After normal working hours, contact the Detention Center 201-599-6185

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

3. Once a juvenile is arrested, charged and detained in the Youth Center, a hearing will be held the following working day at 0900, if not the same day (depending upon the time and judge's availability).
 - a. Juvenile detective or complainant is required to have a complaint signed, in order to have the juvenile detained at the Detention Center.
 - b. The Probation Officer will obtain a docket number from the County Clerks Office.
 - c. The detective, or officer familiar with the case will then proceed to the Prosecutors Office and meet briefly with the Assistant Prosecutor to provide relevant information for the hearing and supply copies of all reports. Nights, weekends and Holidays it will be done by 9AM the next business day.
 - d. In court, the detective will be asked to provide a brief synopsis of the facts of the case to the judge.
4. **NOTE:** No juvenile eleven (11) years of age or less shall be placed in detention, unless charged with a first or second degree crime or arson.

If the juvenile is under the influence of drugs and/or alcohol, they must first be examined at a local hospital Emergency Room prior to transporting to the Youth Center or Youth Shelter.
5. A request for temporary juvenile detention Form **must** be signed prior to placement in the center.
6. When a juvenile(s) who resides outside of the State of New Jersey is apprehended and charged with an act of Juvenile Delinquency, detention should be pursued and DYFS should also be contacted.
 - a. Normal Hours, 8:30 AM to 4:30 PM, Bergen County Prosecutor's Office 201-527-2322.
 - b. After normal hours, Bergen County on-duty Probation Officer 201-599-6185
7. When an arrest of a juvenile is made pursuant to a warrant stemming from a Title 39 Motor Vehicle Offense during the hours of 9:00 AM to 4:30 PM the arresting officer is to contact the Bergen County Prosecutor's Office, Family Court Squad at (see Vol. 7 Tab 3)
 - a. Arrange for immediate appearance of that Juvenile before a judge of the Superior Court, Family Section.

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

b. If the arrest is made after those stipulated hours or on the weekend or holidays, the juvenile is to be remanded in the Bergen County Youth Center.

(1) Authorization must be granted by the on duty Probation Officer.

8. Juveniles taken to intake will be transported without delay, unless they are in need of medical attention.

E. Juvenile Statements/ Custodial interrogations

1. Contact parents or guardians immediately and request they respond to the police department. Give Miranda Rights to the juvenile in the presence of their parents. Juvenile should not be questioned or have statements taken without the parent's permission. If the parents cannot be reached after a reasonable amount of time, then another responsible adult family member will suffice.

a. If no one can be reached, the juvenile may be interviewed depending on the circumstances, common sense should prevail and it should be documented and approved by a supervisor.

2. Juveniles have the right to counsel at every stage of the juvenile process.

3. A spontaneous confession by the juvenile is acceptable. However, the officer is not to further question the juvenile until:

a. Give Miranda Rights .

b. Contact parent or guardian and follow "E".

4. Interrogation is to be conducted by only one officer in the presence of parent/guardian.

a. The officer will explain the Juvenile Justice System procedures to the juvenile and parent/guardian.

b. The interrogation will stop when requested by the juvenile or parent/guardian, or when no further information can be added to the statement.

c. A juvenile can not be held more than six hours for any purpose, including interviews and interrogations.

5. Juvenile and parent will be seated in an interview room, depending on the charges; the juvenile will be secured to the bar in the room. The DVR will be activated for interrogations and statements. Bathroom and water breaks will be given when needed. Upon completion the parents will be given a full explanation

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

of charges if any and the process that will be followed.

F. Juvenile Booking Procedures

1. Photographing Juveniles

- a. If a complaint charging delinquency on the basis of an act which is committed by an adult would constitute an indictable crime, if to be signed against a juvenile 14 or over, the juvenile is to be photographed. Photographs are to be retained on file for criminal identification purposes and may be shared with other law enforcement agencies.

2. Fingerprinting Juveniles

- a. The fingerprints of a juvenile shall be obtained under the following circumstances:

(1) 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/she may, with the consent of the court or juvenile and his/her 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 of fingerprints has been fulfilled.

(a) 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.

(b) Where a juvenile is detained in or committed to an institution, that institution may fingerprint the juvenile for the purpose of identification. Fingerprint records taken pursuant to this paragraph may be retained by the institution taking them and shall be destroyed when the purpose for taking them has been fulfilled, except that if the juvenile was detained or committed as the result of an adjudication of delinquency, the fingerprint records may be retained by the institution.

(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.

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

- (3) If a juvenile is under 14 years of age and is charged with delinquency on the basis of an act if committed by an adult would constitute an indictable crime, fingerprints will be taken by the Bergen County Sheriffs Department after the case has been adjudicated in court.
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: (Amended by L. 1994, c.56(s)eff. 6-29-94):

**New Jersey State Police
Bureau of Identification
P.O. Box 7068
West Trenton, New Jersey 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 on two (2) State Fingerprint Cards.
 - a. Local Arrest File.
 - b. State Bureau of Identification, SBI for inclusion in A.F.I.S. Files **only**.
7. The fingerprint cards shall be filled out completely. The charge and statute block should indicate **JUVENILE** in addition to the actual charge and statute.
8. **Juveniles whose cases are waived to adult court (superior or municipal), whether involuntarily or at their own election, should be fingerprinted for any offense that would require fingerprinting if it were committed by an adult. The fingerprinting should take place prior to the trial, at the time of the waiver.**

G. Processing of Complaints

1. Detention Cases
 - a. If detention is desired, contact the Intake Service as outlined in Section II D 1.
 - b. Complaints will be signed by the police officer.
2. Non-Detention Cases

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

- a. If the case is a non-detention situation, but the juvenile is destined for diversion through the Juvenile Conference Committee and Intake Service Conference, a Juvenile Complaint is to be prepared by the officer. (Must include Statute & Degree)
3. All complaints and copies of reports are to be forwarded to Juvenile Intake within a reasonable amount of time after the complaint is signed.
 - a. The officer in charge will insure that the reports are delivered, and that the complaints have the proper statutes and degrees listed.

IV. SHORT TERM CUSTODY

- A. If release to the parent or another responsible adult is not possible, the officer may take the juvenile into "short-term custody" for six (6) hours. An officer may take a juvenile into short-term custody in situations not involving delinquency when:
 1. The officer has reasonable grounds to believe the safety of the juvenile is in jeopardy and taking him/her into custody is necessary for his/her protection, if the Juvenile appears to be harmed or alleges the he/she is in danger of being harmed, they will be taken into custody, or
 2. The officer has reasonable grounds to believe the juvenile left home without parental consent, or
 3. The officer has been advised that the child has run away from out-of-home placement.
- B. An officer taking a juvenile into short-term custody must immediately notify the Crisis Intervention Unit (CIU) **1-877-652-7624/201-646-2233** and promptly take the juvenile to a place designated by the unit when one of the following situations exists:
 1. The officer believes it is not in the best interest of the juvenile or the family to return the juvenile to the home, or
 2. The juvenile resides in Bergen County and the officer is unable to return the juvenile home, or
 3. The juvenile has run away from placement and refuses to return or has a history of running, or
 4. The officer is unable, after reasonable efforts, to locate the parents or appropriate adult, or
 5. The juvenile requires immediate medical or psychiatric services, (See Treatment Consent Form Appendix 2) or

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

6. No identification can be obtained from juvenile.
 7. **DYFS** must be notified when the juvenile is a runaway from out of the county or state or there is any indication of child abuse.
- C. Remember, the short-term custody is a protective device to be used in crisis situations. It does not apply to a juvenile taken into custody on delinquency matters.

V. RELEASE ON OWN RECOGNIZANCE (ROR)

- A. A juvenile may be released at police or court level if **ALL** of the following conditions are met:
1. The nature of the offense charged is not such that a danger to the community would exist if the juvenile were released.
 2. No parent or other appropriate adult is located "after all reasonable measures have been exhausted."
 3. Juvenile is at least 14 years old.
 4. Identity and address of the juvenile verified "through positive form of identification."
 5. Reasonable certainty that juvenile will go home or to school and will appear at next hearing.

VI. FAMILY CRISIS INTERVENTION UNIT

- A. When an officer, parents or school personnel cannot stabilize a situation, and the potential for continued crisis is high, the Crisis Intervention unit shall be contacted, immediately by the parents 1-877-652-7624/201-646-2233
1. The officer, parents or the school official and the therapist will determine an appropriate response and implement it.
- B. An immediate response is appropriate in the following circumstances:
1. A serious threat to the well-being and safety of the juvenile.
 2. A severe disregard/conflict for parent/juvenile rights or authority.
 3. Family member's abuse of alcohol/drugs when a child's well-being is in danger.
 4. Suicide threat
 5. Recovered runaway unable to go home for any reason.

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

- C. Criteria for a follow-up referral:
 - 1. Non-critical parent/child conflict.
 - 2. Runaway (once recovered).
 - 3. Chronic and repeated truancy by juvenile under 16 years old.

VII. OPERATION HOME FREE

- A. Operation Home Free is a cooperative agreement between the International Association of Chiefs of Police and the Grey Hound Bus Corporation that is designed to aid in reuniting indigent runaway children with their families.
- B. If any person under the age of eighteen identifies himself to a police agency as a runaway or missing person, and indicates his willingness to return home unescorted, the police agency only needs to verify the youngster's status through contacting the reporting police agency. Once verified, the youngster will be issued a Greyhound Bus ticket home, at no charge.
- C. Contact is 1800-621-4000
- D. The officer shall follow the steps outlined:
 - 1. The juvenile's parents/guardians are to be notified and advised of the legal status of the juvenile in custody.
 - 2. The officer will determine the financial capability of the parent/guardian to provide transportation for the juvenile.
 - 3. The officer shall make specific arrangements (time, place, date) for the pickup of the runaway and attempt to accompany the parent/guardian.
 - 4. The officer shall instruct the parents to:
 - a. Stand by for contact from the department for all developments.
 - 5. Once the juvenile is returned to Borough of Fort Lee, the sending department is to be notified as to the condition of the juvenile at his time of arrival.
- E. If a juvenile is to be sent from this municipality's Police Department to another police agency, the officer shall:
 - 1. Contact the local law enforcement agency of the jurisdiction where the juvenile's parents/guardians reside.
 - 2. Request the department of destination:

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

3. Verify the exact location of the parents/guardians
4. Make a reasonable determination that the alleged parents/guardians are in fact the parents/guardians of the juvenile in custody
5. Make a reasonable determination as to the financial capability of the parents/guardians to provide transportation for the juvenile.
6. Make a reasonable determination as to the relative stability of the parents/guardians and juvenile relationship. Where such relationship would be physically or emotionally unhealthy, the officer should proceed to notify the Juvenile and Domestic Relations Court of origin. The court shall determine the course of action to be followed where an unhealthy relationship exists.
7. The officer shall make certain that a Missing Person Report is filed and that a copy of the report is immediately forwarded to the department of origin.
8. The officer shall see to it that any N.C.I.C. record is canceled.
9. The officer shall make the necessary arrangements for the department of destination to accompany the parent/guardian to meet the juvenile at the bus station or other agreed upon pickup point.
10. The officer will request that the department of destination send a copy of their release form to this Police Department.
11. The officer will verify that the juvenile did arrive at the destination and the condition of the juvenile.

VIII. TECHNOLOGY TO RECOVER ABDUCTED KIDS/TRAK SYSTEM

- A. TRAK (located at the Main Desk) allows a local law enforcement agency to communicate with law enforcement agencies equipped with TRAK in other communities in the event that a missing child is taken out of the local area.
- B. Besides locating missing children, TRAK can be used to help law enforcement apprehend murder suspects, bank robbers, suspected rapists and other dangerous felons. It can also be used to locate missing Alzheimer's patients and issue other types of community health and safety alerts.
- C. **The following Web Site has directions on the use of the system:**

http://socialtech.trak.org/trak/trak_users/source/TRAK%20Program%20Manual.pdf

IX. REFERRAL AGENCIES

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

- A. Division of Youth and Family Services (DYFS)
- B. DYFS should be notified when any of the following is suspected:
 - 1. Abuse or neglect by a parent, guardian or other person having custody or control, or
 - 2. The child has been exposed to any indecent, immoral or unlawful act that may tend to debauch or endanger or degrade the morals of the child, or
 - 3. The child has been employed in an occupation which would be injurious to its health or dangerous to its life or contrary to the law of the State or in such a manner to be dangerous to the morals of the child.
 - 4. Out of County and out of state runaways.

**Division of Youth and Family Services (DYFS)
Daytime: 201-996-8900
Nights, Weekends & Holidays: 1-877-NJ-ABUSE (652-2873)**

- B. Sex Crimes/Child Abuse

The Division of Youth and Family Services is required by statute to notify the Bergen County Prosecutor's Office, Sex Crimes/Child Abuse Unit of suspected child abuse.

Local police are directed to immediately notify the Sex Crimes/Child Abuse Unit regarding suspected sexual abuse or physical abuse of a child.

**Bergen County Prosecutor's Office
SEX CRIMES/CHILD ABUSE UNIT
Daytime: 201-752-4352/sex crimes
201-226-5500 main
Nights and weekends: 201-646-2700 BCPO**

- C. Bergen County Prosecutor's Office

The Juvenile Unit of the prosecutor's office has the primary responsibility for management of every phase of juvenile prosecutions conducted before the Superior Court: Family Part. The unit is responsible for the final screening of all juvenile complaints, signed in Bergen County, preparation of cases for prosecution, subpoenaing of police and witnesses, dissemination of legal information, and assisting local police with criminal investigations.

**Bergen County Prosecutor's Office
JUVENILE UNIT
Daytime: 201-527-2322
Nights and Weekends: 201-599-6185 via detention center.**

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

D. Bergen County Probation Department

The Intake Service of the Probation Department is responsible for the original screening of all juvenile complaints, referrals to Juvenile Conference Committees (JCC), Prejudicial Conferences (PJC) and court, interviewing public defender applicants and overseeing the Crisis Intervention Unit (CIU). All juvenile complaints are signed with the Intake Service.

The Juvenile Division of the Probation Department is responsible for the supervision of juveniles after disposition in court. The officers advise the judge of the juvenile's status and give recommendations. The Juvenile Division also collects court ordered restitution.

Bergen County Probation Department 201-646-2121

JUVENILE INTAKE SERVICE: 201-646-2233

CRISIS INTERVENTION UNIT: Nights and Weekends: 1-877-652-7624

JUVENILE DIVISION: 201-646-2781/201-646-2700 BCPO

E. Other Important Telephone Numbers

Bergen County Youth Center: Conklin 201-646-2766

Bergen County Communications Center: 201-646-2700

Superior Court, Chancery Division: 201-336-7350

Family Part Case Manager, schedules all Juvenile Cases

F. Placement when no one will accept custody

1. Where the parents, DYFS and Juvenile intake will not accept custody or responsibility for the child after hours, the on call emergent judge can be contacted via the county police.

X. SEX CRIMES/CHILD ABUSE INVESTIGATIONS

A. All indictable sexual offenses must be reported to the Sex Crime/Child Abuse Unit, Bergen County Prosecutor's Office.

B. The following information will be provided to the Office of the Prosecutor immediately after a sexual offense has been reported. Information should be obtained primarily from fresh complaint witnesses, especially concerning victims under twelve (12) years of age. Subsequent taped interviews will be conducted by the Prosecutor's Office.

1. Name, address, sex and age of victim(s).
2. Physical condition of victim.
3. Nature of the sexual assault or physical abuse.

**AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2**

4. Date and time of assault.
 5. Name, address, sex and age of suspect(s).
 6. Relationship between suspect and victim.
 7. Name of investigating officer.
 8. Victim's account of assault.
- C. The Sex Crimes/Child Abuse Unit duty Detective will respond when deemed appropriate to aid in the investigation and work in conjunction with the police department.
- D. In cases involving child sexual abuse where the suspect is a family member or primary caretaker of the victim, the Division of Youth and Family Services (DYFS) must be notified and will work jointly with the municipal police department and, when appropriate, the Sex Crimes/Child Abuse Unit.
- E. In all cases involving physical abuse of children, the Sex Crimes/Child Abuse Unit and DYFS must be notified. DYFS will respond to work jointly with the municipal police department and, when appropriate, the Sex Crimes/Child Abuse Unit.
- F. The circumstances surrounding each offense will be evaluated, and it will be determined if a response by the duty Detective is warranted. When the duty Detective's immediate response is not required, a member of the Sex Crimes/Child Abuse Unit will be available, via telephone, to provide whatever assistance or guidance is necessary.

XI. SHARING LAW ENFORCEMENT INFORMATION WITH SCHOOLS

- A. The law **REQUIRES** that law enforcement or prosecuting agencies advise the principal of the school where the student is enrolled when:
1. The offense occurred on school property or a school bus, occurred at a school-sponsored function or was committed against an employee or official of the school;
 2. The juvenile was taken into custody as a result of information or evidence provided by school officials, or
 3. The offense resulted in:
 - a. Death or serious bodily injury or involved an attempt or conspiracy to cause death or serious bodily injury;
 - b. The unlawful use or possession of a firearm or other weapon;

AUTHORITY
JUVENILE PROCEDURES
VOL. VII, CH. 2

- c. The unlawful manufacture, distribution or possession with intent to distribute a controlled dangerous substance or controlled substance analog;
 - d. The intimidation of an individual or group of individuals because of race, color, religion, sexual orientation or ethnicity;
 - e. A crime of the first or second degree.
- B. The law **PERMITS** law enforcement or prosecuting agencies to share information regarding juveniles under investigation, when, in their judgment, the information may be useful in maintaining order. This information may also be shared by the principal with appropriate staff, but since it relates to investigations only and no charges have been filed, the statute prohibits this information from being maintained. Since the statute prohibits school officials from maintaining a record of this information, it should be provided verbally by law enforcement officials. Providing this information verbally, rather than in writing, will help avoid inadvertent retention or disclosure of such information.

**ADMINISTRATION
LABOR RELATIONS
VOL. I, CH. 14**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-06-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 4					CHAPTER 14
ACCREDITATION STANDARD(S):	REFERENCE: VIC14					
SUBJECT: LABOR RELATIONS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish a clear understanding of the roles and activities of the department in relation to labor negotiations with the recognized bargaining unit representing members of the department.

POLICY:

This policy will identify the role of the agency in the labor negotiation process and address the administrative, procedural and contract management aspects of labor negotiations. It is important to understand that one group does not dominate the negotiating process and that all who enter into negotiations are involved and participate in good faith.

PROCEDURE:

I. RECOGNITION

A. The following organizations are recognized, as per the current contract, as bonafide bargaining units:

1. Patrolmen's Benevolent Association:

a. Patrolmen's Benevolent Association #245 is recognized to act as the sole and exclusive collective negotiation bargaining agent for all employed Police Officers, Sergeants, Lieutenants and Captains.

**ADMINISTRATION
LABOR RELATIONS
VOL. I, CH. 14**

- b. This shall not include members of the Administrative or Chief of Police bargaining units or civilian bargaining unit employees.

2. Administrative Unit:

- a. The Administrative Unit is recognized to act as the sole and exclusive collective negotiation bargaining agent for all employed Inspectors and Deputy Chiefs.
- b. This shall not include members of the PBA or Chief of Police bargaining units or civilian bargaining unit employees.

3. Chief of Police

- a. The Chief of Police shall negotiate his own collective bargaining agreement with the Borough of Fort Lee.
- b. The Chief shall bargain solely for himself with the assistance of legal counsel if deemed necessary.

4. Clerical, Craft and Civilians:

- a. Where applicable, clerical, craft and civilian employees should utilize those bargaining agents that have been previously agreed upon and recognized by all concerned parties.
- b. In all other cases, compensation for the services of clerical, craft and civilian employees shall be determined in accordance with those procedures relevant to all other civilian employees of Borough of Fort Lee.

II. PROCEDURE FOR NEGOTIATIONS

A. Size of Bargaining Teams:

1. Borough of Fort Lee:

- a. As per local ordinance, the Administrator is authorized to negotiate and execute contracts with Borough of Fort Lee employees.

2. Chief of Police:

- a. The Chief of Police shall negotiate on his own or shall obtain the assistance of any persons or individuals he deems necessary.

3. Administrative Unit:

**ADMINISTRATION
LABOR RELATIONS
VOL. I, CH. 14**

- a. The Administrative Unit should select a negotiating team in accordance with the PBA Bylaws.
4. Patrolmen's Benevolent Association:
 - a. Patrolmen's Benevolent Association #245 should select a negotiating team in accordance with the PBA Bylaws.
- B. Negotiations During Duty Hours:
 1. If a member of any bargaining unit is on duty during a scheduled contract negotiating session, they will be allowed to attend the session.
 2. This session does afford contract negotiators duty time to meet within their own bargaining unit to discuss proposals unless the session would interfere with the proper operations of the department.
- C. Time Schedules and Agendas:
 1. A time schedule and meeting date will be established in advance of all negotiating sessions.
 2. The time schedule will be set up by the Borough of Fort Lee Administrator and the bargaining unit according to the previous contract.
- D. News Releases:
 1. News releases may be formulated jointly by the bargaining teams and agreed upon prior to distribution. This will ensure continuity for both parties.
 2. No member of this department, unless authorized, is to make a release on behalf of the department or the Borough of Fort Lee.
- E. Distribution of Contracts:
 1. The following personnel shall receive a copy of the final agreement.
 - a. Borough of Fort Lee Mayor & Council and Borough Clerk
 - b. Borough Administrator
 - c. Chief of Police
 - d. President of Policeman's Benevolent Association
 - e. The Administrative Bargaining Unit
 2. The Borough of Fort Lee Administrator is responsible for dissemination of the contract to the above parties.

**ADMINISTRATION
LABOR RELATIONS
VOL. I, CH. 14**

3. The Chief of Police shall have a copy of each contract placed in all volumes of the Operations Manual in Volume 1 Chapter 7.

III. CONTRACT MANAGEMENT

- A. All affected personnel should be advised of the collective bargaining agreements through their respective bargaining agents.
- B. It shall be the responsibility of the Chief to ensure that those administrative directives that must be reviewed or amended as a result of new contractual agreements, are accomplished within a reasonable amount of time.
- C. It shall be the responsibility of the Chief to review the contractual agreements and advise his personnel of any and all terms of the agreements that affect the functioning of the department.

**COMMUNITY ASSISTANCE
LABOR STRIKES
VOL. III, CH. 9**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 4/28/99	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME III
VOLUME TITLE: COMMUNITY ASSISTANCE	# PAGES: 4					
PROSECUTOR REVIEW POLICY	REFERENCE: V3C9					CHAPTER 9
SUBJECT: LABOR STRIKES						DISTRIBUTION I 2
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL, PROSECUTOR'S OFFICE REFERENCE						EVALUATION DATE:

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.

PROCEDURE:

I. PATROL DIVISION RESPONSIBILITY

A. Threefold Responsibility

1. Protect the public by maintaining order through a neutral police presence.
2. Protect the peaceful strikers against outside interference from those people that are not in sympathy with strikes.

**COMMUNITY ASSISTANCE
LABOR STRIKES
VOL. III, CH. 9**

3. Protect owners and management in the continuing of their business.
- B. Periodic checks of picket lines should be conducted in one-half (½) hour intervals.
- C. Personal Behavior:
1. Stand your ground without yielding. Your job is to maintain order and protect life and property. Be courteous and fair in your dealings with both labor and management.
 2. If a violation of the law occurs the violator should be arrested. Exercise discretion and use the quickest and most efficient tactics to effect the arrest. The arrestee should be removed from the scene as quickly as possible. Select the time of the arrest properly in order to make sure adequate manpower is available in case mob violence erupts.
 3. Controlled use of force must be employed, if an arrest has to be made.
 4. Always remain on the fringe of a picket line and in a position of advantage so that you can observe the area.
 5. Treat all persons with respect and in a professional manner.
- 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. This may have to be accomplished through the County Police Department and / or County Sheriff's department.
- E. Strikers do **not** have the right to:
1. Obstruct vehicular traffic or walk in a roadway.
 2. Obstruct pedestrian traffic or block a sidewalk or entrance.
 3. Violate a state law or ordinance.
 4. Interfere with people going to or from any location.
 5. Walk closer than 10 feet apart.
 6. Voice any personal threats.
- F. If during your regular tour of duty you come upon unannounced strikers, the Road Supervisor shall be advised.
- G. The Road Supervisor should:
1. Respond to the scene and ensure that public safety can be maintained.
 2. Separately interview representatives from management and the labor union to obtain background information.

**COMMUNITY ASSISTANCE
LABOR STRIKES
VOL. III, CH. 9**

3. Basic information, both representatives names, hours of operation and exact location(s), should be obtained and included in a Crime / Incident Report for the Chief's use.
4. Bring both representatives together and advise them jointly that:
 - a) Force, violence and violations of the laws will not be tolerated.
 - b) The role of the police department is strictly neutral.
 - c) The use of the street and sidewalks by the public will not be interfered with.
 - d) The use of professional agitators will not be tolerated.
 - e) If possible, determine the number of pickets that may be present.
 - f) Request the cooperation from both individuals and their respective organizations
5. The Road Supervisor will determine if periodic checks will maintain order. If not then additional personnel and equipment may be requested.

H. Chief of Police should be notified via the chain of command.

II. OPERATIONS DIVISION COMMANDER

- A. Notify the Chief of Police of a known or discovered strike location and advise him of any particular details that may be required, hour of the strike, etc.
- B. Confirm with the business establishment and labor representative to find out exactly 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. Obtain all necessary information for the Chief of Police to prepare a special order completely outlining all details of the strike.
 1. Phone number of labor and management.
 2. Addresses of labor and management.
 3. Location of strike.
 4. Personnel to be assigned.
 5. Legal advise from the Prosecutor's Office if called or required.

COMMUNITY ASSISTANCE

LABOR STRIKES

VOL. III, CH. 9

6. Location of pickets.
 7. Hours for pickets.
 8. Any other detailed information that will aid the officer in protecting the public and area.
 9. Court Orders in effect.
- F. Assigned a Road Supervisor or directly advise the business establishment and labor representative of the specific guidelines established by the Chief of Police.
- G. Ensure that all supervisors and officers are advised of the strike and the guidelines issued by the Chief of Police.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 05-15-2006	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 27					CHAPTER 15
ACCREDITATION STANDARD(S):	REFERENCE: V4C15x					
SUBJECT: LINE OF DUTY DEATHS / INJURY						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE: NJSPBA Funeral Procedures, NYPD Funeral Procedures, Concerns of Police Survivors Handbook, American Federation of Police Family Survivors Fund (American Police Hall of Fame)						

PURPOSE:

This policy is designed to prepare the Borough of Fort Lee Police Department for the event of a line-of-duty death of an active duty officer and to direct this agency in providing proper support for the deceased officer's family.

POLICY:

It is the policy of this agency to provide liaison assistance to the immediate survivors of an officer who dies and to provide tangible and emotional support during this traumatic period of readjustment for the surviving family.

It is the policy of this agency to provide the appropriate level of assistance for line of duty, active duty and retired member's families regardless of the nature of their death.

This policy is to direct the Borough of Fort Lee 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 departments.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

AUTHORITY

A Borough of Fort Lee Police Department funeral procedure is hereby established by the authority vested in the Chief of Police.

INTRODUCTION

This order establishes funeral procedures and defines attendant responsibilities, assignments, and conduct of members.

Borough of Fort Lee Police Department representation at the funeral service of a member is a desirable manner of expressing respect and bereavement for the deceased and extending sympathy toward the surviving family and close associates.

A department funeral may consist of the following elements:

Funeral Home/Chapel

Church/House of Worship Service

Cemetery/Gravesite Ceremony/Service

Three categories of department funerals:

Line-of-Duty

Active Duty

Retired Member / Active or Retired Civilian Employee

INDEX:

SUBJECT

Section

Notification of a Member's Death or Serious Injury

II

Safeguarding of Personal Effects

Area of Responsibility

Officer in Direct Charge-Responsibilities

III

Property Inventory

Interview Next of Kin

Collect Funeral Information

Death, Physician's Certificate and Borough of Fort Lee Police Department

IV

Insurance Certificate

Clothing Requisition

Fort Lee Police Department Vehicles

V,

Honor Guard

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

Pallbearers
Funeral Home Procedures
Chapel Procedures
Funeral Procession
Grave Side Procedures
Detail Responsibilities
Cremated Remains
Commemoration of Deceased Member
Checklist, Briefing Procedures, and Formation Diagrams
Death Procedures Checklist
Death Announcement and Sample LETS Message

VIII

PROCEDURE:

I. DEFINITIONS:

- A. **Active Duty-Death:** A member of the department who is actively employed and dies as a result of illness or injury sustained while off-duty and non-police related.
- B. **Beneficiary:** Those designated by the officer as recipients of specific death benefits.
- C. **Benefits:** Financial payments made to the family to insure financial stability following the loss of a loved one.
- D. **Funeral Payments:** Financial payments made to surviving families of an officer killed in the line of duty which are specifically earmarked for funeral expenses.
- E. **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.
- F. **Officer:** A representative of the agency (police officer).
- G. **Officer In Charge:** The agency representative ordered or assuming responsibility to carrying out a specific task.
- H. **Commander in Charge:** The highest ranking supervisor assigned the responsibility of coordinating all operations regarding the funeral.
- I. **Public Safety Personnel:** Firefighters, law enforcement officers and emergency medical service personnel whether in a paid or volunteer status.
- J. **Retired:** A member of the department who is in good standing and fully separated via retirement from the department.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

- K. **Survivors**: Immediate family members of the deceased officer; spouse, children, parents, siblings, fiancée, and/or significant others.
- L. **Liaison Officer(s)**: Officer(s) responsible for communications between the officer's family and the department, Borough, groups or units. The family's request for Liaison Officer(s) will be honored to every extent possible. Additional Liaison Officers may be reassigned as needed.
- M. **Active or Retired Civilian Employee**: A present or retired full time employee of the department who is in good standing and fully separated via retirement from the department.

II. DEATH / CRITICAL INJURY NOTIFICATION

A. Department & Borough

1. The Fort Lee Police Department shall be notified immediately upon the death of a member or employee. If appropriate, the senior officer at the scene of death shall be responsible to safeguard the deceased member's effects until turned over to the Officer In-charge or his designee of the funeral arrangements.
2. The Chief of Police shall be notified immediately via the Chain of Command upon notification of a:
 - a. Line of Duty or Active Duty Death.
 - b. An injured officer sustaining an injury of a serious nature such as those requiring hospitalization, (i.e. shooting, traumatic injury).
 - c. The Chief shall be notified during business hours of a retired member's death.
3. The officer's immediate supervisor (on-duty or off-duty) should be notified by the Tour Commander upon notification of a Line of Duty or Active Duty Death.
4. All department employees should be notified by officers from their respective division as directed by the Division Commanders or the highest-ranking supervisor on duty.
5. The Chief of Police, or if ordered his designee, should notify the Mayor & Council.
6. The PBA President and Delegate should be notified by the Tour Commander upon notification of a Line of Duty or Active Duty Death. The PBA President and Delegate should be notified during business hours of a retired member's death.

B. Family

1. The name of the injured or deceased officer **MUST NEVER** be released to the media before immediate survivors are notified.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

2. Notification of death or serious injury to a member in the line of duty shall be made to the family as soon as possible.
3. If at all possible the injured officer should speak with their spouse.
4. If there is knowledge of a medical problem with an immediate survivor, medical personnel should be dispatched to stand by at the residence to coincide with the death notification.
5. Notification **SHOULD ALWAYS** be made in person and never alone. The Chief of Police or a notification team designated by the Chief of Police should be responsible to notify, in person, the surviving family members (spouse, children and parents) immediately.
 - a. If the Chief or the notification team are not readily accessible, the 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, **DO NOT** wait for the appropriate delegation to gather.
 - b. As soon as most public safety families see you, they will know something is wrong. Ask to be admitted to the house, **DO NOT** 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.
 - c. If the officer has already died, relay that information. **DO NOT** give the family a false sense of hope. The officers should use words like "died" and "dead" rather than "gone away" or "passed away".
 - d. If the officer(s) responsible for the death/injury notification have been seriously affected by the death/injury, they should understand that showing emotions is perfectly acceptable.
 - e. If specifics of the incident are known, the officer should relay as much information as possible to the family.
 - f. The officer making the notification should ask the family, who can be notify for them and ensure that those notifications are made.

NOTE: Reactions of the family may include hysteria, anger, fainting, physical violence, shock, etc.

6. 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, ask to have an officer accompany them in the car.**

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

- a. The department should know if there are young children in the family home. The notification team should ask if the children are 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.
 - b. Because of the nature of radio transmissions, the officer making the transport should notify the officer in charge at the hospital, by phone that the family is in route.
 - c. Keep in mind that the surviving parents should also be afforded this courtesy of personal notification, if they live in the same geographic area.
7. 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.

III. ASSISTING THE FAMILY AT THE HOSPITAL

- A. The highest ranking Fort Lee Police Department supervisor, Officer in Charge (OIC), at the hospital should meet with designated hospital personnel to arrange appropriate waiting facilities for the family and a separate area for co-workers. The OIC should also insure, that medical personnel relay pertinent information to the family about the officer's condition on a timely basis. These same medical personnel should be asked to 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. The OIC/Liaison 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 OIC/Liaison or designee should see that the family is updated on the incident as soon as they arrive at the hospital.
- C. The OIC, Liaison 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 officer(s) who made the initial notification should be among those at the hospital.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

- E. A survivor should not be sedated unless medication is requested by the survivor and prescribed by a physician.
- F. Idle promises should not be made to the family at this time (i.e. "We'll promote them posthumously." "We'll retire their badge.").
- G. Arrangements should be made for transportation of the family back to their residence.
- H. The OIC/Liaison should 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.

NOTE: For a Line of Duty Injury the procedures as specified in the Sick Leave/WC Policy shall be followed (Vol.1 Ch. 22).

- I. Personal Items
 - 1. Personal items, uniforms and department issued equipment should be secured as possible evidence and for return to the family at the appropriate time.
 - 2. The officer's locker should be secured and may have the lock replaced as authorized by the Chief of Police. Department and off-duty weapons should be secured at headquarters. A supervisor will be responsible for all personal and Department property of the deceased and forward a confidential inventory report to the Chief of Police.

NOTE: The personal property of the deceased will be given to the next of kin along with the receipted inventory report, upon completion of the investigation surrounding the death, if applicable.

IV. SUPPORT FOR THE FAMILY DURING THE WAKE AND FUNERAL

- A. The Chief of Police should appoint a designee(s) as a Liaison Officer(s). 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(s) should not be so emotionally involved with the loss that they would become ineffective. The liaison officer(s) must know that **THIS IS NOT A DECISION-MAKING POSITION. THIS IS A ROLE OF "FACILITATOR" BETWEEN THE FAMILY AND THE BOROUGH OF FORT LEE POLICE DEPARTMENT.** The liaison officer should:
 - 1. Insure that the **NEEDS OF THE FAMILY** come before the wishes of the department.
 - 2. Meet with the family and tell them what their 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

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

aware of what they can offer in the way of assistance if the family decides to have a "line-of-duty funeral" or a civilian funeral.

4. The liaison should offer specific memorial options and services available, as the surviving family may not know what to ask for.
 5. Be issued a department cell phone immediately, so there is an immediate line of communication between the police department and the family.
 6. Know all information concerning the death and the continuing investigation to answer family questions.
 7. Provide as much assistance as possible, oversee arrangements for travel and lodging for out-of-town family members.
 8. Be constantly available to the family throughout this traumatic time.
 9. Ascertain what the PBA involvement will be and what financial assistance they are willing to provide for the funeral services which may include feeding the funeral attendees following the burial.
 10. See that the surviving parents and siblings are afforded recognition and will have proper placement arranged for them during the funeral and funeral procession.
 11. 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 to keep from jeopardize upcoming legal proceedings.
- C. The department can make the family aware of alternate houses of worship with seating capacities large enough to accommodate attendance at the funeral. However, any alternate houses of worship 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 IS THE FAMILY'S CHOICE.**
- D. Departmental driven 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 (COPS) normally make themselves available to meet with new surviving families during their time of loss.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

- F. The department should arrange for routine checks by the survivor's home for 6-8 weeks following the tragedy. This service may be 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 FAMILY

- A. The Chief of Police should designate a Benefits Coordinator. The Benefits Coordinator may be a Liaison Officer or an additional person. The "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 children should be receiving.
- D. The benefits coordinator should pay special attention to the problems with health benefits to the surviving family.
- 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 PBA or community support groups (200 Clubs) may 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.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

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 state they feel 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 their 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. The Police Department 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-worker or agency representative visits the family, they should not 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. 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.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

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 from 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 trial, the investigators should sit down with the family and answer **ALL** their questions about the ordeal. The facts will be far less shocking than 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. **DO NOT 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 very 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.

XIII. FUNERAL ARRANGEMENTS

- A. The Chief of Police or a designee, assisted by a Division Commander will take direct charge of the funeral arrangements. The following detail units should be staffed to efficiently handle each area of responsibility:
 - 1. Advance- Planning
 - 2. Formation- Funeral Home

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

3. Honor Guard
 4. Color Guard / Firing party
 5. Ceremonial- Exterior Church/House of Worship
 6. Church/House of Worship- Interior Church/House of Worship
 7. Traffic- Motorcycle escort & Route closures
 8. Parking- Organize marked units
- B. A Division Commander or their designee shall be responsible for all funeral arrangements and assure adequate Department representation at the service, unless otherwise directed by the Chief of Police.

**NOTE: THE DESIRES OF THE FAMILY SHOULD BE CONSIDERED BEFORE
THOSE OF THE DEPARTMENT.**

- C. The Operations Division Commander or their designee will assure the proper conduct of all uniformed members attending.
- D. The Liaison Officers should:
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

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

2. Secure the following information from the family as soon as possible so that the necessary orders may be issued, including pallbearers (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. Name and address of the funeral director.
 - d. Time and place of viewing.
 - e. Time and place of service.
 - f. Place of internment.
 3. Liaison should obtain at least 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.
 4. 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. Hat with deceased member's badge
 - b. Shirt and tie
 - c. Shirt with nameplate, badge and decorations attached
 - d. Slacks
 - e. 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)
 5. Arrange for an officer to assist the funeral director while attiring the deceased in the uniform to assure that it is properly worn.
- E. The Advance Detail in charge of the funeral arrangements shall coordinate with the funeral director, the participation of uniformed members in accordance with the following procedures:

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

1. Uniform and Personnel
 - a. Members will wear the Class “A” Uniform unless directed otherwise by the Chief of Police.
 - b. The number of personnel detailed to attend the funeral from the department will be determined by the Chief of Police
2. Transportation
 - a. Vehicles transporting personnel will be coordinated by the Traffic or Advance Detail and held to a minimum to prevent lengthy funeral processions.
3. Assembly Point
 - a. The Advance Detail shall select a pre-designated assembly location away from the immediate area of the funeral home or Church/House of Worship 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 Honor Guard
 - a. The Honor Guard Detail shall establish a Honor Guard consisting of four or six officers.
 - b. The Honor Guard shall be dressed in the Class “A” uniform, hats and white gloves will be worn.
 - c. The Honor Guard shall be posted whenever the body of the deceased is on public view.
 - d. The Honor Guard 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 Honor Guard detail shall be concluded when the pallbearers take possession of the casket.
5. Honor Guard Relief Procedures
 - a. The relieving Guard shall march forward and halt facing the duty Guard and shall assume the position of Attention.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

- 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 Operations Division Commander but shall not be longer than fifteen (15) minutes except during the services.
- e. During the period the family wishes to be alone with the deceased, the Honor Guard 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. Pallbearers

- a. Pallbearers (6) as designated by the Advance Detail or by the Liaison based on the families request. Pallbearers shall be dressed in the Class "A" uniform and white gloves shall be worn.
- b. The Advance Detail shall arrange for two (2) marked cars and drivers for use by the pallbearers.
- c. The pallbearers and drivers shall assemble, prior to the funeral, for instructions from the Advance Detail and the funeral director.
- d. The pallbearers, assisted by the Honor Guard, may relay the floral pieces to the honorary pallbearers in formation outside, for placement in the flower cars.

- 7. The services may be photographed / videotaped and either obtain copies of the press photographs or have a photographer photograph the services. These are invaluable for the officer's children or grandchildren, who may not be old enough to remember the services.

F. Funeral Home Services Procedures

- 1. Arrival should be timed to permit immediate entry of the family into the funeral home without extended delay.
- 2. Members shall remove their hats 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 as designated by the Funeral Detail / Funeral Director and remain standing until

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

given the command (in a low voice), “Be Seated”. When seated, their hats will be placed upright on 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 hats 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 Operations Division Commander or their designee should 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/House of Worship, and assume the position of Parade Rest.
3. The aisle should be formed by uniformed personnel only.
4. The aisle should be formed in correct precedence of rank with the Chief of Police or ranking officer to the right and at the hearse.
5. The hearse should 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 should form ranks to the rear of the uniformed personnel.
7. Immediately upon the appearance of the casket, the Operations Division Commander or their designee should 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 pallbearers shall stand at Attention in two (2) files facing the hearse in the same position as when carrying the casket.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

9. The Operations Division Commander or their designee shall then give the command "Detail - Dismissed". At this time personnel should move silently to their vehicles and proceed to the Church/House of Worship.

H. Chapel/Church/House of Worship Services Procedure

1. Timing Funeral Services:
 - a. 2 hours: Ceremonial Unit arrive at the Chapel/Church/House of Worship
 - b. 1 hour: Pallbearers arrive at funeral home
 - c. Color Guard & Honor Guard? Arrive at Church/House of Worship
 - d. 45 minutes: Department personnel muster assembly area.
 - e. 30 minutes: Color Guard position opposite Church/House of Worship entrance
 - f. 20 minutes: Department personnel form up at Church/House of Worship.
 - g. 15 minutes: Final inspection funeral cortege should arrive 10 minutes before the service starts.
2. 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 Operations Division Commander or their designee will form two facing ranks approximately eight feet apart, forming an aisle from the street to the Church/House of Worship, and assume the positions of Parade Rest.
3. The Department chaplain (when used) will stand directly in front of the Church/House of Worship. He or she will be uncovered throughout the entire ceremony except in inclement weather or if the religious rites prescribe head covering.
4. When the hearse arrives at the Church/House of Worship, the Operations Division Commander, or their designee shall give the command, "Detail Attention". After the family and friends are seated in the Church/House of Worship, the pallbearers shall move in formation to the rear of the hearse ready to remove the casket. The chaplain shall take a position near the hearse.
5. The pallbearers shall remove the casket from the hearse, and led by the chaplain/civilian clergyman, carry it feet first into the Church/House of Worship. The honorary pallbearers execute the hand salute at the command "Present Arms" given by the Operations Division Commander or his designee as the casket is started in motion toward the Church/House of Worship. As soon as the casket has been carried into the Church/House of Worship, the Operations Division Commander shall give the command, "Order, Arms" and "At Ease".

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

6. In the Church/House of Worship, the pallbearers, preceded by the chaplain/civilian clergyman, shall place the casket on the church truck and two pallbearers, 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.
7. Members shall remove their hats and place them under their left arm as they enter the Church/House of Worship. They shall move in an orderly manner to the space reserved for uniformed members (usually the left front). They shall remain standing until the Operations Division Commander issues the command "Be Seated". When seated, their hats will be placed upright in their laps.

NOTE: If seating is not available (see "8" below)

8. Upon termination of the service, members upon the command, in a low voice by the Operations Division Commander in charge or their designee, "Detail Rise", shall rise and place their hats under their left arm preparatory to filing past the casket. They shall hold their hats in this position until they have passed the casket and arrive outside the Church/House of Worship.

I. Post Chapel/Church/House of Worship Services Procedures

1. The Operations Division Commander or their 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/House of Worship, and assume the position of Parade Rest.
3. The aisle shall be formed by uniformed personnel 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.
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 Operations Division Commander or their designee shall give the command "Detail Attention" followed by the command "Present Arms".

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

- 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 pallbearers shall stand at Attention in two files facing the hearse in the same position as when carrying the casket.
9. The Operations Division Commander or their designee shall then give the command "Detail Dismissed". At this time, personnel should move silently to their vehicles and proceed to the grave site.

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.
 - a. Lead Escort Vehicle/Motorcycles
 - b. Flower Car
 - c. Clergy
 - d. Pallbearers
 - e. Chief of Police
 - f. Bagpipers (if marching)
 - g. Hearse
 - h. Limousine: Immediate Family
 - i. Relatives and Friends
 - j. Department Vehicles
 - k. Other Agency Vehicles
 - l. Rear Escort Vehicle/motorcycles
2. The Operations Division Commander or their 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, or Motor Units to escort and leapfrog during the procession.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

3. In long funeral processions, marked vehicles/motorcycles should 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 Operations Division Commander or their 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 officers.

K. Grave Side Service Procedure

1. Firing Party
 - a. The Emergency Services Unit Commander or their designee shall arrange for the use of a firing party, if appropriate.
 - (1) Minimum of four (4) riflemen and one (1) firing party detail commander and two (2) Honor Guards for flag lowering/ raising, if appropriate.
 - b. The Emergency Services Unit Commander shall arrange for the issuance of the appropriate number rifles and equipment.
 - (1) M16 Rifles w/sling, magazine, and minimum of fifteen (15) rounds of blank 5.56mm ammunition each rifleman. Blank ammo is to be retained in possession of firing party commander until the firing party is on-site and in position. Blank ammo will be issued to each rifleman personally by commander.
 - c. The Emergency Services Unit Commander shall designate the uniform of the firing party. Uniformity within the firing party must be maintained.
 - d. The firing party shall be responsible to report to the grave site well in advance of the funeral procession.
 - e. The Firing Party Commander should form up the detail in a safe but conspicuous location in relation to the gravesite. They should form up well in advance of service into a single rank to the rear and generally out of view of memorial attendees. Positioning will be such that the firing party will aim-fire over the monuments' right "shoulder".
 - f. The Firing Party Commander will issue verbal commands to firing party.
 - g. The riflemen should ensure the operator maintenance of their assigned weapon and perform safe functions tests of the weapon. They shall execute commands of commander with military bearing and precision.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

- h. If appropriate, the Flag Honor Guard should take a position of parade rest at base of flag pole. Then go to Attention immediately prior to playing of Taps/ begin lowering flag in manner so that flag is not fully lowered until Last-Note-of "TAPS". If a flag is to be presented to the family then it will be folded and presented at this time. Normally flag will be immediately raised upon completion of "Taps". Thus signifying completion of Memorial Service and the Beginning of A New Day.

- i. Firing Party Commands:
 - (1). With firing party in formation rank at parade rest position facing the commander, the following commands will be called:

 - (2) ATTENTION: All riflemen will assume attention position with M16 muzzle gripped in right hand, butt stock rested on ground immediately to the right of the rifleman's right foot.

 - (3) ORDER ARMS: All riflemen will bring weapon to order arms position held rigidly vertical chest high

 - (4) READY: All riflemen will execute half left face while (not shouldering weapon) positioning M16 at left cant in preparation for next command. AIME: At which time riflemen will rack charging handle for loading of one round.

 - (5) FIRE: Riflemen will (without shouldering or aiming) squeeze trigger and remain in position awaiting subsequent commands until all three volleys have been fired (executed 3 times)

 - (6) RECOVER: All riflemen return to the position of ORDER ARMS.

 - (7) ATTENTION: All riflemen will assume attention position with M16 muzzle gripped in right hand, butt stock rested on ground immediately to the right of the rifleman's right foot. Firing Party Commander executes salute to detail and performs about face and then also comes to position of parade rest for remaining of service.

NOTE: Of course all respects command of present arms (salutes) will be rendered at appropriate times as the service warrants.

- 2. Bugler
 - a. When appropriate, the Advance Detail should arrange for a bugler to play Taps.

 - b. The bugler shall be responsible to report to the graveside well in advance of the funeral procession.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

- c. The bugler shall assume a conspicuous position at an appropriate distance from the gravesite.
3. Bagpipers
 - a. When appropriate, the Advance Detail should arrange for bagpipers to play.
 - b. The bagpipers should be responsible to report to the graveside well in advance of the funeral procession.
 - c. The bagpipers shall assume a conspicuous position at an appropriate distance from the gravesite.
 - d. Bagpipers may also be utilized at the funeral home and Church/House of Worship. They may be marching in the procession as it approached the Church/House of Worship.
4. Department Personnel
 - a. At the cemetery, department personnel should stand in formation and assume the position of Parade Rest.
 - b. The rank shall be formed in correct precedence of rank with the Chief of Police or ranking officer to the right and at the grave. Department personnel in civilian dress and representatives of other agencies shall form ranks to the rear of the uniformed personnel
 - c. Other uniform personnel shall form ranks in the area designated by the Advance Detail.
 - d. Immediately upon the casket being removed from the hearse, the Operations Division Commander or their designee shall give the command "Detail Attention", followed by the command "Present Arms".
 - (1). 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.
 - (2). Personnel in civilian dress shall, in the above cases, stand at Attention (uncovered) and place hand or headdress over the left breast.
 - e. The pallbearers 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.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

- f. When the flag has been raised off of the casket, the Operations Division Commander or their designee shall give the command “Order Arms” followed by the command “Parade, Rest”.
- g. When department personnel have been brought to Parade Rest, the chaplain/clergyman should conduct the grave side service. At the conclusion of the benediction, the chaplain/clergyman should move two steps to the side or rear. During the benediction, all personnel shall bow their heads.
- h. When the service has been completed, the Operations Division Commander or their designee shall command personnel to attention, followed by the command, “Present, Arms”, at which time the firing party will fire the volleys as specified above. The bugler, positioned near the firing party and in view of the next of kin, shall sound Taps immediately following the last volley.
- i. At the conclusion of Taps, the Bagpipers may play, as the pallbearers shall then fold the flag into the shape of a cocked hat. The flag shall not touch the casket. The flag, when folded, shall be passed to the pallbearer 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 pallbearer will salute the flag for three seconds and then face right to assume the original position.
- j. The Chief of Police presents the flag to the family of the deceased.
- k. Department personnel shall pay their final respects one at a time by approaching and saluting the casket. They will then remove and leave their left glove on top of the casket and return to formation.
- l. The command, “Detail, Parade Rest”, shall be given by the Operations Division Commander designee. Uniformed personnel will remain at Parade Rest until the family moves away from the grave.
- m. When the family has cleared the aisle, the Operations Division Commander or their designee shall command, “Detail, Attention”, followed by the command, “Dismissed”.

L. Detail Responsibilities

- 1. Advance Detail
 - a. Meet with the funeral director and confirm the times.
 - b. Ascertain if there are any special requests from the family.
 - c. Review the funeral procedures.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

- d. Confer with clergy to ensure that police funeral procedures don't conflict with Church/House of Worship policy.
 - e. Coordinate route planning with the Traffic Detail.
 - f. Establish an itinerary.
 - g. Survey effected areas and designate areas for parking and formations (funeral home, Church/House of Worship and grave site).
 - h. Ascertain the number of people attending the funeral.
 - i. Ensure that the Traffic Detail confers with Mutual Aid agencies along procession route, if appropriate.
 - j. Prior to the funeral date, the Advance and Traffic Detail should survey the site of the funeral home, Church/House of Worship, home of the deceased and cemetery and coordinate parking arrangements, in order that the funeral procession may be formed with maximum efficiency.
 - k. Prepare plans and diagrams of funeral home, Church/House of Worship interior, Church/House of Worship exterior, assembly area(s) for dissemination to the various details.
 - l. Verify equipment needs (Equipment checklist)
 - m. Verify appropriate personnel notified (Personnel Checklist)
2. Formation Detail
- a. Assist personnel in assembly area as designated by the Advance Detail at the funeral home during the viewing services and the units the morning of the funeral.
3. Honor Guard Detail
- a. Establish and schedule officers for the Honor Guard detail during the wake and funeral.
 - b. Color Guard / Firing party
4. Ceremonial Detail
- a. Assist personnel in assembly area as designated by the Advance Detail at the exterior of the Church/House of Worship.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

5. Church/House of Worship Detail
 - a. Assist personnel in the proper seating area as designated by the Advance Detail in the interior of the Church/House of Worship.
6. Traffic Detail
 - a. Establish the procession route with the Advance Detail and funeral director.
 - b. Establish a traffic plan for road closures. The Traffic Bureau Supervisor or their designee should survey the procession route in order to pre-determine traffic intersection posts.
 - c. Conduct a motorcycle escort for the family to the funeral home then the entire procession from the Church/House of Worship along the route to the gave site. A second escort may be needed to escort department personnel and other units directly to the grave site to prepare for the processions arrival.
 - d. Coordinates responding Motorcycle Units to the funeral home for the procession to the Church/House of Worship.
 - e. In other municipalities, the Traffic Bureau Supervisor or their designee should arrange for their cooperation in the direction of traffic at the location of services and along the procession route.
7. Parking Detail
 - a. Organize and coordinate marked units and personnel as they arrive at the Church/House of Worship and gravesite according to the Advance Details plan.
 - b. Make a list of all agencies sending representation for the Chief of Police.
- 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 30 days.
 2. Mourning Bands (badge)
 - a. LOD- Members of department time of death until 2400 hours on the 30th day after the funeral.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

- b. Active Non-LOD from time of death until 2400 hours day of the funeral.
- c. Retired officer- While attending the funeral.
- 3. Flags Half-staff:
 - 1. LOD- Members of department time of death until 2400 hours on the tenth day after the funeral.
 - 2. Active Non-LOD from time of death until 2400 hours day of the funeral

IX. REPORTING

- A. The Chief of Police should designate a member of the department to complete or assist the family with the following reporting requirements:
 - 1. Concerns of Police Survivors Form (314) 346-4911
 - 2. US Dept. of Justice Public Safety Officers' Benefits Program (202) 307-0635
 - 3. US Dept. of Labor Employment Standards Administration Office of Workers Compensation
 - 4. FBI: The Law Enforcement Officers Killed & Assaulted questionnaire (202) 324-2687
 - 5. New Jersey State Policemen's Benevolent Association
 - 6. Workman's Compensation as required under the Personnel Injuries Policy (Vol. 4 Ch.4).
 - 7. National Law Enforcement Officers Memorial Fund Data Form (202) 737-3400
 - 8. New Jersey Division of Pensions application.
 - 9. American Police Hall of Fame & Museum
 - 10. Social Security benefits, if applicable.
 - 11. Veteran's Administration benefits, if applicable.

X. PERSONAL INFORMATION

- A. It is recommended that officers complete the COPS Personal Financial Diary as a personal private document and retain the document in a secure location accessible to the family Liaison or friend. The department is not interested in the information and will not accept or keep the officer's completed Personal Financial Diary on file.

OPERATIONS

LINE OF DUTY DEATHS / INJURY

VOL. 4, CH. 15

1. The department will make available the COPS Personal Financial Diary for officers use.
2. The department will request that officers complete the COPS Agency Sheet to be filed in the Personnel Jacket.
3. Officers should update spousal / parental records and beneficiary information periodically.

**SERVICE
LITTER REGULATIONS
VOL X CH 5**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-06-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME X
VOLUME TITLE: SERVICE	# PAGES: 2					CHAPTER 5
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: LITTER REGULATIONS						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure proper procedures are followed in enforcing litter regulations.

ORDINANCE:

§ 356-53. Unlawful acts.

It is unlawful for any person to throw, drop, discard or otherwise place litter of any nature upon any public or private property, other than in a litter receptacle.

§ 356-54. Definitions.

As used in this article, the following terms shall have the meanings indicated:

LITTER -- Any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper or other natural or synthetic material, or any combination thereof, including but not limited to any bottle, jar or can or any top, cap or detachable tab of any bottle, jar or can or any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, saw-milling, farming or manufacturing.

§ 356-55. Violations and penalties.

Penalties for violations of this article shall be as provided by Chapter 1, Article III, § 1-17.

**SERVICE
LITTER REGULATIONS
VOL X CH 5**

POLICY:

The Borough of Fort Lee Committee adopted an ordinance to regulate, and in some cases, prohibit dumping of garbage and other refuse within Borough of Fort Lee. The ordinance is in the Borough of Fort Lee code book, Chapter # . 356-53. Most complaints regarding dumping are reported to the police department for proper assistance and action. It is, therefore, important that the police officer receiving the complaint made every effort to provide assistance to the complainant in a courteous and effective manner to meet the requirements of Chapter # 356-53 . The following procedures will be adhered to by all department personnel.

PROCEDURE:

I. CITIZEN COMPLAINT

- A. Respond to the call for assistance
 - 1. Attempt to resolve the problem for the complainant.
 - 2. If the caller insists on signing a Borough of Fort Lee ordinance complaint, the officer will follow procedures in Vol. X, Ch. 8.
 - 3. If the officer chooses to sign the complaint, follow Vol. X, Ch. 3.
- B. If complaint is signed, the officer will complete an investigation report, fill out the Borough of Fort Lee ordinance summons and have caller sign or sign himself.
- C. If no complaint is signed, the officer will complete an incident report.
 - 1. If the officer feels it appropriate, he may issue a verbal warning. This must be indicated on the incident report and relayed to communications to be noted in the CAD system.
- D. Before issuing a warning, the officer should first ascertain if there are any previous warnings, which can be checked through the computer added dispatch system (CAD).

II. OFFICER COMPLAINT

- A. When an officer observes a violation of Ordinance # 356-53 , he should follow the steps outlined in Vol. X, Ch. 3.

**GENERAL
MEDIA RELATIONS
VOL, VI. CH 6**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-06-2003	REVISION DATE: 01-19-05 8-29-07	PAGE #: 2,3 6	SECTION: I,B III, A, 2	APPROVED	VOLUME VI
VOLUME TITLE: GENERAL	# PAGES: 8					CHAPTER 6
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: MEDIA RELATIONS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE

It is the purpose of this policy to establish guidelines for release and dissemination of public information to print and broadcast news media.

POLICY

It is the policy of this law enforcement agency to cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to activities of the department, as long as these activities do not unduly interfere with departmental operation, infringe upon individual rights or violate the law.

DEFINITIONS

Public Information: Information that may be of interest to the general public regarding policy, procedures or events involving the department or other newsworthy information that is not legally protected, does not unduly interfere with the mission of the department, infringe upon the rights of a defendant or compromise the legitimate safety and privacy interests of officers, victims, witnesses or others.

**GENERAL
POLICE/MEDIA RELATIONS
VOL. VI, CH. 6**

News Media Representatives: Those individuals who are directly employed by agencies of the electronic or print media such as radio, television and newspapers. Freelance workers in this field are to be regarded as other members of the general public unless otherwise designated by the departmental chief executive.

Public Information Officer (PIO): The department's on-duty Captains and Detective Lieutenant shall serve as a central source of information for release by the department and respond to requests for information by the news media and the community.

In the event the Patrol Division Captain is unavailable, the on-duty Shift Supervisor or Tour Commander are to obtain the news release and contact the last on duty Captain, they will then relay the information to him/her and provide a phone number for the reporter seeking the information. Any other requests concerning departmental policy shall be made to the Chief of Police during normal business hours.

On certain issues information will only be released by the Chief of Police or the Deputy Chief, they will be contacted by the Captain or Detective Lieutenant.

I. PROCEDURES

A. Duties of the PIO

The department's PIO is available to:

1. Assist news personnel in covering routine news stories, and reporting needs at the scenes of incidents;
2. Arrange for, and assist at, departmental news conferences;
3. Coordinate and authorize the release of information about victims, witnesses and suspects;
4. May release information to the news media and/or public in the event of an exceptional incident;
5. Coordinate the release of authorized information concerning confidentiality agency investigations and operations;
6. Coordinate, through the Chief of Police, the release of information or departmental news designed to generate public interest.

B. Duties of the Arresting/Investigating Officer and Tour Commander

1. The arresting and/or investigating officer(s) shall prepare a Press Release (See attached Appendix) for the PIO prior to going off-duty or immediately upon the PIO's request.

**GENERAL
POLICE/MEDIA RELATIONS
VOL. VI, CH. 6**

2. Tour commander will review the press release and contact the Lieutenant in charge of the Detective Division and verify that it is releasable information.
3. Any time there is a media release involving any Police Department employees, the Chief is to made aware of it prior to the release.

C. Cooperation with the Media

1. Authorized news media representatives shall have reasonable access to the PIO or the Chief of Police as governed by this policy. When information must be denied to a media representative, the basis for that denial shall be fully and courteously explained.
2. This department recognizes authorized identification from all local, national and international news organizations as well as press credentials issued by the New Jersey State Police. Failure of media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.
3. Public information must be released to the media within 24 hours or sooner if practical, unless such information would be contrary to law or existing court rules, would jeopardize the safety of any person, would jeopardize any investigation or would be “otherwise inappropriate”.
4. Public information may be provided to media representatives by telephone if the identity of the representative is known or can be authenticated.
5. The Tour Commander shall be responsible for ensuring that the Chief of Police and PIO are immediately informed of events that may have media interest.
6. Written press statements shall be released only following approval of the Chief of Police or in his absence the Deputy Chief of Police.

D. Release of Police Information

All information will be subject to the following guidelines:

1. **At no time are the names and addresses of juveniles to be released to the news media.**
 - a. The names of juveniles that are arrested and/or are involved in any investigation will not be open for review by the news media. The facts of the investigation will be provided by the PIO with the approval of the Chief of Police.
2. Cases involving **adult** arrests and investigations, the PIO will upon inquiry provide news reporters with details of an arrest.
3. Direct interviews with Police Officers involved in a case is prohibited unless authorized by

**GENERAL
POLICE/MEDIA RELATIONS
VOL. VI, CH. 6**

the Chief of Police.

4. The following information may be released by the PIO unless such information will hamper an ongoing police investigation:
 - a. The defendant's name; age; residence; occupation; marital status; and the identity of the complaining party.
 - b. Unsolved crime information (before an arrest is made) such as type of crime; time; location; and type of weapon, if any.
 - c. Circumstances: All those, including, but not limited to: time and place of arrest; resistance and pursuit, if any; nature and use of weapons; identity of investigating and arresting officers and their agencies including duration of the investigation if applicable.
 - d. The text of any charges such as the complaint, accusation or indictment unless sealed by Court Order.
 - e. The defendants amount of bail, conditions, and whether bail was posted.
5. **Media representatives shall be denied access to the contents of records and reports where release of information would:**
 - a. Interfere with law enforcement proceedings, including pending investigations;
 - b. Deprive a person the right to a fair trial or an impartial adjudication, or give one party to a controversy an undue advantage by exclusive access to such information;
 - c. Constitute an unwarranted invasion of the personal privacy rights of another person;
 - d. Reveal the identity of an individual who has furnished information to the Department under confidential circumstances;
 - e. Disclose investigative techniques and procedures, thereby impairing future effectiveness of the Department; or
 - f. Endanger the life or physical safety of any person.
6. Sensitive information relating to internal investigations of police officers shall not be released without the authorization of the Chief of Police.

**GENERAL
POLICE/MEDIA RELATIONS
VOL. VI, CH. 6**

E. Wide Media Coverage of an Investigation or Event

1. When a major investigation, or sensational event, attracts wide news media coverage, the Chief of Police and the on-duty PIO shall be immediately informed by the Tour Commander.
2. If numerous news media personnel are present at Headquarters due to a high profile crime or investigation, the Tour Commander shall contact the Chief of Police and the on-duty PIO and arrangements will be made to use an alternative meeting place to conduct a News Conference.

F. Information Not To Be Released To The Media

1. In addition to, and consistent with the policies, procedures, and directives of the Attorney General's Office, the Bergen County Prosecutor's Office, and the Rules of Professional Conduct (RPC) 3.6, the following information shall not be released to the press/media:

Fingerprints;

Photographs;

Nature and quantity of the physical evidence available;

Investigative records except what is authorized to be released;

Photocopies of police reports;

The name and address of a sex crime victim;

The name of a victim of a crime or fatal accident where there has been no notification of the next of kin;

The identity of a witness, other than the victim;

Any information that may compromise the safety of an individual or investigation;

Defendant's prior criminal record, admissions, statements made, or the refusal of a defendant or suspect to make a statement to the police;

All polygraph, Breathalyzer, or other testing results;

Opinion by any employee of the Department as to the guilt or innocence of the accused

The character, credibility, reputation or prior record of a suspect or witness;

Information which is likely to be inadmissible as evidence;

GENERAL
POLICE/MEDIA RELATIONS
VOL. VI, CH. 6

Information that a suspect or defendant may be suffering from a contagious disease (i.e. AIDS)

G. Jurisdiction In Regard To Press Releases

1. In cases involving more than one law enforcement agency, such as high speed chases, hostage situations, joint investigations and other cases in which mutual aid is employed, all contact with the media should be coordinated in a joint manner through one interview, press release or press conference.
2. In cases in which the Prosecutor's Office has assumed responsibility for the investigation (i.e. Homicide, Kidnapping, Arson, Sexual Assault) , all contact with the media is prohibited and requests for information shall be referred to the Prosecutor's Office.

H. Photographing or Videotaping a Defendant

1. Photographing or videotaping of a suspect or defendant in public places by the media in public places is neither encouraged nor discouraged, but the accused shall not be posed.

I. Pretrial Disclosure

1. Once an indictable arrest has been made and the suspect has been arraigned, all future inquiries of the case shall be referred to the Bergen County Prosecutor's Office unless otherwise determined by the Chief of Police.

III. Media Access to Crime Scenes/Disasters

A. News media representatives may be granted access to the outer perimeter of a scene, except as follows:

1. When open access to the area will interfere with the investigation, the commanding officer may establish police lines and restrict entry. Should such restrictions, become necessary, the commanding officer should explain the circumstances requiring the closure and access should be granted to news media personnel as soon as practical. Preservation of evidence and public safety shall be of paramount importance.
2. **TACTICAL FLIGHT RESTRICTIONS (TFR):** A TFR is a regulatory action issued via the U.S. Notice to Airmen (NOTAM) system to restrict certain aircraft from operating within a defined area, on a temporary basis, to protect persons or property in the air or on the ground. Should an event occur (e.g., Active Shooter) whereby tactical operations are in progress and there is a real concern that the suspect(s) may possess the capabilities of observing said real-time operations on television, thereby putting at risk the safety of law enforcement personnel and/or innocent victims, or that such broadcast may impede/interfere with law enforcement operations at an on-going event, the lead law

**GENERAL
POLICE/MEDIA RELATIONS
VOL. VI, CH. 6**

enforcement agency may pursue a TFR by contacting the Operations Manager in Charge of either the NY Center (Ronkonkoma, Long Island, NY – has jurisdiction over most of New Jersey) or the Washington Center (Washington D.C. – has jurisdiction over the southern portion of New Jersey) and requesting a TFR.

Contact number for our area is 1-631-468-5959

NOTE: For more detailed explanations of TFR's, go to www.faa.gov, and under the subheading of "Regulations & Guidelines", click on "Advisory and Circulars". Then in the "search" window type in "91-63c", which will bring up the actual Advisory Circular which gives specific information related to TFR's.

3.

NOTE:The guidelines set forth in this policy have been established to facilitate and accommodate interactions between the press and to balance the requirements of the First Amendment, as the Freedom of Information Act, with the responsibilities of the law enforcement mission. It is recognized that no policy can adequately cover all possible circumstances. Individual members knowledge of the Department's intentions and stated rules coupled with personal and professional discretion form the basis for successful practical implementation.

**FORT LEE POLICE DEPARTMENT
PATROL DIVISION
ARREST PRESS RELEASE**

Date and time of arrest:

Investigating / Arresting Officer(s):

Type of Incident:

Location:

Date and time of occurrence:

Actor #1:

Name

Address:

Age:

Charges:

Bail Amount:

Bail Posted:

Actor #2

Name:

Address:

Age:

Charges:

Bail Amount:

Bail Posted:

Vehicle: Make

Model

Year

Description and details of incident / arrest:

Fort Lee Police Department
Prisoner Medicine Report

Date: _____ Case # _____

I _____ am currently under the care of
Name

Dr. _____ located at _____
Name Address

Has prescribed the following medications to me (list all medications):

- | | |
|----------|----------|
| 1. _____ | 2. _____ |
| 3. _____ | 4. _____ |
| 5. _____ | 6. _____ |

for the following medical condition(s):

- | | |
|----------|----------|
| 1. _____ | 2. _____ |
| 3. _____ | 4. _____ |
| 5. _____ | 6. _____ |

I understand that during the period in which I am detained by the Fort Lee Police Department, this medication will be in their custody and dispensed to me in the manner prescribed after its necessity has been verified by the physician and the medication has been verified by a qualified person.

Prisoner's Signature

Officer's Name

I, _____ have read the above and refuse to complete and sign it.

Prisoner's Signature

Officer's Name

COMMUNITY ORGANIZATION INFORMATION REFERENCE SHEET FOR OFFICIAL SUPERVISORS VOL. 7, CH. 14-7

This procedure shall apply to all community organizations, day care centers, and summer camps. It is intended to provide the official supervisor of the organization, day care center or summer camp with information to assist you in notifying the appropriate personnel in your organization who should receive a copy of the Notification Form you have received:

1. You have received two forms – one contains all the information pertaining to the offender (referred to as Unredacted) and the other has the exact street address of his residence taken out (referred to as Redacted). Most staff members should be provided only with the Redacted Notice.
2. You should provide a copy of the Redacted Notice (with no exact street address) to any staff member who is charged with the direct supervision or care of children or women.
3. You should provide a copy of the Unredacted Notice to appropriate staff members in the following circumstances:
 - a. Where the organization routinely conducts activities for its children or women under its supervision in the area adjacent to the offender's residence or place of work/schooling
 - b. Where the offender lives in direct proximity to where the organization is located and conducts activities with children or women.
4. In order to receive the Unredacted Form for your use, you must sign the Community Organization Designated Official Receipt Form indicating that you understand that the information is to be treated as confidential and may be shared only with appropriate staff members. The Receipt Form also states that you are bound by the terms of the court order which authorizes notification and agree to submit to the jurisdiction of the court. The Receipt Form also indicates that you agree to abide by the provisions of these guidelines.
5. When you provide a copy of either the Redacted or Unredacted Form to one of your staff, you must also provide a copy of the Community Organization Rules of Conduct.
6. When you provide a copy of the Unredacted Form to one of your staff, you must obtain a signed Megan's Law Receipt Form from that person and send the Receipt Form to your County Prosecutor's Office. If a staff person declines to sign the Receipt Form, he or she should receive a Redacted Form only.

MEGAN'S LAW COMMUNITY ORGANIZATION
DESIGNATED OFFICIAL RECEIPT FORM
VOL. 7, CH. 14-9

I acknowledge the receipt of the information contained in the sex offender notification provided to me and agree to comply with the following:

- 1. I understand that the information in the notification form is to be treated as confidential and may be shared only with appropriate staff members as set forth in the Information Reference Sheet provided to me, for the purpose of taking precautions to protect those at risk.**
- 2. I agree to be bound by the terms of the Court Order which authorized the provision of notification to me and I agree to submit to the jurisdiction of the Court.**

SIGNATURE OF DESIGNATED OFFICIAL: _____

NAME OF DESIGNATED OFFICIAL (PRINT): _____

ORGANIZATION: _____

DATE RECEIVED: _____

NAME OF SERVER: _____

INFORMATION REFERENCE SHEET FOR SCHOOL PRINCIPALS

VOL. 7, CH14-6

This procedure shall apply to all public and private schools located in an area where the students are likely to encounter the offender. It is intended to provide the school principal or director with information to assist you in notifying the appropriate personnel in your school who should receive a copy of the Notification Form you have received:

1. You have received two forms – one contains all the information pertaining to the offender (referred to as Unredacted) and the other has the exact street address of his residence taken out (referred to as Redacted). Most staff members should be provided only with the Redacted Notice.
2. You should make the determination as to which staff in your school should be informed of the notification and which should have access to the Redacted or Unredacted Notice.
3. The Notice Form should never be posted in a location where it can be viewed by the public, by students or by staff who are not to have access to it.
4. You should share the Notice with any person who in the course of the duties of his or her employment or assignment is regularly in a position to observe unauthorized persons on or near the property of the notified school. To determine which staff members should be given access to either the Redacted or Unredacted Notice, you should refer to the Attorney General Law Enforcement Guidelines which have been provided to you. If you do not have a copy of the Guidelines, please contact your County Prosecutor's Office.
5. In order to receive the Unredacted Form for your use, you must sign the Principal's Receipt Form indicating that you understand that the information is to be treated as confidential and may be shared only with appropriate staff members. The Receipt Form also states that you are bound by the terms of the court order which authorizes notification and agree to submit to the jurisdiction of the court.
6. When you provide a copy of either the Redacted or Unredacted Form to one of your staff, you must also provide a copy of the School Rules of Conduct.
7. When you provide a copy of the Unredacted Form to one of your staff, you must obtain a signed Megan's Law Receipt Form from that person and send the Receipt Form to your County Prosecutor's Office. If a staff person refuses to sign the Receipt Form, he or she should receive a Redacted Form only.

PUBLIC SAFETY INFORMATION NOTICE
VOL. 7, CH. 14-11

Dear Resident of the Borough of Fort Lee:

On _____, while you were not at home, a representative of the Fort Lee Police Department, came to your residence to give you important information. You are not being investigated for any crime. We need to provide valuable information to you and your family.

Please contact the Fort Lee Police Department at 201-592-3500 to make arrangements to receive this information. You will need to provide proof of your address to receive the material. Also, please keep this letter and present it to the Fort Lee Police Department.

Thank you for your cooperation.

MEGAN'S LAW SCHOOL PRINCIPAL RECEIPT FORM
VOL. 7, CH. 14-8

I acknowledge the receipt of the information contained in the sex offender notification provided to me and agree to comply with the following:

- 1. I understand that the information in the notification form is to be treated as confidential and may be shared only with appropriate persons as set forth in the Memorandum of Understanding between the Attorney General of New Jersey and the Commissioner of the Department of Education for the purpose of taking precautions to protect those at risk.**
- 2. I agree to be bound by the terms of the Court Order which authorized the provision of notification to me and I agree to submit to the jurisdiction of the Court.**

SIGNATURE OF PRINCIPAL: _____

NAME OF PRINCIPAL (PRINT): _____

SCHOOL: _____

DATE RECEIVED: _____

NAME OF SERVER: _____

MEGAN'S LAW RECEIPT FORM
VOL. 7, CH. 14-10

I HAVE RECEIVED THE MEGAN'S LAW NOTIFICATION FORM AND AGREE:

I will comply with the Order of the Court which allows me to receive the sex offender information provided to me;

I will comply with the Megan's Law Rules of Conduct which have been provided to me;

I will submit to the jurisdiction of the Court.

SIGNATURE OF PERSON RECEIVING: _____

NAME OF PERSON RECEIVING (PRINT): _____

ADDRESS OF PERSON RECEIVING: _____

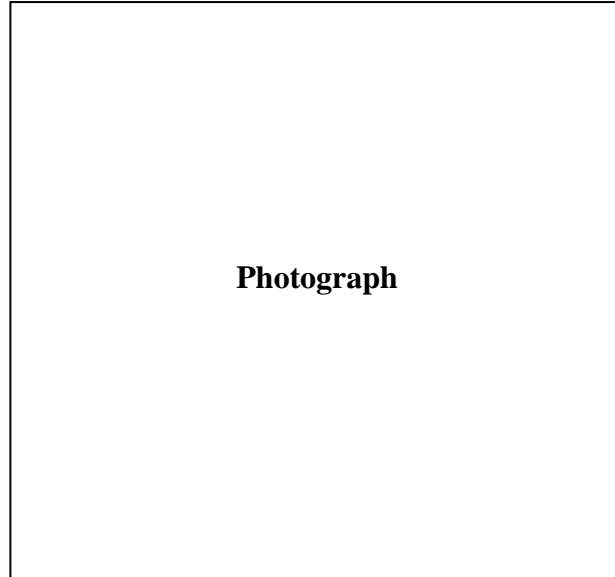
DATE RECEIVED: _____

NAME OF SERVER: _____

DEPARTMENT OR AGENCY OF SERVER: _____

**BERGEN COUNTY PROSECUTOR'S OFFICE
MEGAN'S LAW NOTIFICATION**

Name of Registrant _____



AKA _____

Race _____

Eye Color _____

Sex _____

Hair _____

DOB _____

Complexion _____

Weight _____

Vehicle _____

Address _____

Location of Employment _____

School attendance _____

Comments _____

This notification is made in compliance with N.J.S.2C:7-6, intended to assist in the protection of those at risk, it is not to be disseminated to the community at large.

**BERGEN COUNTY PROSECUTOR'S OFFICE
MEGAN'S LAW NOTIFICATION**

Tier 1 low risk of re-offense. Notification is for Law Enforcement use only, not for community dissemination.

MEGANS LAW RULES OF CONDUCT FOR BUSINESSES

VOL. 7, CH. 14-5

You have received a notification flyer from law enforcement that there is a convicted sex offender living in this neighborhood. You must comply with the following rules:

You may do the following:

1. Do share and discuss the information you have received with your full-time employees.
2. Do share the notification flier with your security officers who are employed by your business at this location.
3. Do keep the copy of the notification flier you have received in a secure location which is not accessible to the public.
4. You should remain alert for the presence of this individual in the vicinity.
5. If you believe that you have seen this individual in the vicinity and have a reasonable belief that the offender presents a threat to your employees or customers, you should contact your local law enforcement agency.

Doing the following is inappropriate and may result in court action or prosecution being taken against you:

1. Do not share the information in this notification flier, or the flier itself, with anyone who is who is not a regular employee or security officer employed by your business at the location receiving notification.
2. Do not share the information in this notification flier, or the flier itself, with the media.
3. Do not post the flier in a public location, or display it in a place where it is visible to persons who are not employees of your business.
4. Do not copy the flier or reproduce it in any way.
5. Do not attempt to harm the offender or his/her property. Do not attempt to harass the offender or make unsolicited, unwanted contact. Do not take any action against the offender's family, household members or employer that may in any way harm or harass a person or property.

This flier is provided to you for the sole purpose of giving you information that can assist you in protecting your family. Law enforcement will notify all appropriate community members, schools, organizations, residences and businesses. If you are not certain whether sharing the notification flier with a particular individual or disclosing the notification information would be appropriate under particular circumstances, you should contact the Megan's Law Unit in the County Prosecutor's Office, at 201-646-2300 for specific direction.

COMMUNITY ORGANIZATION RULES OF CONDUCT

Vol. 7, Ch. 14-3

You have received a Notice Form from law enforcement that there is a convicted sex offender living in the neighborhood where your organization is located. You must comply with the following rules:

You may do the following:

1. You should use the information you have received to exercise appropriate caution to those under your care or supervision, based upon the information provided.
2. You should remain alert for the presence of this individual in the vicinity of those under your care or supervision.
3. You should keep the notification flier in a secure location accessible to appropriate staff members, but which is not accessible to those in your care or supervision or to others.
4. If you believe that you have seen this individual in the vicinity and have a reasonable belief that the offender represents a threat to you or those under your care or supervision, you should contact your local law enforcement agency.

Doing the following is inappropriate and may result in court action or prosecution being taken against you:

1. Do not share the information in this notification flier, or the flier itself, with anyone outside of the community organization. Specifically, you should not share the information in this notification flier, or the flier itself, with those under your care or supervision, their parents, guardians or other relatives, your own family members, or the media.
2. Do not make any copies of the notification flier, or reproduce it in any way.
3. Do not post the notification flier in a public location, or display it in a place where it is visible to anyone.
4. Do not attempt to harm the offender or his/her property. Do not attempt to harass the offender or make unsolicited, unwanted contact. If you believe the individual is a physical threat to you or children in your care, please contact your local police.
5. Do not take any action against the offender's family, household members or employer that may in any way harm or harass a person or property.

This flier is provided to you for the sole purpose of giving you information that can assist you in exercising your supervisory obligations. Law enforcement will notify all appropriate community members, schools, organizations, residences and businesses. If you are not certain whether sharing the notification flier with a particular individual or disclosing the notification information would be appropriate under particular circumstances, you should contact the Megan's Law Unit in the County Prosecutor's Office, at 201-646-2300 for specific direction.

SCHOOL PERSONNEL RULES OF CONDUCT

Vol. 7, Ch. 14-2

You have received a Notice Form from law enforcement that there is a convicted sex offender living in the neighborhood where your school is located. You must comply with the following rules:

You may do the following:

1. You should use the information you have received to exercise appropriate caution to protect those under your care or supervision, based upon the information provided.
2. You should remain alert for the presence of this individual in the vicinity of those under your care or supervision.
3. If you believe that you have seen this individual in the vicinity and have a reasonable belief that the offender represents a threat to those under your care or supervision, you should advise the school principal or contact your local law enforcement agency.
4. Without revealing any confidential information concerning the offender, you may conduct age-appropriate discussions in the classroom to explain the potential danger to students, and participate in school meetings to discuss notification-related issues with parents and other interested parties.

Doing the following is inappropriate and may result in court action or prosecution being taken against you:

1. Do not share the information in this notification flier, or the flier itself, with anyone. Specifically, you should not share the information in this notification flier, or the flier itself, with those in your care, their parents, guardians or other relatives, your own family members, or the media.
2. Do not make any copies of the notification flier, or reproduce it in any way.
3. Do not post the flier in a public location (such as a school bulletin board), or display it in a place where it is visible to anyone.
4. Do not attempt to harm the offender or his/her property. Do not attempt to harass the offender or make unsolicited, unwanted contact. If you believe the individual is a physical threat to you or children in your care, please contact your local police.
5. Do not take any action against the offender's family, household members or employer that may in any way harm or harass a person or property.

This flier is provided to you for the sole purpose of giving you information that can assist you in exercising your supervisory obligations. Law enforcement will notify all appropriate community members, schools, organizations, residences and businesses. If you are not certain whether sharing the notification flier with a particular individual or disclosing the notification information would be appropriate under particular circumstances, you should contact the Megan's Law Unit in the County Prosecutor's Office, at 201-646-2300 for specific direction.

MEGANS LAW RULES OF CONDUCT (GENERAL) VOL. 7, CH. 14-4

You have received a notification flier from law enforcement that there is a convicted sex offender living in this neighborhood. You must comply with the following rules:

You may do the following:

1. Do share and discuss the information you have received with those residing in your household, such as family members.
2. Do share the information you have received with anyone caring for your children at your residence in your absence.
3. Do take appropriate precautions to protect your children, based on the information provided.
4. Do discuss with your children how to act and what to do when dealing with strangers.
5. Do use the information responsibly, in a manner that will facilitate the safety and well-being of those in your care.

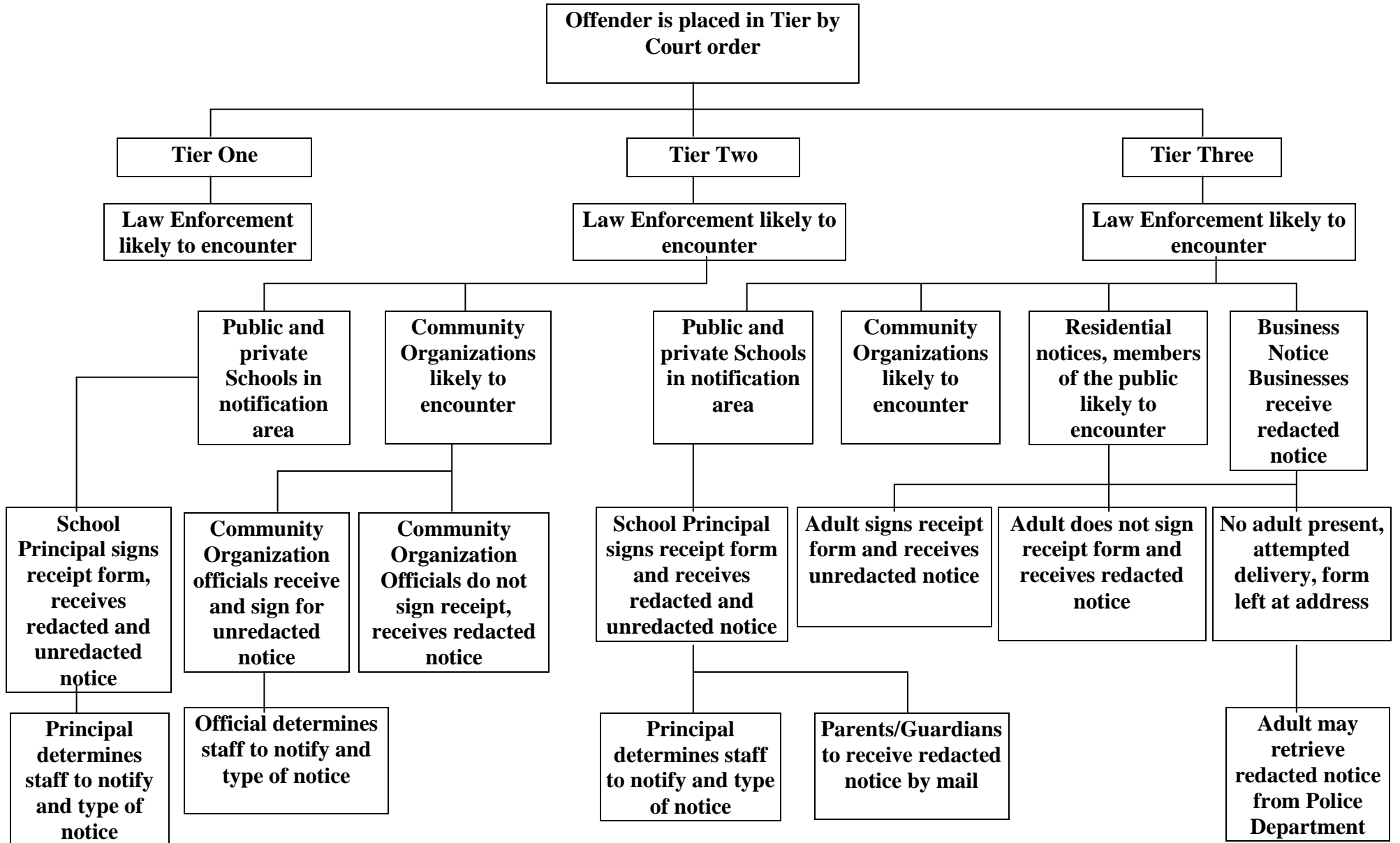
Doing the following is inappropriate and may result in court action or prosecution being taken against you:

1. Do not share the information in this notification flier, or the flier itself, with anyone outside of your household or anyone not in your care. Do not share the information in this notification flier, or the flier itself, with the media.
2. Do not make any copies of this notification flier, or reproduce it in any way.
3. Do not post this notification flier in a public location, or display it in a place where it is visible to persons who are not members of your household.
4. Do not attempt to harm the offender or his/her property. Do not attempt to harass the offender or make unsolicited, unwanted contact. If you believe the individual is a physical threat to you or children in your care, please contact your local police.
5. Do not take any action against the offender's family, household members or employer that may in any way harm or harass a person or property.

This flier is provided to you for the sole purpose of giving you information that can assist you in protecting your family. Law enforcement will notify all appropriate community members, schools, organizations, residences and businesses. If you are not certain whether sharing the notification flier with a particular individual or disclosing the notification information would be appropriate under particular circumstances, you should contact the Megan's Law Unit in the County Prosecutor's Office, at 201-646-2300 for specific direction.

Overview of Community Notification by Tier

VOL.7, CH.14-1



AUTHORITY

“MEGAN’S LAW” N.J.S.A. 2C:7-1

VOL. VII, CH. 14

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-18-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 6					CHAPTER 14
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: MEGAN’S LAW N.J.S.A. 2C:7-1						DISTRIBUTION ALL
ISSUING AUTHORITY: <u>CHIEF THOMAS R. TESSARO</u> ATTORNEY GENERAL:						EVALUATION DATE:
PROSECUTOR'S OFFICE:						Special Instructions
REFERENCE:						

PURPOSE:

To provide a guide in which to follow when encountering a Megan’s law offender who wishes to register, or when making Megan’s law notifications.

POLICY:

This policy will set forth guidelines that officers shall follow when registering a sex offender, pursuant to Prosecutor's Memorandum.

PROCEDURE:

I. The following sex offenders are required to register with the police department in the municipality in which they reside.

A. All sex offenders who have been found to be "compulsive and repetitive" by the sentencing judge regardless of when the offense occurred, who were found guilty, adjudicated delinquent or found not guilty by reason of insanity of the offenses listed below, who are released from custody since the effective date of this statute, October 31, 1994; those offenders who are on parole or probation on the effective date of the statute; and those offenders who have been found to be repetitive and compulsive by the court regardless of the date of conviction or adjudication. These provisions are set forth in New Jersey law at N.J.S.A. 2C:7-1 through 2C:7-11. The law establishing the Megan's Law sex offender Internet registry was signed on July 23, 2001 (chapter 167 of Public Laws of 2001). The provisions of the [Internet registry law](#) are set forth in New Jersey law at N.J.S.A. 2C:7-12 through 2C:7-19.

AUTHORITY
“MEGAN’S LAW” N.J.S.A. 2C:7-1
VOL. VII, CH. 14

1. Aggravated Sexual Assault
 2. Sexual Assault
 3. Aggravated Criminal Sexual Contact
 4. Kidnapping, if the victim was less than 18 years of age and the defendant was charged with a sexual offense or endangering the welfare of a child by engaging in sexual conduct.
 5. Any attempts of the above noted crimes
- B. Anyone convicted, sentenced or on probation or parole (still actively on probation or parole on effective date) on or after October 31, 1994 for any of the following charges:
1. Aggravated Sexual Assault
 2. Sexual Assault
 3. Aggravated Criminal Sexual Contact
 4. Criminal Sexual Contact if the victim was less than 16 years of age.
 5. Endangering the Welfare of a Child involving sexual conduct.
 6. Endangering the welfare of a child involving photographing or filming of the child engaging in sexual conduct.
 7. Child Luring
 8. Kidnapping if the victim is less than 18 years of age and there is an accompanying act of sexual conduct or endangerment.
 9. Criminal Restraint if the victim is less than 18 years of age.
 10. False imprisonment if the victim is less than 18 years of age and the offender is not a parent or guardian.
 11. Any attempt of the above noted crimes.
- C. All sex offenders convicted, adjudicated delinquent or found not guilty by reason of insanity in Federal, State, County, District, City Municipal, Military, Territorial or any other Court of comparable offenses or attempts. The registration must be completed within 70 days of first residing in or returning to a municipality in this State.

AUTHORITY

“MEGAN’S LAW” N.J.S.A. 2C:7-1

VOL. VII, CH. 14

- D. All sex offenders must **re-register every year**. All sex offenders who have been found to be compulsive and repetitive must **re-register every 90 days**.
 - 1. It is incumbent upon the sex offender to register and re-register. Prosecutor’s Address Verification Form should be completed.
 - 2. **FAILURE TO REGISTER AS DESCRIBED ABOVE IS A FOURTH DEGREE CRIME. THE APPROPRIATE STATUTE IS 2C:7-2a.**
 - 3. Re-registration requires only **one (1)** new sex offender fingerprint card

Two polaroid photographs will be taken if the subject’s appearance has drastically changed.

- E. Ten (10) days prior to moving, sex offenders must notify the police departments in the town they currently reside and the town they intend to reside, of their plan to move.
 - 1. Offenders must go through this entire initial registration process in the town they intend to reside in.

NOTE: Sex offenders who received P.T.I., conditional discharge (adults) or a Carry Order (juveniles) are not required to register and are not subject to any form or notification.

II. If a sex offender contacts our department to arrange registration, you must complete the following:

- A. Telecommunications Operator's Responsibilities
 - 1. Obtain name, address and telephone number and record on the applicable department form.
 - 2. Notify Tour Commander, who will notify Detectives.

- B. Detectives Responsibilities
 - 1. Complete sex offender registration form .
 - 2. Complete four (4) Sex Offender Fingerprint Cards, (SBI 15B) and one (1) red Federal Fingerprint Card.
 - 3. Take two (2) 35 mm and three (3) Polaroid Photographs with the municipal police department placard with the Incident Number.
 - 4. Prepare **“POLICE INFORMATION ONLY”** Flyer for all Divisions to make officers aware of the individual registering, with a copy of photo.
 - 5. Forward the packet to Records.

AUTHORITY

“MEGAN’S LAW” N.J.S.A. 2C:7-1

VOL. VII, CH. 14

C. Records Secretary Responsibilities

1. Maintain a separate file, recording all Sex Offender Registrations, containing a copy of the Registration Form, a Sex Offender Fingerprint Card and a Polaroid Photo.
2. Forward three (3) Sex Offender Fingerprint Cards, the red Federal Fingerprint Card, two (2) Polaroid Photographs and the Sex Offender Registration form to the Bergen County Prosecutor's Office, Attention: Megan’s Law Unit, **within three (3) business days.**
3. Forward the two (2) 35 mm photographs within forty-five (45) days.

D. The Bergen County Prosecutor's Office will classify the Sex Offender based upon the forwarded packet.

Tier One: Law Enforcement Alert - where the risk of re-offense is low.

Tier Two: Law Enforcement, School and Community Organization Alert - moderate risk.

Tier Three: Community Notification - Highest Risk

1. The prosecutor's office will notify the department liaison officer with the offender designation.
2. If Tier Two or Three designation is made, appropriate notification regarding the registrant living or working within the community will be made by our department.
3. **No notifications will be made without prior written authorization by the prosecutor's office.**

See also Vol,7 ch, 14-1 thru 12

E. Guidelines for community notification:

This is intended to assist law enforcement agencies charged with conducting a Tier Three notification pursuant to the Registration and Community Notification Laws. For detailed procedures, you should refer to the Attorney General Guidelines for Community Notification.

1. The information you have to disseminate should under no circumstances be released to or shared with the media or posted in a public location.
2. You may not confirm or deny that there is a notification in progress or that one has been conducted in any location. If asked what you are doing while in the course of disseminating the Notification Forms, please answer

AUTHORITY

“MEGAN’S LAW” N.J.S.A. 2C:7-1

VOL. VII, CH. 14

“confidential police work.”

3. Any inquiries from the media, members of the public, local officials or any other person not specifically designated to receive notification by the court order should be referred to the County Prosecutor’s Office Megan’s Law Unit.
4. When conducting a door-to-door Tier Three Notification you should check:
 - a. To see that you have been provided with two separate Notification Forms: an Unredacted Notice, which includes all sex offender information without omission and a Redacted Notice, which omits the specific street number of the offender’s home and exact street address and name of the employer.
 - b. To see that you have been provided with Megan’s Law Rules of Conduct Forms.
 - c. To see that you have been provided with Megan’s Law Receipt Forms for residents to sign.
5. You must hand-deliver the Notification Form to an adult member of each household and to a full-time adult supervisory employee or owner of every business located in the Scope of Notification area defined by the court order. Before leaving an Unredacted Notification Form with the resident, you must obtain a signed Megan’s Law Receipt Form. Retain the Form for the County Prosecutor’s Office Megan’s Law Unit. Do not leave a form with anyone under the age of 18, unless the person is an emancipated head of household.
 - a. If the resident declines to sign the Megan’s Law Receipt Form, you should leave the Redacted Form only.
 - b. In all circumstances, you must provide a copy of the Megan’s Law Rules of Conduct and review the information included in the Rules with the resident receiving the Notification.
6. If no one is at home:
 - a. Do not leave the Notification Form.
 - b. Leave a copy of the Attempted Delivery Form under the door or in the mailbox of the residence. A door hanger may be substituted by the County Prosecutor’s Office for you to use.
7. When delivering to a place of business:
 - a. Identify the owner, manager or supervisor who is in charge on a full-time basis.

AUTHORITY

“MEGAN’S LAW” N.J.S.A. 2C:7-1

VOL. VII, CH. 14

- b. Provide one copy of the Redacted Notice, and the Rules of Conduct for Businesses form.

- c. Inform the individual that the Notice cannot be posted in any location. Inform the individual that the Notice cannot be shared with customers or any employees not assigned to the location or regularly employed at that location. The owner/manager should be advised to maintain the Notice in a secure location available to regular, full-time employees. The Notice should also be shared with any security officers employed at that location.

**AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-24-2003	REVISION DATE: 06-23-08	PAGE #: 3-5	SECTION: II.B, I III. C XIV	APPROVED 12-13-08	VOLUME #VII
VOLUME TITLE: AUTHORITY	# PAGES: 13					CHAPTER 5
ACCREDITATION STANDARD(S):41.2.7	REFERENCE:					
SUBJECT: HANDLING THE MENTALLY ILL						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE: A-12 V-7 C-5, V-7 C-9						
REFERENCE:						

PURPOSE:

To ensure that proper procedures are used when handling calls involving mentally ill subjects

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.

PROCEDURE:

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 unless, 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.

**AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5**

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 which 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. Definitions

1. **"Mental Illness"** A current substantial disturbance of thought, mood, perception or orientation which significantly impairs judgement, 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.

B. 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 which follow, there will be doubt whether the condition is present.

1. Symptoms vary and each person with mental illness is different; but, all people with mental illness have some of the thoughts, feelings, or behavioral characteristics listed below. While a single symptom or isolated event is not

AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5

necessarily a sign of mental illness, multiple or severe symptoms may indicate a need for a medical evaluation. These symptoms should not be construed as an all inclusive list.

- Changes in thinking or perceiving, such as
 - Hallucinations
 - Delusions
 - Excessive fears or suspiciousness
 - Inability to concentrate
- Changes in mood
 - Sadness coming out of nowhere; unrelated to events or circumstances
 - Extreme excitement or euphoria
 - Pessimism, perceiving the world as gray and lifeless
 - Expressions of hopelessness
 - Loss of interest in once pleasurable activities
 - Thinking or talking about suicide
- Changes in behavior
 - Sitting and doing nothing
 - Friendlessness; abnormal self-involvement
 - Dropping out of activities; decline in academic or athletic performance
 - Hostility, from one formerly pleasant and friendly
 - Indifference, even in highly important situations
 - Inability to express joy
 - Inappropriate laughter
 - Inability to concentrate or cope with minor problems

**AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5**

- Irrational statements
 - Peculiar use of words or language structure

 - Excessive fears or suspiciousness

 - Involvement in automobile accidents

 - Drug or alcohol abuse

 - Forgetfulness and loss of valuable possessions

 - Attempts to escape through geographic change; frequent moves or hitchhiking trips

 - Bizarre behavior (skipping, staring, strange posturing)

 - Unusual sensitivity to noises, light, clothing
- Physical changes
- Hyperactivity or inactivity or alternations of these

 - Deterioration in hygiene or personal care

 - Unexplained weight gain or loss

 - Sleeping too much or being unable to sleep
2. Often the symptoms of mental illness are cyclic, varying in severity from time to time. The duration of an episode also varies; some people are affected for a few weeks or months while for others the illness may last many years or for a lifetime. There is no reliable way to predict what the course of the illness may be. Symptoms may change from year to year. Also, one person's symptoms may be very different from those of another although the diagnosis may be the same.
3. In many cases of apparent mental illness, other diseases or maladies are found to be the cause including, but not limited to: Alzheimer's, epilepsy, Parkinson's, diabetes, etc. Be alert for and note behaviors to relay to mental health professionals for their diagnosis. A thorough examination by a health professional should be the first step when mental illness is suspected.
4. Training in this directive shall be conducted periodically, at least once every three years, ideally with one of the mandatory use of force training classes.

**AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5**

5. The Police Training Commission currently requires entry level training in this topic for new police officers. Entry level officers shall receive training in this directive following graduation and prior to assuming operational duties.

III. GENERAL APPROACH

- A. Whenever a contact is made with a person who he/she 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.
- C. In interviews and interrogations, depending on the circumstances, personnel need to establish that any confession made by someone with mental illness is knowingly and intelligently, see State v. Flower 224 NJ Super (App. Div. 1988). Consult with the Bergen County Prosecutor for guidance in these situations.

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 Psychiatric Department at the Bergen County Regional Medical Center 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.)
 - a. Subject should be urged to call Bergen County Psychiatric Emergency Screening Program (P.E.S.P.) 24 hour Hotline: 262-HELP (4357)

**AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5**

1. 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 262-HELP himself and get the benefit of the staff's advice.

The Psychiatric Emergency Screening Program 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. The least amount of force necessary should be used when handcuffs are to be placed on mentally ill persons.

**AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5**

2. If subject is out of control and needs to be completely restrained, Officer shall immediately arrange transportation for the subject through the VAC to the mental health facility designated by the mental health screening, subjects arms and legs can be secured to the stretcher in the Ambulance.
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. If subject is under arrest, they will stand by until a commitment can be obtained for the Jail wing of the Hospital.
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.
7. A thorough pat search should be made for weapons or contraband that could be used to injure officers involved or for any attempt to commit suicide.
8. Search and seizure procedure out lined in Vol VII, Ch 21 should be followed in any arrest situation.

VI. AFTER THE MENTALLY ILL PERSON IS IN CUSTODY

- A. Dispatcher is to call 262-HELP, 24-hour Hotline and advise them of the circumstances that led to the police involvement.

VII. GUIDELINES FOR UTILIZATION OF PSYCHIATRIC EMERGENCY SCREENING PROGRAM

- 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 exists between law enforcement officers and Psychiatric Emergency Screening Program (P.E.S.P.) 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.

**AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5**

This statement is issued to ensure the safety and well-being of the individual who is suspected of being mentally ill and dangerous, the P.E.S.P. screeners, the law enforcement officers and the community.

- B. The P.E.S.P. provides services for Juveniles but cannot authorize transport, parental consent should be obtained, if not:
 - a. DYFS may be involved when abuse or neglect exists.
 - b. Family crisis unit may authorize transport 646-2233, but usually after screening.
 - c. Police may apprehend the youth under juvenile crisis provisions.

- 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.

**AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5**

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 P.E.S.P., 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 P.E.S.P. 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, a supervisor will be dispatched to the scene, and 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.

**AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5**

- 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 (caged patrol unit or ambulance) to the scene and provide a police escort to the P.E.S.P. screening center at B. C. R. M. C.
 - 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 law enforcement services can be maintained by other officers.
- D. If an officer is not at the location of the subject:

**AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5**

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 P.E.S.P. screening center to discuss case with screener and transport the subject to the screening service for an evaluation.
 2. Contact the P.E.S.P. screening service 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 P.E.S.P. 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 and will stand by for security purposes until he is committed to the jail wing. 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 that the subject is to be released.

**AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5**

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, telephone number, DOB, and SS # 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. Include results of P.E.S.P. screening.
 - a. Temporary Commitment - Location
 - b. Released - Voluntary Referral

AUTHORITY
HANDLING THE MENTALLY ILL
VOL. VII, CH. 5

9. Include information on all criminal charges.

XIV. TRAINING

- A. Initial training on handling mental subjects is given as part of the curriculum in the Basic Police training at the Academy.
- B. In-service training will be conducted at least once every three years.

**ADMINISTRATION
MISSION STATEMENT
VOL I, CH 26**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-01-08	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 1					CHAPTER 26
ACCREDITATION STANDARD(S): 12.2.1	REFERENCE:					
SUBJECT: MISSION STATEMENT						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

MISSION STATEMENT

Our mission is to provide and maintain, as much as is practicable, and given all available resources, a feeling of security and safety among all persons within our legal jurisdiction. It is critical that all members understand and support this mission. The mission forms our legitimate basis for existence and is the basis of our professional ethics, rules, regulations, operating policies, procedure and practices.

The mission is functionally defined by the power established by legislated authority and demands for service from the public. It is the direct and ultimate responsibility of the administrative head to interpret public demands and, within budgeted resources, provide for the best possible delivery of services.

The nature of public safety and security forces is varied. Examples include, but are not limited to: equal, equitable and fair enforcement of laws; responding to calls for non-enforcement services; active patrol; housing of prisoners; public relations contacts; and the personal demeanor, conduct and image of our personnel on duty as well as off duty. These services and the perception we create while engaging in these services are functionally defined, made real and ultimately judged by the nature of the activities we engage in as well as how we appear while engaged in such activities. In summary, our mission is to deliver a service as well as a perception of service, i.e., a feeling of safety and security.

The authority by which we operate and the granted resources we are provided with are an affirmation of the public's trust. Each employee must be cognizant that the misuse or inefficient use of these resources leads to citizen apathy, alienation and eventually the loss of public confidence.

Yo, _____, por este medio autorizo a _____,
(Nombre de la persona consintiendo al registro) (Nombre de el miembro de Policia)

un miembro de la Policia de Fort Lee en Nueva Jersey, o cualquier otro oficial designado, a conducir un registro completo de _____,
(Una descripcion completa de la residencia, local, vehiculo, etc.)

que esta situado en _____
(Una descripcion completa incluyendo direction)

Ademas, autorizo al miembro susodicho de la Policia de Fort Lee en Nueva Jersey a sacar cualquieras cartas, documentos, papeles, materials, o cualquier otras possessions que se consideren pertinentes a la investigation. Yo entiendo que yo recibire un recibo por todos objetos sacado durante el registro.

Yo he dado este permiso a sabiendas y voluntariamente sin miedo, amenaza ni promesa (expresada o implicada). Tambien he sido avisado por _____
(Nombre de el miembro de Policia)

que tengo el derecho de rehusarme a dar permiso para el registro.

(Firma de la persona consintiendo al registro)

(Firma de el miembro de Policia conduciendo el registro)

(Testigo)

LISTA PORMENORIZADA DE ARTICULOS SACADOS PARA EVIDENCIA

Numero de Articulo	Descripcion completa de articulo (Incluyendo cantidad, condicion, sitio, y por quien encontrado)		
Officers Signature	Shield Number	Case #	Date

**FORT LEE POLICE DEPARTMENT
CONSENT TO SEARCH**

I, _____ hereby authorize _____
(Name of person consenting to search) (Name of Police Member)

a member of the Fort Lee Police Department and any other officer designated to assist, to conduct a complete search of: _____
(Thorough description of residence, Premises, Vehicle, etc.)

Located at: _____

(Thorough description and/or address)

I further authorize the above member of the Fort Lee Police Department to remove any letters, documents, papers, materials, or other property which is considered pertinent to the investigation, provided that I am subsequently given a receipt for anything which is removed.

I have knowingly and voluntarily given my consent to search without fear, threat, or promise (expressed or implied). In addition I have been advised by _____
(Name of Police Member requesting consent)

That I have the right to refuse giving my consent to search. I have been further advised that I may withdraw my consent at any time during the search.

(Witness)

(Signature of person consenting to search)

Date: _____ Time: _____

(Witness)

ITEMIZED LIST OF ARTICLES TAKEN AS EVIDENCE

Item #	(Include Thorough Description, Quantity, Where and by Whom Found)	
Rank – Signature – Badge Number		
Case Number		Date of Report

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 11-14-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME #VI
VOLUME TITLE: GENERAL	# PAGES: 3					CHAPTER 8
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: MOTOR VEHICLE REPOSSESSION						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE: A30 V-6 C-8						
REFERENCE:						

PURPOSE:

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.

POLICY:

This directive is designed to 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.

I. PROCEDURE:

- A. 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.

There are two types of repossessions:

1. Repossession under a court order
2. Self help repossession.

**GENERAL
MOTOR VEHICLE REPOSSESSIONS
VOL. VI, CH. 8**

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. These repossessions are generally conducted by independent contractor's (repossession agents), hired by the lender solely to conduct the repossession.

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 A.M. 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 N.J. 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 level of involvement is needed to convert a self-help repossession into a state action.

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:
 - 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 drivers license and/or other photo

**GENERAL
MOTOR VEHICLE REPOSSESSIONS
VOL. VI, CH. 8**

identification of the person coming into headquarters.

e. Copies of any documents from the lender purporting to authorize the repossession.

B. Repossession Information Sheet should be placed in the repossession book in Communications.

1. 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.
2. 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 concerned about potential problems, and believes that a police escort may be necessary, then it does not appear that this repossession can be conducted without a breach of the peace. If the repossession cannot be conducted without a breach of the peace, the lender loses the right to conduct a self help repossession.
3. 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.
4. 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.
5. The police should not say or do anything, which would make it appear that the police are authorizing or participating in the repossession.
6. 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.
7. If there are any further questions, please contact the duty prosecutor during business hours or through the Communication Center after business hours.

**TRAFFIC
MV CONSENT SEARCH
VOL, 9. CH 10**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 05-28-05	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 3					CHAPTER 10
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: MOTOR VEHICLE CONSENT SEARCH						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure that officers have procedures to follow when conducting consent searches of a vehicle, and so that the constitutional rights of the occupants of the vehicle are not violated in conducting such searches.

POLICY:

Officers of the Fort Lee Police Department will utilize the following procedures when conducting consent searches of motor vehicles.

PROCEDURES:

A. Vehicle Searches Based Upon Consent

1. An officer may never make an arbitrary request of a person's consent to search.
 - a. Any request made of a citizen by an officer to search them, their premises, or their vehicle must be based upon "reasonable suspicion" standards, in the same way that a "Terry" stop and frisk requires specific and articulable facts concerning the presence of possible criminal activity.
 - b. The officer will document the reasonable suspicion for the consent search on the Mobile Video Recorder (MVR) in the vehicle prior to having the form signed.

**TRAFFIC
MV CONSENT SEARCH
VOL, 9. CH 10**

- c. The entire stop will be documented on the MVR.
2. Before a Consent Search is conducted, a supervisor must be called to the scene and the department's Consent Search Form is to be completed and signed by the person authorized to give consent.(See Appendix 1 English form and 1.1 for Spanish form)
3. 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 a right to refuse to accede to such a request, his assent to the search is not meaningful.
4. Defendant's consent must be clear, unequivocal, intelligent and voluntarily given. A written waiver is the preferred method of obtaining consent to search. The officer, though acting in good faith, must be careful to avoid not only the use but also the appearance of coercion.
5. 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.
6. 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.
7. 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", or by implying that a threat of arrest will be lifted as soon as consent is given. The person should be informed that a consent to search may be revoked at any time prior to completion of the search.
8. A valid consent to search may be given only by the person with the primary right to the occupation of the vehicle.
 - a. If there is more than one occupant of the vehicle and the owner is present but not driving, the owner should give the consent.
 - b. If there is joint ownership and both are present, either one can consent to the search.

**TRAFFIC
MV CONSENT SEARCH
VOL, 9. CH 10**

9. Following any vehicle consent search the consent form will be forwarded to the tour commander for review. The tour commander will then forward the form to records for filing.
10. Where there is an arrest involved the form will become part of the arrest jacket.
11. Records bureau will maintain a binder with consent searches that do not involve arrests.

**OPERATIONS
EQUIPMENT USE, ASSIGNMENT AND MAINTENANCE
VOL. IV, CH. 16-2**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-08-05	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 5					CHAPTER 16-2
ACCREDITATION STANDARD(S):	REFERENCE: V4C16-2					
SUBJECT: MOTORCYCLE USE, ASSIGNMENT AND MAINTENANCE						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish the conditions and guidelines for the use and care of the departmental motorcycles. It will also outline which officers will be assigned to the Motorcycle Unit and thereby granted permission to use the motorcycles in addition to the process under which officers will gain permission to use them.

POLICY:

The Administrative Division Commander is responsible for purchasing, supplying, repairing and maintaining equipment and supplies of the department. This includes buildings, vehicles, uniforms, firearms, specialized equipment, and various other supplies.

The Administrative Division Commander is responsible for issuing supplies and equipment and for formulating maintenance and operating instructions for such equipment.

Commanding officers are responsible and accountable for proper care and maintenance of all equipment, supplies, and other department-owned property, which is issued or otherwise assigned to their command.

Individual employees are responsible and accountable for proper care and maintenance of all equipment, supplies, and other department-owned property that is issued for their use.

Malfunctions discovered during the use of any equipment shall be promptly reported and the use of the equipment shall cease immediately when there is any reasonable cause to believe that further use may

OPERATIONS

EQUIPMENT USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16-2

damage the equipment itself; result in accidental damage or injury; and/or tend to produce evidence which would be detrimental to any criminal or civil defendant.

PROCEDURE

- I. Motor units should be used in every aspect of policing as any other marked department vehicle. The motor units will be assigned to the Traffic Bureau and be under the control of the Traffic Bureau Supervisor. Motor units shall be used primarily for traffic control, Community Policing, Public Relations and Patrol. Whenever possible, the motor units will be used as departmental representatives for funerals for fallen law enforcement officers and when an outside agency requests assistance with various types of escorts.

- II. Motor Unit Riding Status:
 - A. Requirements:
 1. For an officer to become eligible to obtain a level of riding status on a department Motor Unit (motorcycle), the officer must meet the following requirements:
 - a. Posses a valid New Jersey motorcycle license
 - b. Have completed and passed an approved motorcycle riding school course.
 - c. Posses the approved motorcycle uniform (See Uniform Vol. 1 Ch. 17).
 2. Permission
 - a. To obtain permission to ride a department Motor Unit, the officer must submit a written request to the Traffic Bureau Supervisor. Documentation as to the above requirements must be provided along with the written request.
 - b. Officers that are already members of the Motor Unit, either full-time or part-time, do not have to re-apply for permission. All officers in the Motor Unit should attend an approved police motorcycle riding school course
 3. There shall be two different riding status levels, Full time and Special Detail.
 - a. Full time Riding Status: Only officers who have completed and passed an approved police motorcycle riding course.
 - b. Special Detail Riding Status: Any officer from any other division in the department may obtain Special Detail Riding Status. Officers with Special Detail Riding Status will only ride motor units when on Special Details, unless authorized by the Traffic Bureau Supervisor. Prior to using a motor unit on a Special Detail, the officer is to get authorization and a vehicle assignment from the Traffic Bureau Supervisor. Authorization to ride must be received prior to riding for each detail.

OPERATIONS

EQUIPMENT USE, ASSIGNMENT AND MAINTENANCE

VOL. IV, CH. 16-2

III. Motorcycle Assignments

- A. All motor units shall be assigned to the Traffic Bureau and will be under the direction of the Traffic Bureau Supervisor. Officers with Full Time Riding Status shall be assigned a motor unit. However they may use an unassigned motor unit without requesting permission. Assigned motor units will not be used by other officer unless specific authorization has been granted by the Traffic Bureau Supervisor. Full Time officers shall have priority for use of any motor unit over Special Detail officers.

IV. Weather Restrictions

- A. At their discretion, a motor officer may use a department vehicle instead of their assigned motor unit. If a motor officer is uncomfortable riding their assigned motor unit under inclement weather conditions, they may choose to drive another vehicle. A motor officer should primarily use a Traffic Bureau vehicle. If none are available a patrol vehicle may be use with the Tour Commander's approval.
- B. Motor units will not go on the road or should be taken off the road when the following weather conditions exist:
 - a. Temperatures over 105 degrees F.
 - b. Temperatures below 15 degrees F.
 - c. During snow and rainfall.
 - d. When the roadway is snow covered prior to or during snow plowing.
 - e. During excessive inclement weather.
 - f. When the Traffic Bureau Supervisor deems it necessary.

V. Hours of Operation

- A. Motor units may be used at any time of the day. Any officer with full time riding status may use their motor unit on any shift assigned. Special Detail officer will use the motor units when assigned by the Traffic Bureau Supervisor.
- B. If a Full-Time Motor Officer is working in a Patrol Squad, the Tour Commander may assign the officer to a marked unit if needed.

VI. Maintenance

- A. Officers assigned to Full Time status are to be responsible to insure that routine maintenance of the assigned motor unit is completed. Full Time motor officer will also assure that the unassigned motor units are maintained. The motor unit shall be kept clean and polished. Motor Officer with Special Duty Status shall clean and polish units they use when on a detail and shall not leave a unit unkempt. Time will be provided at the end

OPERATIONS
EQUIPMENT USE, ASSIGNMENT AND MAINTENANCE
VOL. IV, CH. 16-2

of each tour for cleaning and maintenance of each unit. Routine maintenance may be performed by the assigned officer with reimbursement for the parts, with prior approval from the Traffic Bureau Supervisor. Factory recommended maintenance schedules are to be followed. Any malfunction of any motor unit shall be immediately reported to the Traffic Bureau Supervisor and documented on a Vehicle Inspection Sheet.

VII. Uniform (see Uniform Policy Vol. 1 Ch. 17)

A. The following is the official uniform of the Fort Lee Police Department Motor Unit. Officers that have either Full Time or Special Detail Status shall possess the official uniform. No officer shall use a motor unit without having the official uniform. Officer with Special Detail Status shall be permitted to wear the Winged Wheel collar brass and patches identifying them as motor officers. Full Time officers shall be permitted to wear the Motor Unit uniform regardless of their temporary Uniform Division assignment.

B. Summer Uniform:

Hat: All officers will utilize the Trooper hat, with hat badge, when on regular duty.

Helmet: A half shell or ¾ helmet shall be worn whenever operating a motor unit. The helmet shall be white with a black outer band and a detachable black visor. The helmet may have the officer's badge number displayed on the rear in.

Face Protection: Motor officers shall be allowed to wear face protection in inclement weather or when the need arises at the officer's discretion. The face protection shall be made of either leather, cloth or neoprene material.

Glasses: Any type of department approved eye protection (glasses or goggles) may be worn.

Shirt: Patrolmen and Sergeants shall wear navy blue short sleeve shirt (same as Patrol Division). It shall have the department patch and Winged Wheel [Patrolmen] below facing forward with the wings perpendicular to the cuff on the left sleeve, Traffic Bureau patch (Full Time Officers) or American flag on the right sleeve. During cooler weather, motor officers may elect to wear the long sleeve uniform shirt, as long as uniformity with other motor officers is maintained.

Collar Brass: All motor unit officer shall wear the "FL" collar brass on the left collar with the Winged Wheel worn on the right collar. The collar brass shall always be worn parallel to the ground when worn with a tie. All motor officers may wear these insignias when in uniform as unit identification regardless of their current assignment. Patrolmen shall wear silver collar brass (tie tack and buttons). Sergeants and above shall wear gold collar brass (tie tack and buttons). Supervisory rank shall be displayed as all other uniformed personnel.

**OPERATIONS
EQUIPMENT USE, ASSIGNMENT AND MAINTENANCE
VOL. IV, CH. 16-2**

- Leather: The holster or gun belt shall be equipped for a “Sam Browne” type strap (across the body and over the weak hand shoulder). Breakaway clips may be worn on the “Sam Browne” strap for officer safety. The officer may set up their gun belt as to personal comfort.
- Pants: Navy Blue britches shall be worn (same color as Patrol Division). The britches shall be of tailored type. Patrolmen shall have a 1” French Blue stripe on each side. Supervisors shall wear a black stripe.
- Boots: Motor officers shall wear over –the-calf motorcycle boots. These boots should have a short set of laces in the front and have either a short set of laces or a strap and buckle on the top outside edge of each boot. No sneakers, shoes or combat boots are permitted, as they do not offer the same ankle and leg protection.
- Gloves: Black leather or water-resistant (Gortex type) should be worn at all times. The motor officer shall have discretion as to the type of gloves worn (i.e. fingerless, padded, full or gauntlet).
- Rain Gear: Rain gear shall be either one or two piece and approved by the department.
- Miscellaneous: During cool weather thermal or electric garments may be worn under the Motor Unit uniform.

C. Winter uniform:

Shirt: Patrolmen and Sergeants shall wear navy blue long sleeve shirt (same as Patrol Division). It shall have the department patch on the left shoulder and the “Winged Wheel” Motor Unit patch facing forward at the bottom of the sleeve at the cuff with the wings perpendicular to the cuff line. Traffic Bureau patch (Full Time Officers) or American flag at the shoulder on the right sleeve.

Jacket / Blouse:

Shall be a Navy Blue $\frac{3}{4}$ length “Trooper” style, single breasted dress blouse with installed hardware for the wearing of the equipment Motor Officer duty belt and “Sam Browne” strap over the blouse. Patches will be worn as described for the long sleeve uniform shirt. Department approved leather jacket may also be worn, however, all riders must be uniformly outfitted.

D. Commanding Officer of the Traffic Bureau may make a recommendation for a change of the jacket / blouse specification with prior approval of the Chief of Police.

INTER-AGENCY PROCEDURES

MUTUAL AID

VOL,V. CH,1.

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 11-20-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME V
VOLUME TITLE: INTER-AGENCY PROCEDURES	# PAGES: 2					CHAPTER 1
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: MUTUAL AID						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:	Special Instructions					
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To provide procedures for requesting or rendering mutual aid assistance to or from other municipalities.

POLICY:

It is the policy of this department to provide mutual aid assistance to other agencies whenever possible, however, unless extraordinary circumstances are apparent, no mutual aid police assistance will be given to other jurisdictions unless, that assistance is requested from the jurisdiction involved, and authorization to respond is granted by the tour commander, or other supervisor of equal or higher rank.

Extraordinary circumstances mean a life threatening emergency in which no time exists for such a request to be forwarded.

All requests for mutual aid assistance for other police agencies to respond to this borough must be cleared through the tour commander or other supervisor of equal or higher rank.

PROCEDURES:

I. REQUESTING MUTUAL AID FROM OTHER AGENCIES:

- A. Mutual aid assistance will only be requested when all of the immediately available resources of this department are exhausted.

INTER-AGENCY PROCEDURES

MUTUAL AID

VOL,V. CH,1.

- B. Routine mutual aid assistance will be utilized to respond to miscellaneous police calls such as major accidents, fights, unruly crowds, etc. In requesting assistance in these calls, the nearest jurisdictions to the area of the call will be utilized first.
- C. Consideration should be given to requesting assistance from the Bergen County Police, Bergen County Sheriffs Department and the Port Authority Police.
- D. The names of all agencies and officers responding are to be recorded, and a report made of the involvement made under the direction of the tour commander. This report is to be forwarded to the Chief of Police.
- E. All involved officers from other departments are to be relieved as soon as sufficient Fort Lee personnel are available.
- F. For extraordinary calls, such as barricaded subjects, major disasters, etc., the standard operating procedures regarding utilization of Emergency Services Unit personnel and the procedures outlined in the disaster plan are to be utilized.

II. MUTUAL AID RESPONSE TO OTHER AGENCIES:

- A. Unless extraordinary circumstances are apparent, no mutual aid police assistance will be given to other jurisdictions unless that assistance is requested from the jurisdiction involved and authorization to respond is granted by the tour commander or other supervisor of higher rank.
 - 1. Road Supervisor should also respond, if possible.
 - 2. Sufficient manpower should be retained in the Borough to answer emergency calls.
- B. This department will provide mutual aid assistance to any other requesting jurisdiction for the minimum time needed to resolve the incident or until the requesting agency responds sufficient personnel of its own.
- C. The Supervisor or a designated officer responding to the mutual aid request will be responsible for making a full and complete report of officers responding, who made the response request, the details of the incident itself, and the time spent. If the incident requires prolonged involvement, the supervisor, or officers responding (should a supervisor be unable to respond) will periodically give a status report to the tour commander.
- D. If a mutual aid request is made for a high-risk incident or disaster, the specific procedures for dealing with those events and the use of the Emergency Services Unit will be followed, by utilizing the standard operating procedures for high-risk incidents and disasters.

**TRAFFIC
CITATION CONTROL
VOL. IX, CH 8**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-06-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 4					CHAPTER 8
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: MOTOR VEHICLE SUMMONS CONTROL						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

I. PURPOSE

To provide guidelines to ensure proper control and security of citation books.

II. DISCUSSION

The Motor Vehicle 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 department through ultimate adjudication and disposition of each individual summons.

III. PROCEDURE

A. Supply and Maintenance

1. Request for a given quantity of summons books by each officer can be made at the Court Clerk's office at Borough Hall.
2. Upon receipt of summons books, check numerical accuracy of every summons book prior to signing receipt.
3. The Court Clerk's office will maintain summons book control forms.

**TRAFFIC
CITATION CONTROL
VOL. IX, CH 8**

B. Distribution of books

- 1.. As each book is issued, every officer will record his name, ID #, the date of issuance, and book start and end numbers on the summons book control form.

C. Summons Control

1. Control copies (BLUE) of each summons will be forwarded to the Records Bureau as they are issued.
 - a. They are to be reviewed by the Tour Commander prior to being forwarded to the records bureau.
 - b. The Tour Commander will ensure that the summons is filled out properly, with proper court dates, times and violation statutes.
2. If the summons was issued in an arrest case, the summons should be copied for the case jacket and the white copy forwarded to the court with the criminal complaints and the blue copy to records.
3. If the summons was issued for an offense which requires bail to be collected, then an arrest report should be completed and a copy should be sent with each copy of summons to records and to the court.

D. Issuing Officer

1. Complete all required sections of the summons.
2. After completion of the summons, give the defendant the appropriate copy.
3. Provide the defendant with the following information:
 - a. Court appearance date
 - b. If court appearance is mandatory
 - c. If a plea can be entered and the fine may be paid by mail or at the traffic violations bureau
 - d. any other relevant information

E. Voiding of a summons

1. If an error is made while writing a summons, or if summonses have become damaged due to accidental exposure to rain, snow, etc., they may be administratively voided by the judge.

**TRAFFIC
CITATION CONTROL
VOL. IX, CH 8**

2. The officer fill out a request to void a summons form, giving a concise justification for the voiding of the citation and return them to his supervisor.
3. The officer will forward this form and the summons to the Tour Commander for review as soon as possible to explain the reason the citation was voided and to permit the Supervisor to review the officer's action.
4. The supervisor shall forward all copies to be processed through normal channels for accounting from the records bureau to the judge.
5. The following are the most common reasons for voiding traffic summonses.
 - a. Violator gave false information, such as wrong name, address, etc. (When voiding the summons, indicate the number of the new summons issued.)
 - b. Officer entered wrong information, which caused the summons to be invalid.
 - c. Violation occurred outside legal jurisdiction.
 - d. Vehicle parked in prohibited zone, but was broken down. Driver returned with assistance before officer completed summons.
 - e. Driver parked in prohibited zone but returned before the officer completed the summons. (Officer may warn and release subject, depending on the circumstances.)
 - f. After issuing summons on parked vehicle officer discovered previous summons had been issued by another officer. (Officer must indicate on the voided summons the number of the summons previously written on that vehicle.)
 - g. Stopped wrong car.
 - h. Traffic signs missing or obscured.
 - I. Officer misread parking restriction.
 - j. Error in computing vehicular speed.
 - k. Officer unable to complete summons because of receiving an emergency call (such as a robbery in progress, assist another officer, etc.)
6. In no case shall an officer, supervisor or commanding officer, including the chief of police, void a traffic summons issued by another officer. If investigation reveals that an improper charge has been filed, the matter will be referred to the judge for proper disposition.

**TRAFFIC
CITATION CONTROL
VOL. IX, CH 8**

F. Loss or Theft of Summonses

1. 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 written report through appropriate channels to the commanding officer.
2. Upon review and acceptance of the required report by the commanding officer, a copy will be forwarded to the court clerk's office so that proper adjustments will be made in the summons control records.

G. Miscellaneous Provisions

1. Continual checks will be maintained by the Chief or his designee to ensure compliance with approved procedures.

**INVESTIGATION
NARCOTICS / DIVISION/SUPERVISOR
VOL. 8, CH. 16**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-05-2007	REVISION DATE: 01-27-2009	PAGE #: 6	SECTION: IV,C,4,a	APPROVED 05-11-2009	VOLUME # VIII
VOLUME TITLE: INVESTIGATION	# PAGES: 11					CHAPTER 16
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: NARCOTICS DIVISION & SUPERVISOR RESPONSIBILITIES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
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REFERENCE:						

PURPOSE:

To ensure that proper procedures are followed by officers assigned to the Narcotics Division, and any supervisors also assigned to that unit.

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 (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 suppression of narcotics activity and vice activities is the responsibility of every officer. Illegal narcotics use and its associated crimes such as narcotics sales, obtaining prescription drugs by fraud and money laundering are not limited to any one social group and can exist in any community. The Fort Lee Police Department will concentrate its efforts on illegal narcotics and vice activity under the Direction of the Detective Division Commander and the Narcotics Bureau Supervisor.

**INVESTIGATION
NARCOTICS / DIVISION/SUPERVISOR
VOL. 8, CH. 16**

The Police Departments goal will be to identify and investigate potential suspects involved in illegal narcotics and vice activity. By establishing a Narcotic Bureau within the Detective Division, the following objectives are desired:

1. To increase the number of narcotic and vice related arrests using Narcotic Bureau personnel.
2. To aid and assist members of the department in narcotic and vice related arrests.
3. To establish and maintain a rapport with outside police and government agencies with pending investigations.
4. To aid and assist civilian/school agencies in educational training efforts, so that they may assist our department in combating illegal narcotics and vice activities.

NARCOTICS BUREAU

POSITION TITLE: NARCOTIC BUREAU SUPERVISOR

I. NARCOTIC BUREAU SUPERVISOR

- A. The Narcotic Bureau Supervisor will report to the Detective Division Commander and keep the Detective Division Commander apprised of all Narcotic Bureau investigative activity. The Narcotic Bureau Supervisor shall be responsible for coordinating and overseeing narcotic and vice related enforcement.
- B. The Narcotic Bureau Supervisor will coordinate activities between federal, state and county agencies. Due to the nature of narcotic and vice investigations, there is a need for multi-agency interaction. The Narcotic Division Supervisor shall designate certain members for specific functions during this type of operation. Such functions are to include but are not limited to include:
 1. Follow-up Investigations
 2. Evidence Handling
 3. Prisoner processing and Transport
 4. Communications
 5. Special Equipment and related tasks pertinent to the operation.
- C. He shall provide for the exchange of intelligence information between all agencies.

**INVESTIGATION
NARCOTICS / DIVISION/SUPERVISOR
VOL. 8, CH. 16**

- D. Authorization for the use of confidential funds is the responsibility of the Narcotic Bureau Supervisor who will advise the Detective Division Commander of all expenditures. If not appropriated through the municipal budget money from forfeited funds should be utilized to supply confidential funds. \$1,500.00 should be maintained and replenished as necessary. Any request to exceed the budgeted amount must be approved by the Chief of Police. A log of expenditures will be maintained by the Narcotics Bureau and the log kept in the Narcotics Bureau safe. The Chief of Police or his designee shall periodically review the confidential expenditure log to conduct an audit of expended funds. The Detective Division Commander or the Chief of Police shall have an independent audit conducted at their recommendation.
1. Members of the Narcotics Bureau and the Detective Bureau shall request confidential funds from the Detective Division Commander, who will make a determination for authorization. Authorization shall be for the purchase of contraband, informant subsidy, emergency purchases of equipment or materials, expenses incurred by personnel during the investigation, and other related items pertinent to an investigation.
 2. An entry will be made in the Expense Log after payment, which will include:
 - a. Detectives Name
 - b. Informants CI number
 - c. Type of material or contraband purchased.
 - d. Case number
 - e. Date/Time and outcome of investigation
- E. The Narcotic Bureau Supervisor will provide the Detective Division Commander with an annual report which will summarize the number of narcotic and vice related arrests, the number of active investigations and the number of investigations closed during the year. The report will also include a yearly total in funds that were seized or confiscated and any vehicles that were seized.
- F. The Narcotics Bureau Supervisor will be responsible for the Departments specialized equipment. Any request by the Detective Division or an outside agency for equipment must be approved by the Detective Division Commander in his absence the approval can be given by the Narcotics Bureau Supervisor.
- G. Specialized equipment shall include surveillance vans and vehicles, cameras, nightscope, UNITEL body transmitters, listening devices, radios, tape recorders. In the event that personnel requesting specialized equipment cannot operate the requested equipment a member of the Narcotics Bureau will be assigned to assist in the investigation.

**INVESTIGATION
NARCOTICS / DIVISION/SUPERVISOR
VOL. 8, CH. 16**

- H. Equipment will be released to a Detective Supervisor who will be responsible for the equipment and will sign the equipment log listing the date and the piece of equipment taken. Any damage to police equipment shall be reported in writing to the Detective Division Commander by the Detective Supervisor responsible for the equipment.

- I. Prior to any tactical operations an operations plan will be formulated by the Narcotics Bureau Supervisor and all units involved will be briefed on the plan, they are to include operations such as:
 - 1. Buy/walk

 - 2. Buy/rip

 - 3. Raid planning
 - a. Raid planning should include the Emergency Services Unit where the subjects are believed to be armed.

 - b. The ESU Commander will be in command of his unit during the initial raid, after the scene is secured the Narcotics Bureau Supervisor will take control of the scene.

 - c. The ESU Commander will also be involved in the raid planning that will involve his unit.

II. POSITION TITLE: NARCOTICS DETECTIVE

POLICY:

The suppression of illegal narcotics activity and vice activities is the responsibility of every officer. Illegal narcotics use and its associated crimes such as narcotics sales, obtaining prescription drugs by fraud and money laundering are not limited to any one social group and can exist in any community. The Fort Lee Police Department will concentrate its efforts on illegal narcotic and vice activity under the direction of the Narcotic Bureau Supervisor and the Detective Division Commander.

The Police Department's goal will be to identify and investigate potential suspects involved in illegal narcotics and vice activity. By establishing a Narcotics Bureau within the Detective Division, the following are objectives are desired:

- 1. To increase the number of narcotic and vice related arrests using Narcotic Bureau personnel.

- 2. To aid and assist members of the Department in narcotic and vice related arrests.

- 3. To establish and maintain a rapport with outside police/government agencies with pending investigations.

- 4. To aid and assist civilian/school agencies in educational training efforts to assist our Department in combating illegal narcotics and vice activity.

III NARCOTICS BUREAU FUNCTION

INVESTIGATION OF:

- A. Illegal sale and distribution of controlled dangerous substances.
- B. Illegal sale and distribution of liquor and tobacco.
- C. Illegal gambling activity.
- D. Prostitution and illegal pornography.
- E. Firearms
- F. Loan-sharking

IV. INVESTIGATION

- A. A determination of which narcotics and vice violations are investigated can be made using the following criteria as a guideline:
 - 1. Is the original intelligence information valid and substantiated by fact.
 - 2. What is the criminal nature of the problem?
 - 3. How important is the problem?
 - 4. What other lead information exists?
 - 5. What investigative techniques have been used?
 - 6. Does the Department have available resources or ability to call outside agencies to conduct a joint investigation?
 - 7. What type of prosecution and conviction is desired and will it fit the crime?
- B. Whenever illegal narcotic or vice activity is suspected or the potential for this type of activity exists the officer who suspects this activity shall prepare a report and forward the report to the Detective Division Commander. The report is to remain confidential and become part of the Narcotics Bureau file.
 - 1. All complaints by civilians regarding narcotic or vice activity will be retained for a period of at least one (1) year. All civilian complaints (INCLUDING ANONYMOUS

**INVESTIGATION
NARCOTICS / DIVISION/SUPERVISOR
VOL. 8, CH. 16**

COMPLAINTS) shall be evaluated by the Narcotics Bureau Supervisor for merit purposes concerning further investigation.

- C. Once a report has been forwarded to the Narcotics Bureau Supervisor he will:
1. Assign a member of the Narcotics Bureau to the investigation
 2. The assigned detective will start a file once the memo is received. All records, notes, teletype, and correspondence regarding pending investigations shall be maintained by the assigned Detective in the Narcotics Bureau ACTIVE case file. It is the responsibility of the assigned Detective to log these records in an orderly fashion and if need be at the time obtain an incident or CAD number from Com-Cen.
 - a. The detective will set up surveillance to verify any further suspicious activities.
 - b. The detective will conduct background checks on the suspects. The detective will conduct DMV, MARS, CCH, and NADDIS checks if necessary.
 - c. The detective will notify the Narcotics Bureau Supervisor of the results of his inquiries and a determination will be made if further investigation is warranted.
 3. The Narcotics Bureau will maintain files and records of information from outside agencies regarding narcotics and vice activity. This information may be a letter, teletype, interviews, seminars, and available training courses. All of this information will be evaluated for merit by members of the Narcotics Bureau.
 4. The Detective Division Commander will be notified when an outside agency such as the Bergen County Prosecutors Office, the State Police, F.B.I., D.E.A. Or any other outside law enforcement agency is contacted concerning an investigation.
 - a. Any information conveyed to outside agencies will be documented in case notes.
 5. The Detective Division Commander will notify the Chief of Police of all on-going investigations.
 6. If arrests occur as a result of the investigation, the case file will be retained by the Narcotics Bureau until all the policies and procedures of the Fort Lee Police Department with regard to arrests are adhered to, and then the case file will be forwarded to the Chief of Police via chain of command.

V. DEPARTMENT COORDINATION

- A. Whenever a surveillance operation is being conducted the Detective Supervisor coordinating the surveillance operation shall notify the appropriate Division Commanders.
- B. The Division Commanders will keep their subordinates abreast of all operations.

**INVESTIGATION
NARCOTICS / DIVISION/SUPERVISOR
VOL. 8, CH. 16**

- C. Whenever the need arises to suspend regular patrol activities in an area where an operation is being conducted, the Uniformed Division Commander or in his absence the Shift Supervisor will be notified and ensure that the request is followed. The Communications Center (COM-CEN) will also be notified, when appropriate, so that they are aware of the surveillance's location, officers assigned, and the radio frequency being utilized. This in the event an officer calls for assistance or there is a need to dispatch uniformed personnel into the surveillance area.
- D. Whenever the Narcotics Bureau is going to execute a search warrant or conduct a raid, the Patrol Division Commander or his designee will be notified to provide assistance as needed or ensure that there will be no interference between members of the Patrol Division and the members of the operation.
- E. Members of the Narcotics Bureau will disseminate police information to all divisions on a need-to-know priority basis. Information that may compromise an on-going investigation will be withheld. Unless, the Detective Division Commander authorizes its release. Such information/intelligence can be presented by the following methods:
 - 1. E-mail/memo to a Division Commander for dissemination at briefings.
 - 2. In-person presentation at briefings or unit briefings.

VI. INTELLIGENCE GATHERING AND SURVEILLANCE OPERATIONS

- A. The ability to obtain narcotics intelligence can be gathered from all levels of the Police Department. Officers should be aware of criminal activities in their sectors and also note people frequenting certain areas, identify probable offenders, vehicles and methods of operation. If an arrest cannot be made, such intelligence should be forwarded to the Narcotics Bureau.
- B. Once the need for a surveillance operation is deemed necessary through intelligence, the Narcotic Bureau supervisor is responsible for the supplying of equipment and money for the surveillance operation.
- C. The Narcotics Bureau officers assigned to a surveillance operation should evaluate the intelligence information received and perform further checks before initiating any surveillance. Any necessary equipment, vehicles, and radio/electronic gear, should be requested through the Narcotic Bureau Supervisor.
- E. Surveillance operations will have at least two Narcotic Bureaus officers assigned to the detail. Relief officers will be scheduled by the Narcotic Bureau supervisor and the change of relief should be accomplished as inconspicuously as possible.
- F. The Narcotics Bureau officer assigned to the surveillance operation will report the activities of the day to the Narcotic Bureau supervisor by means of a written report.

**INVESTIGATION
NARCOTICS / DIVISION/SUPERVISOR
VOL. 8, CH. 16**

- G. The Narcotic Bureau supervisor will evaluate the findings of the surveillance units and make recommendations to proceed if a narcotic investigation is warranted. Consultation with outside agencies will be made by the Narcotic Bureau Supervisor (or his designee), in charge of the investigation. The Detective Division Commander will advise to the Chief of Police of the status of all investigations.

VI. RAIDS

- A. Raids must be authorized by the Chief of Police through the chain of command after he is briefed by the Detective Division Commander or his designee.
- B. A warrant to search must be obtained prior to the raid, with probable cause corroborated by an Assistant Prosecutor of the Bergen County Prosecutor's Office, before being submitted to a Municipal or Superior Court Judge for approval.
- C. Once a warrant has been secured, a briefing will be conducted by the Detective Division Commander and Narcotic Bureau Supervisor of the raid for:
 - 1. All officers involved in the raid/search warrant operation.
 - a. Emergency services unit is to be utilized were the subjects may be armed.
 - 2. Outside agencies- County, State and Federal, if applicable.
 - 3. Support personnel, if deemed necessary.
- D. Briefings will cover strategies and tactics regarding the target in question. There should be one main tactical plan with alternatives for unexpected contingencies. Each raid is a separate mission and this should be planned and executed uniquely. The briefings will cover:
 - 1. The target of the search- evidence, recovered property, contraband or persons.
 - 2. The place to be searched- street name, house number and designation of the place to be searched. Photographs and other aids should be used.
 - 3. Knowledge of the general layout of the interior of the place to be searched. All access points, doors and windows, should be noted.
 - 4. The names and descriptions of defendants, suspects, occupants, tenants, residents, present or believed to be, should be disseminated.
 - 5. Duty assignments will be detailed:
 - a. At least two hours before the raid, two surveillance officers will be assigned to the target area to ensure adequate police personnel will be on hand to execute the raid

**INVESTIGATION
NARCOTICS / DIVISION/SUPERVISOR
VOL. 8, CH. 16**

- b. The searcher duties will be assigned in looking for the type of evidence/contraband to be seized.
 - c. Procedures for seizing of evidence/contraband will be elaborated.
 - d. A person assigned to be responsible for the documentation of the seized evidence/contraband.
6. The Narcotic Bureau Supervisor will ensure the necessary police equipment and the other outside agency support items are on hand for the raiding party's needs. Communications for appropriate officers (and radio codes) will be discussed. Signals for entry and abandonment of the raid should be given to all members.
7. The arrest and detaining of suspects/defendants should comply with applicable laws of the State of New Jersey and guidelines of the Bergen County Prosecutor's Office.
- a. Detaining and questioning of prisoners should be limited at the scene and only done after Miranda Rights are given.
 - b. Efforts should be made to remove arrestee/detainees once the scene is secured and manpower is available. The occupant/owner of the target location should be left at the scene until all evidence/contraband is removed and the scene secured.
 - c. In the case of a medical emergency, members of the raiding party should notify the Narcotic Bureau Supervisor of the raid, who will in turn call for the necessary emergency response.

E. USE OF FORCE

- 1. The possibility of the use of force to gain entry, secure the target and suspects/defendants must be authorized by the Chief of Police or his designee through the chain of command, when practical.
- 2. All members of the raiding party should be briefed on the past behavior and arrest history of suspects/defendants believed to be present at the target in the event physical or deadly force may be necessary.
- 3. The proper use of such force is covered by Standard Operating Procedure Vol.IV, CH. 1.

VII COVERT, UNDERCOVER, AND CRIME DECOY OPERATIONS

- A. Any covert, undercover or crime decoy operation must be authorized by the Detective Division Commander, with the approval of the Chief of Police.

B. COVERT OPERATIONS

**INVESTIGATION
NARCOTICS / DIVISION/SUPERVISOR
VOL. 8, CH. 16**

1. Members of the Narcotics Bureau may have to associate or infiltrate a criminal operation to develop evidence and testimony for prosecution.
2. If after analyzing the criminal operation, Narcotics Bureau members and the Narcotics Bureau Supervisor deem the covert operation outside the scope of local police enforcement outside agencies may be contacted. Such agencies can be local, county, state or federal levels. Multi-agency task forces may be formed for a specific operation.

C. UNDERCOVER OPERATIONS/CRIME DECOY OPERATIONS

1. Members of the Narcotic Bureau or other department members, may be used in an undercover capacity. A determination will be made by the Detective Division Commander after briefing by the Narcotic Bureau Supervisor, if outside police agency personnel would be better suited for the task.
2. The Narcotic Bureau will conduct the preliminary investigation and background information on suspects identities, target areas and type of criminal activity involved. With the approval of the Narcotic Bureau Supervisor, the Narcotic Bureau will assist in providing the following equipment for the operation:
 - a. False Identity and credentials, and the safeguards for confidentiality
 - b. Expense Funds Procedure
 - c. Routine and Emergency Communications and signals
 - d. Necessary police equipment and communications
3. The Narcotic Bureau Supervisor will coordinate all arrest procedures and will provide the backup security and supervision of the undercover operation.
 1. Unless another supervisor is utilized to control the undercover operations, the Narcotics Bureau Supervisor is not to assign himself as an undercover officer.
4. Tactical plan: Each undercover operation will be unique in its mission and tactical plan leading to arrest and prosecution of offenders. The Narcotic Bureau Supervisor will conduct the analysis of pending undercover operations aided by input from the intelligence garnered from the Uniform and Detective Divisions. Legal ramifications should be pre-determined with consideration of possible criminal offenses, and pursued with the appropriate Municipal Prosecutor, Bergen County Prosecutor or the Attorney General's office (State or Federal). The tactical plan will cover the undercover operation to include:
 - a. Briefing of all police personnel involved in the operation. Most undercover operations at the local level use outside police agency personnel so extra

**INVESTIGATION
NARCOTICS / DIVISION/SUPERVISOR
VOL. 8, CH. 16**

precaution and information must be detailed in the briefing to ensure familiarization with local environment and populace. The Narcotic Bureau will be responsible for notification to other police sections/units working in that area through the Narcotic Bureau Supervisor.

- b. Undercover operatives will be furnished with sufficient disguise and identity for the operations requirements. Briefing will be made by the Narcotic Bureau Supervisor for identification, communications, and hand/verbal signals (re emergency/arrest/routine)
- c. Sufficient observation and arrest team members will be on hand to ensure the undercover operation's success. Briefing will be made to ensure each person's responsibilities and actions during pre-arrest and post arrest.
- d. The Supervisor of the operation is under the Command of the Detective Division Commander, or his designee.
- e. Approval for an undercover operation must come from the Detective Division Commander.

**SERVICE
NOISE AND SOUND REGULATIONS
VOL X CH 4**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 11-30-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME X
VOLUME TITLE: SERVICE	# PAGES: 3					CHAPTER 4
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: NOISE COMPLAINTS						DISTRIBUTION ALL
ISSUING AUTHORITY: <hr/> CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:	Special Instructions					
PROSECUTOR'S OFFICE:						
REFERENCE:	NOISE COMPLAINTS					

POLICY:

The Borough of Fort Lee Mayor and Council adopted an ordinance to regulate, and in some cases, prohibit certain noises and sounds within the Borough of Fort Lee, 284-3. Most complaints regarding excessive noises are reported to the police department for proper assistance and action. It is therefore, important that the police officer receiving the complaint make every effort to provide assistance to the complainant in a courteous and effective manner to meet the requirements of the ordinance. The following procedures will be adhered to by all department personnel.

PROCEDURE:

I. CITIZEN COMPLAINT

- A. Respond to the call for assistance
1. Attempt to resolve the problem without signing complaints.
 2. If caller insists on signing a Borough of Fort Lee ordinance complaint, the officer will:
 - a. Complete an investigation report detailing the incident and whether complaints were signed, if a verbal warning was issued to the violator a notation can be made in CAD by Com-Cen.

**SERVICE
NOISE AND SOUND REGULATIONS
VOL X CH 4**

b. Citizen Signing of Complaint Summons

- (1). Where the complainant is a citizen, the officer in charge is to administer the oath and witness the complainant's signature.
 - (a). Officer in charge should verify that the summons is filled out properly, that the complainant's name and address is clearly written in the proper location, and that they date it and have the complainant sign the summons in the proper location - under OATH:, administer the Oath and sign it. (Certification portion is only for Police Officers as complainants)
- (2). The Judge, court clerk or deputy court clerk are authorized to issue complaint summonses on citizen complaints, after making a probable cause determination
- (3). An officer is not authorized to issue a complaint summons signed by a citizen.
- (4). All copies of the summons are to be forwarded to the Court to be issued, and a witness subpoena should also be filled out for the complainant and forwarded to the court.

II. OFFICER COMPLAINT

Each supervisor will maintain a Boro Ordinance violation book with their other supplies and equipment. Books will be signed for in the court office in the same manner as Motor Vehicle summonses.

- A. When a violation of a Municipal Ordinance occurs in the presence of the officer, the officer may issue a Municipal Ordinance Summons.
 1. The officer that observed the violation shall ask for a supervisor to respond to the scene and complete the Municipal Ordinance Complaint Summons.
 - a. The officer shall indicate the race of the offender with the sex in the space allotted for "Sex".
 2. **The officer that observed the violation shall date and sign the complaint on the line marked signature of complaining witness, under the certification on the right side.**
 - a. **Officer must then check box below this area marked law enforcement use only.**
 3. **The officer may then issue the summons by signing the bottom and dating it.**

**SERVICE
NOISE AND SOUND REGULATIONS
VOL X CH 4**

- a. There is no administering of oath when the officer signs the certification side of the summons.**
 - b. The Boro ordinance summons is issued at the scene.**
 4. The officer must then complete and incident report on the issuance of the Boro Ordinance complaint.
 - a. No other reports need to be generated unless the narrative can not be fit on the incident report, a motor vehicle is involved or involved in a collision.
 - b. Before the end of his/her tour of duty the summons and report should be turned in to the tour commander for review.
 - c. The summons should then be disseminated as follows:
 - (1) Blue copy to the court.
 - (2) White copy to case jacket or Records Division
 - (3) Pink copy to police officer.
 - (4) Green copy remains in summons book.
 - (5) Hard copy to defendant (Delivered to defendant at the scene by issuing officer).

OPERATIONS

EQUIPMENT SUPPLEMENTAL NYLON RESTRAINING CUFF

VOL. 4, CH. 16-1.3

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-02-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 3					CHAPTER 16-1.3
ACCREDITATION STANDARD(S):	REFERENCE: V4C16-1.3					
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ISSUING AUTHORITY: <u>ACTING CHIEF BERNARD M. HART</u>						EVALUATION DATE:
ATTORNEY GENERAL:	Special Instructions					
PROSECUTOR'S OFFICE:						
REFERENCE: SOP 96-6						

PURPOSE

To outline the procedures as to when, where and how to employ supplemental nylon restraining cuffs.

This policy shall apply to all sworn police personnel while in the performance of their duties in the field and in headquarters under the conditions and circumstances described herein.

POLICY

The department shall make supplemental nylon restraints system handcuffs available to officers by either issuing them to the individual officer or placing them in department vehicles. Officers are authorized to employ the use of supplemental nylon restraints as described herein.

DEFINITIONS

"Supplemental Nylon Restraining Cuffs" shall be defined as a single use disposable device, constructed of nylon, employed for the temporary restraint of non violent individuals under conditions similar to those in which regular handcuffs would be employed. They are referred to as "Supplemental Restraints" because they are not to be employed instead of regular handcuffs, but only under the circumstances and applications discussed herein. The supplemental nylon restraining cuffs are also known under various trade marked manufacturer's names as "Tuff Cuffs", "Flexi-Cuffs", and others. As various types of these products become commercially available, this department may eventually employ them; they will be described in this policy in the generic sense only.

OPERATIONS

EQUIPMENT SUPPLEMENTAL NYLON RESTRAINING CUFF

VOL. 4, CH. 16-1.3

PROCEDURE

- I. Conditions For Use of Supplemental Nylon Restraining Cuffs
 - A. Officers effecting an arrest will generally use their standard handcuffs in restraining as many actors under arrest as possible.
 - B. The supplemental restraints will generally be used only when the number of actors arrested exceeds the pairs of standard handcuffs available to restrain them.
 - C. There are exceptions, however, under which the nylon restraints may be used. These exceptions include:
 1. Biohazard cases: If a suspect is bleeding, has vomited, or is or has otherwise been excreting bodily fluids that may contaminate standard handcuffs, the supplemental nylon restraining cuffs may be employed if the prisoner is non-violent. Upon being removed from the prisoner the device must be disposed of in a manner proper for the disposal of infectious waste.
 2. As Leg Restraints: If a suspect is an extraordinary escape risk AND leg irons are unavailable, the supplemental nylon restraints may be employed on a temporary basis. They should be immediately removed upon cessation of the escape risk, upon obtaining regular leg irons, or upon the prisoner's arrival in a secure holding facility.
 3. Civil Unrest/Riot/Demonstrations/Mass Arrests: These are generally situations in which the number of suspects under arrest may exceed the number of regular handcuffs available. In these cases, the supplemental nylon restraints should be employed on the least violent or resistive subjects, if possible, with regular cuffs being employed for those suspects who are violent or resistive.
- II. Procedures for use of Supplemental Nylon Restraints
 - A. All personnel who are to use the supplemental nylon restraining devices are to read or view any applicable training materials or tapes, and sign off on the appropriate sign off sheet indicating so prior to being authorized to use the devices.
 - B. The devices shall be applied to prisoners under circumstances discussed previously in a manner consistent with the use of regular handcuffs. Considerations for the application of these devices include, but are not limited to:
 1. They should only be applied in situations where the use of regular handcuffs is justified.
 2. Care should be taken to not apply the cuffs too tight, as they cannot be loosened.

OPERATIONS

EQUIPMENT SUPPLEMENTAL NYLON RESTRAINING CUFF

VOL. 4, CH. 16-1.3

3. If the particular brand of nylon restraint provides a double locking feature, then that feature should be employed.
- C. The nylon restraints may be marked with defendant's identity or other pertinent information, this being particularly useful in multiple arrest situations.
 - D. Once the suspect is under control in a secure holding facility, or otherwise no longer needs to be restrained; the supplemental nylon restraints will be removed. The device should then be disposed of in a proper manner, particularly if a biohazard case is involved.
- III. Follow-Up:
- A. Any time the supplemental nylon restraints are employed, the officer who uses the restraints, will replenish the respective unit's supply. Extra sets should be available at the police desk in a supply cabinet. The Tour Commander will issue extra sets as necessary.
 1. When the supply of spare restraints becomes low, the Tour Commander will be responsible for restocking the cabinet via request to the Shift Supervisor or Patrol Captain.
 2. Spare restraints may also be available from any on duty Shift Supervisor.
 - B. The officer utilizing the Patrol Vehicle will be responsible for ensuring that the supplemental restraints are present and intact in all patrol units during daily vehicle equipment inspections. Restraints in need of replacement should be noted on inspection sheets and brought to the Tour Commander or Road Supervisor's attention.
 - C. The Road Supervisor / Tour Commander will be responsible to ensure that the officer conducted a daily inspection of the vehicle and its equipment.
 - D. Written critiques of the supplemental nylon restraints employed by this department are welcome. If there is a problem with, or suggestion concerning the use of these devices, it should be put in formal report form and specifically note any details concerning said problem or suggestions. All suggestions and problems concerning these devices will be reviewed and considered.

AUTHORITY
OFF-DUTY ARREST (S)
VOL. VII, CH. 15

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-07-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 7					CHAPTER 15
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: OFF DUTY ARREST(S)/INCIDENTS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS R. TESSARO						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
SOP 90-3, 40A:14-152, Stave v. Macuk, State v. Hurtado,						
Bauer v. Cliffside Pk.						

POLICY:

Officers may be required to take specific police actions while off-duty. These actions must be documented and the Chief of Police must be advised when an officer acts in the performance of their duty.

PURPOSE:

The purpose of this policy is to provide guidelines to police officers regarding criteria for acting in the capacity of a police officer under the color of their authority while effecting an off-duty arrest or witnessing an incident. Acting in the capacity of a police officer shall mean the identification of oneself as an officer, displaying department badge or identification, wearing of identifiable parts of the police uniform, displaying a weapon or employing force under the color of authority.

Off-duty officers are often faced with situations involving 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 injuries to off-duty officers and confusion for those on-duty officers arriving at the scene trying to correctly assess the facts. In order to promote safety, it is necessary to determine and regulate those situations and locations within which a sworn member is permitted to make an arrest while off-duty. On the other hand, minor offenses shouldn't be directly enforced by off-duty police officers.

**AUTHORITY
OFF-DUTY ARREST (S)
VOL. VII, CH. 15
PROCEDURE**

I. DEFINITION

A. Unauthorized Arrest

Any enforcement action, including arrests that are not authorized by this policy.

B. Authorized Arrest

Any enforcement action, including arrests that are authorized by this policy.

II. LIABILITY PROTECTION

A. The police officers of this department have liability protection for the on and off-duty performance of permitted official duties. This protection does not extend to willful acts to cause injury or damage, or to those actions that the police officer knew, or reasonably should have known, were in conflict with law, or policies of this department.

III. OFF-DUTY POLICE OFFICER'S RESPONSIBILITIES WITHIN THE TERRITORIAL LIMITS OF BOROUGH OF FORT LEE

A. When off-duty and within the jurisdiction of Borough of Fort Lee a Police officer may make an authorized arrest only when:

1. There is an immediate need for the prevention of a crime (1st, 2nd, 3rd and 4th degree) or apprehension of an actor suspected of committing a crime; and
2. The arresting officer is in possession of appropriate police identification, armed and properly equipped to secure the actor; and
3. The officer expects to be able to effect an arrest without creating a greater risk of safety to himself/herself, the victim and/or innocent bystanders.
4. While a police officer is not required to make an off-duty arrest in each instance, an officer does have a duty to notify on-duty personnel in an emergency. If any of the criteria listed in Section A 1 to 3 are not met, then the officer shall take the following actions when it is safe to do so:
 - a. Dial 911 for assistance or advise another person to call 911
 - b. Note the physical description of the offender and/or vehicle in addition to the direction of travel.
 - c. Aid the victim

AUTHORITY
OFF-DUTY ARREST (S)
VOL. VII, CH. 15

- d. Assist responding on-duty units
- B. When off-duty and within the jurisdiction of Borough of Fort Lee, an arrest for a disorderly person offense, petty disorderly person offense, motor vehicle violation or the issuance of a summons for a motor vehicle violation are authorized, as follows:
- 1. The above violation must occur in the officer's presence:
 - a. Through the use of any one of the officer's senses or
 - b. Through the admission(s) of the person to be arrested or
 - c. Through a statutory exceptions to the "in presence" requirement below:
 - (1) Drunk Driving
 - (2) Shoplifting
 - (3) Theft of Library Materials
 - (4) Domestic Violence
 - 2. The arresting officer is in possession of appropriate police identification, armed and properly equipped to secure the actor; and
 - 3. The officer expects to be able to effect an arrest or apprehend a motor vehicle violator without creating a greater risk to the officer, victim or innocent bystander, and
 - 4. If the officer cannot effect an arrest or the issuance of a summons for a serious motor vehicle violation as outlined above in Section B 1 to 3, the officer should then take the following actions when it is safe to do so:
 - a. Dial 911 for assistance or advise another person to call 911
 - b. Note the physical description of the offender and/or vehicle in addition to the direction of travel.
 - c. Aid the victim
 - d. Assist responding on-duty units
- C. Off-Duty Responsibilities
- 1. While off-duty, if an arrest cannot be effectuated as outlined in Sections A or B, it is the responsibility of the police officer to report any suspected or observed criminal activities to on-duty authorities when it is safe to do so.

AUTHORITY
OFF-DUTY ARREST (S)
VOL. VII, CH. 15

2. When an arrest is necessary for an offense committed in the officer's presence, the off-duty-arresting officer should follow all departmental policies and procedures.

IV. OFF-DUTY POLICE OFFICER'S RESPONSIBILITIES OUTSIDE THE TERRITORIAL LIMITS OF BOROUGH OF FORT LEE

- A. When off-duty and outside the jurisdiction of Borough of Fort Lee, a police officer may make an authorized arrest only when:
 1. There is an immediate need for the prevention of a crime (1st, 2nd, 3rd and 4th degree) or apprehension of an actor suspected of committing of a crime; and
 2. The arresting officer is in possession of appropriate police identification, armed and properly equipped to secure the actor; and
 3. The officer expects to be able to effect an arrest without creating a greater risk of safety to himself/herself, the victim and/or innocent bystanders.
 4. While a police officer is not required to make an off-duty arrest in each instance, an officer does have a duty to notify on-duty personnel in an emergency. If any of the criteria listed in Section A 1 to 3 are not be met, then, the officer shall then take the following actions when it is safe to do so:
 - a. Dial 9-1-1 for assistance or advise another person to call 9-1-1
 - b. Note the physical description of the offender and/or vehicle in addition to the direction of travel.
 - c. Aid the victim
 - d. Assist responding on-duty units
- B. When off-duty and outside the jurisdiction of Borough of Fort Lee, an arrest for a disorderly person offense, petty disorderly person offense, or a serious motor vehicle violation are authorized, as follows:
 1. The above violation must occur in the officer's presence:
 - a. Through the use of any one of the officer's senses or
 - b. Through the admission(s) of the person to be arrested or
 - c. Through a statutory exceptions to the "in presence" requirement below:
 - (1) Drunk Driving

AUTHORITY
OFF-DUTY ARREST (S)
VOL. VII, CH. 15

- (2) Shoplifting
 - (3) Theft of Library Materials
 - (4) Domestic Violence
 2. The offense poses an on-going threat to public safety, or
 3. The officer is approached by a citizen and asked for assistance.
 4. The arresting officer is in possession of appropriate police identification, armed and properly equipped to secure the actor; and
 5. The officer expects to be able to effect an arrest or apprehend a motor vehicle violator without creating a greater risk to the officer, victim or innocent bystander, and
 6. If any of the criteria listed in Section B 1 to 3 are not be met, then the officer should notify the police department that has jurisdiction as soon as it is safe to do so.
- C. When off-duty and outside the jurisdiction of Borough of Fort Lee, the issuance of a summons for a motor vehicle violation is authorized, as follows:
1. The above violation must occur in the officer's presence:
 - a. Through the use of any one of the officer's senses or
 - b. Through the admission(s) of the person to be arrested , and
 2. The offense poses an on-going direct threat to public safety, or
 3. The officer is approached by a citizen and asked for assistance.
 4. The arresting officer is in possession of appropriate police identification, armed and properly equipped to handle the stop; and
 5. The officer expects to be able to effect a motor vehicle violator without creating a greater risk to the officer, victim or innocent bystander, and
 6. If any of the criteria listed above in this section cannot be met, then, the officer should notify the police department that has jurisdiction as soon as it is safe to do so.

AUTHORITY
OFF-DUTY ARREST (S)
VOL. VII, CH. 15

- D. When an officer is engaged in regular off-duty employment of a non-police nature, an arrest is not authorized if the officer's actions are only the furtherance of the interests of the private employer. (See Vol. 1 Chap. 15)

V. COURT APPEARANCE

- A. Police officers may receive subpoenas for testimony resulting from off-duty arrests. Police officers shall be given time off to attend court hearings resulting from authorized off-duty arrests only.
- B. If the court appearance for an authorized off-duty arrest occurs during the officer's time off, they shall be compensated as specified by the current collective bargaining agreement.
- C. Police officers will not be monetarily compensated for court appearances resulting from unauthorized off-duty arrests.

VI. REPORTING

- A. Anytime that an off-duty officer is involved in any arrest or a direct witness to an incident that may result in charges, they shall:
 - 1. Assist the responding on-duty units or agency by providing required information.
 - 2. Verbally notify the Tour Commander of the incident as soon as possible, but no later than 1 hour after the incident. If the officer is unable, another officer may notify the Tour Commander.
 - 3. A written narrative report should be completed as soon as possible, but no later than 8 hours after any off-duty arrest. If extenuating circumstance exist the Chief is to be notified.
 - 4. A written narrative report should be completed within 24 hours of any off-duty incident. If extenuating circumstance exist the Chief is to be notified.
 - 5. The written report should contain the following:
 - a. Officer's name, rank and badge number
 - b. Incident location
 - c. Arresstee's name, address and identifiable information
 - d. Charges
 - e. A description of the incident and actions taken

AUTHORITY
OFF-DUTY ARREST (S)
VOL. VII, CH. 15

- f. If the incident occurred in another jurisdiction:
 - (1) Police department having jurisdiction
 - (2) Known witnesses
- 6. The report(s) shall be submitted to the Tour Commander, who shall forward it through the Chain of Command to the Chief of Police by the next workday.

**ADMINISTRATION
OFF-DUTY or SECONDARY EMPLOYMENT
VOL. I, CH. 15**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-25-04	REVISION DATE: 9-14-04 3-30-09	PAGE #: 4 6	SECTION: I,B,3,b I,B,3,i, (1)	APPROVED 05-12-2009	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 9					CHAPTER 15
ACCREDITATION STANDARD(S):	REFERENCE: VIC15					
SUBJECT: OFF DUTY or SECONDARY EMPLOYMENT						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE: Borough Ordinance 90-11,90-8, NJAC 13:2-23						

PURPOSE:

The purpose of this policy is to set forth guidelines to govern off-duty secondary employment by members of this police department.

POLICY:

The policy of this department is to provide guidelines to police employees to inform them of the types of secondary employment that are appropriate; and to establish procedures to maintain accountability for the welfare of the department. These requirements are essential for the efficient operation of the police department and for the protection of the community.

DEFINITIONS

- A. **Employment:** The provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer charity work.
- B. **Extra-Duty Employment:** Any employment that is conditioned on the actual or potential use of law enforcement powers by the police officer employee.

ADMINISTRATION

OFF-DUTY or SECONDARY EMPLOYMENT

VOL. I, CH. 15

- C. **Regular Off-Duty Employment:** Any employment that will not require the use, or potential use of law enforcement powers by the off-duty employee.
- D. **Off-Duty:** Any time excluding an officer's normal schedule or overtime assignments. The term Off-Duty shall not be utilized to differentiate between the method in which an employee is compensated.

PROCEDURES

- I. There are two types of off-duty employment in which an employee may engage:
- A. **Regular Off-Duty Employment:** Employees may engage in off-duty employment that meets the following criteria:
1. Employment of a non-police nature in which vested police powers are not a condition of employment; the work provides no real or implied law enforcement service to the employer and is not performed during assigned hours of duty.
 2. The employment does not present potential conflict of interest between their duties as a police department employee and their duties for their secondary employer.
 - a. Some examples of prohibited employment, presenting a conflict of interest, are:
 - (1) As a process server, reposessor, or bill collector, or in any other employment in which police authority might tend to be used to collect money or merchandise for private purposes.
 - (2) Personal investigations for the private sector or any employment which might require the police department employee to have access to police information, files, records or services as a condition of employment.
 - (3) In department or a police uniform in the performance of tasks other than that of a police nature.
 - (4) Providing legal or technical assistance (in any manner) with case preparation for a civilian defendant in any criminal proceeding.
 - (5) For a business or labor group that is on strike, except when assigned and authorized as an Extra-Duty detail.
 - (6) In occupations that are regulated by, or that must be licensed through the police department.
 3. Employment that does not constitute a threat to the status or dignity of the police as a professional occupation.
 - a. Examples of inappropriate and prohibited employment that presents a threat to the status or dignity of the police profession are:

ADMINISTRATION
OFF-DUTY or SECONDARY EMPLOYMENT
VOL. I, CH. 15

- (1) A sexually orientated business establishment that's primary business purpose offers for sale pornographic books, sexual devices, or pornographic videos, or that otherwise provide entertainment of services of a sexual nature.
 - (2) Any employment involving the sale, manufacture or transport of alcoholic beverages within Borough of Fort Lee, County of Bergen or the State of New Jersey.
 - (3) Any proprietary interest in a liquor-licensed establishment involving the sale, manufacture or transport of alcoholic beverages within the State of New Jersey.
 - (4) Any employment at a liquor-licensed establishment outside the Borough of Fort Lee would require the approval of the Chief of Police from the municipality in which the establishment operates and written approval from the Fort Lee Chief of Police in accordance with N.J.A.C. 13:2-23.31.
 - (5) Any gambling establishment not exempted by law.
4. Civilian employees are prohibited from secondary employment as indicated above in Section 2 due to their access to department records, information and equipment.
- B. **Extra-Duty Employment:** Police officers may engage in extra-duty employment, commonly referred to as security or traffic details, as follows:
 1. Where a government agency, profit-making or not-for-profit entity has an agreement with the Borough of Fort Lee and the police department for police officers who are able to exercise their police duties.
 2. Types of extra-duty services that may be considered as assigned through the department are:
 - a. Traffic control and pedestrian safety.
 - b. Crowd control.
 - c. Security and protection of life and property.
 - d. Routine law enforcement for public authorities.
 - e. Plain clothes assignments.
 3. The following guidelines are in place and should be followed by all department personnel while working either Security or Traffic details.

ADMINISTRATION
OFF-DUTY or SECONDARY EMPLOYMENT
VOL. I, CH. 15

- a. Uniforms: All officers shall be dressed in the uniform of the day, unless:
 - (1) Assigned to a plain-clothes detail.
 - (2) Turtlenecks are permitted on Traffic Details between November 1st and March 31st. However, if you must attend court, you must put on a tie for the court appearance. Any infraction of this section will result in that the specific officer will not be permitted to wear turtlenecks on Traffic Details.

- b. Equipment: All officers should have the following items with them:
 - (1) Weapon (duty weapon only) and at least 1 magazine
 - (2) Portable Radio
 - (3) Handcuffs
 - (4) Hat (Traffic Details: baseball hat unless otherwise directed by the Chief of Police)
 - (5) Traffic Vest (Traffic Details)
 - (6) Summons Book/ Tow Reports (Traffic Details)
 - (7) Flashlight (During Night Traffic Details)
 - (8) Issued Ballistic Vest

Officers on Traffic Details are responsible for summoning and towing any vehicles. Call Com-Cen to have the reports picked-up from the officer on the detail.

- c. Security Detail Location Information:
 - (1) All officers will notify Com-Cen of their location and detail being worked and request that the Tour Commander be notified.

- d. Traffic Detail:
 - (1) All officers will notify Com-Cen of their location and detail being worked and request that the Tour Commander be notified.
 - (2) The officer is considered On-Duty and entered in the Daily Blotter and the computer system.

ADMINISTRATION
OFF-DUTY or SECONDARY EMPLOYMENT
VOL. I, CH. 15

- (3) All officers should notify Com-Cen / HQ of any road closures, detours or traffic problems at Traffic Details.
- e. Marked police units will only be used when authorized by the Construction Unit (officer assigning the detail or the Traffic Bureau Supervisor). Officer should take units designated for Traffic Details. The officer should obtain the traffic vehicle's keys from the Tour Commander. **NO UNITS ARE TO BE TAKEN AWAY FROM OFFICERS ON PATROL.**
 - f. When a designated vehicle is used on a traffic or security detail the officer shall:
 - (1) Gas up the vehicle at the end of the detail.
 - (2) Complete the Traffic Detail Overtime Form.
 - (3) If a vehicle needs specific repairs, then a Vehicle Inspection Report is to be completed and submitted to the Tour Commander for review and forwarding.
 - g. Responsibilities while on an extra-duty detail
 - (1) Officers on an extra-duty detail shall be under the direct supervision of the on-duty supervisors respective of rank.
 - (2) No officer should leave a detail to answer patrol calls.
 - (3) An officer should not leave an extra duty detail and engage in regular-duty action unless ordered to do so by a supervisor or they observe a situation where immediate police action is necessary to prevent the loss of life, property or injury to a person. If an officer takes such an action they should notify Com-Cen as soon as tactically practical.
 - (a) If an arrest is generated within the scope of the extra-duty assignment (i.e. shoplifting) then the officer should process the arrest at HQ as part of the extra-duty detail.
 - (b) If a criminal arrest is generated beyond the scope of the extra-duty detail (i.e. CDS, Agg. Assault, Resisting Arrest, etc.) then the officer should sign off the extra-duty detail and respond to HQ to process the arrest on-duty. The officer may resume the extra-duty detail when the arrest process is completed.
 - (4) An officer should only break away from a detail after being ordered to do so by a supervisor. Do not request approval from Com-Cen as only a supervisor can authorize the leaving of a detail.

ADMINISTRATION
OFF-DUTY or SECONDARY EMPLOYMENT
VOL. I, CH. 15

- (a) If this occurs during a security detail the officer must sign out of the detail and into work.
 - (5) No officer should leave a Traffic Detail for lunch or personal reasons while there is a roadway hazard. If this need arises, the officer should call for temporary relief.
- h. Court Appearances:
- (1) No officer will work extra-duty employment while they are scheduled for court.
 - (2) Scheduled court appearances take priority over extra-duty details.
- i. Limitations on regular off-duty employment and extra-duty employment are as follows:
- (1) In order to be eligible for extra-duty employment, a police officer must be in good standing with the department. Continued departmental assignment of a police employee's extra-duty employment is contingent on such good standing. Any officer deemed unfit for duty shall not be assigned to extra-duty employment. The Chief of Police may revoke permission to work extra duty employment due to chronic sick status, missed assignments or other disciplinary problems.
 - (2) Those officers who have not completed their probationary period, or who are on medical or other leave due to sickness, temporary disability or an on-duty injury shall not be eligible to engage in extra-duty employment without specific approval from the Chief or his designee.
 - (3) Prior to obtaining off-duty employment, a police employee shall comply with departmental notification procedures for such employment, or assignment of extra-duty employment as specified in Sections D and E.
 - (4) A police officer may not work more than 16 straight hours in combination of regular duty, court or extra-duty employment.
 - (a) Any exceptions must be approved by the Chief, a Division Commander or their designee.
 - (5) Work hours for all off-duty employment should be scheduled in a manner that does not conflict or interfere with the police employee's performance of duty in compliance with codified Borough Ordinance 90-8.
 - (6) A police officer engaged in any off-duty employment is subject to call-out in case of emergency, and may be expected to leave their off-duty or extra-duty employment in such situations.

ADMINISTRATION
OFF-DUTY or SECONDARY EMPLOYMENT
VOL. I, CH. 15

- (7) No police employee is to engage in outside employment where it is determined pursuant to departmental procedure that such outside employment does not comply with this policy or is detrimental and impacting the officer's job performance.

C. Off-Duty Employment Notification Form

1. Any Off-Duty Employment, excluding Extra-Duty, require that the notification form be submitted to the Chief's office. The form should be submitted one week prior to starting the job.
2. The notification form shall be completed when an officer is employed or compensated by another individual, entity, organization or business.
3. The notification form shall be completed when an officer is self-employed in a business.
4. The notification form should also be completed when the employment is terminated.

D. Process for Receiving and Assigning Extra Duty Employment:

1. All requests will be directed to the Chief's designee.
 - a. The Chief's designee will review and arrange for proper assignment.
 - b. The Chief's designee will monitor all extra duty details procedures and paperwork for compliance with this policy.
 - c. A written report will be made periodically to the Chief's office of all extra duty details providing date and times officer assigned, type of detail, who detail was provided for, etc.
2. All Extra-Duty employers shall be required to comply with codified Borough Ordinance 90-11 and any other applicable law.
3. All personnel when assigned and working extra duty employment required to adhere to the Borough of Fort Lee Police Department Rules and Regulations and all department policy and procedures and special orders.

F. The Traffic Bureau Construction Unit is responsible for:

1. Attending Pre-Construction meetings and reviewing Worksite Traffic Plans, to include the possible storage of equipment and materials for long-term construction site.
2. Establishing a system that will track personnel assignments at Traffic Details.

ADMINISTRATION

OFF-DUTY or SECONDARY EMPLOYMENT

VOL. I, CH. 15

3. Developing and collecting reports documenting the officer(s) that have been assigned to and worked Traffic Details, including the use of department vehicles and equipment.
4. Preparing a bill for services rendered at Traffic Detail records and the forms submitted by the assigned officer.
5. Receive payment for the services rendered and forward the payment to Payroll for deposit into the Borough's account.

**ADMINISTRATION
OFF-DUTY or SECONDARY EMPLOYMENT
VOL. I, CH. 15**

**BOROUGH OF FORT LEE POLICE DEPARTMENT
OFF-DUTY EMPLOYMENT NOTIFICATION FORM**

Employee's Name _____ Present Assignment _____

Off-Duty Employer _____ Address _____

Immediate Supervisor _____ Business Phone _____

New Notification Anticipated Starting Date _____

Approximate Hours Per Week _____

Nature of Work to be Performed (General and Specific)

My off-duty employment at _____ should be terminated by _____ (date).

Submitting Officer Badge

Date

Chief of Police

Date

This notification should be received in the Chief's office two weeks prior to starting/termination date.
Complete original and two (2) copies. Submit original and two (2) copies to Chief. Original will be returned to submitting officer. One (1) copy will be placed in Chief's office file and one (1) copy will be placed in employee's personnel file.

**SERVICE
ORDINANCE VIOLATIONS/SUMMONS SAMPLE
VOL X CH 3**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-26-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME X
VOLUME TITLE: SERVICE	# PAGES: 4					CHAPTER 3
ACCREDITATION STANDARD(S):	REFERENCE: V# X, C# 3					
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ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish guidelines to ensure that enforcement actions are commensurate with applicable statutes and ordinances, and take into account the degree and severity of the violation committed.

DISCUSSION:

The enforcement of municipal laws and ordinances is a basic responsibility of the department. Uniform enforcement procedures support the ultimate goal of municipal law enforcement, which is to achieve voluntary compliance with the laws by all residents of the municipality.

The role of the officer is to observe, detect and prevent violations of municipal ordinances and to take appropriate enforcement action when violations are observed. Enforcement policies cannot and should not supplant the individual officer's discretion, based upon sound judgement and a combination of training and experience.

POLICY:

All sworn officers shall take appropriate enforcement action for each violation of the law witnessed or reported to them. Enforcement action does not provide the officer a privilege to scold, belittle, berate or otherwise verbally abuse an ordinance violator. All enforcement actions will be accomplished in a firm, fair, impartial and courteous manner using one of the following four methods:

**SERVICE
ORDINANCE VIOLATIONS/SUMMONS SAMPLE
VOL X CH 3**

- . **Verbal warning (for minor violations)**
- . **Borough Ordinance Summons (not for criminal violations)**
- . **Physical arrest for criminal violations**

The officer's action should demonstrate a professional attitude and serve to improve the relationship between the public and the department.

PROCEDURES:

I. PHYSICAL ARREST:

- A. There may be incidents in which a violator should be physically arrested. The decision to effect a physical arrest should be based upon sound legal principles as opposed to peripheral issues such as the violator's "attitude". The need for a physical arrest would have to be for a violation of law other than that of the Borough of Fort Lee ordinance violation. (Example, the violator of the Borough of Fort Lee ordinance assaults the investigating officer).
 - 1. All physical arrests require investigation, arrest reports and case jackets when appropriate.

II. NOTICE TO APPEAR/SUMMONS

- A. Notice to Appear Summons. The issuance of an ordinance summons is applicable in the majority of cases for those violators residing within the boundaries of the jurisdiction in which the case will be adjudicated.

The ordinance summons should be issued to all violators who, in the judgement of the responding officer, would not benefit from a verbal warning, or the event in question is of a serious or hazardous nature.

- 1. All summonses issued (no physical arrest) require an investigation report.
- 2. Police officers are not authorized to arrest for a violation of a local ordinance, nor can they conduct a search of the property or the person that is issued a Borough of Fort Lee Ordinance Summons. The physical arrest in section I, A of this policy would be for a violation of law other than a Borough of Fort Lee ordinance.

III. MUNICIPAL ORDINANCE VIOLATIONS

Each supervisor will maintain a Borough Ordinance Violation Book with their other supplies and equipment. Books will be signed for in the court office in the same manner as Motor Vehicle Summonses.

**SERVICE
ORDINANCE VIOLATIONS/SUMMONS SAMPLE
VOL X CH 3**

- A. When a violation of a Municipal Ordinance occurs in the presence of the officer, the officer may issue a Municipal Ordinance Summons.
1. The officer that observed the violation shall complete the Municipal Ordinance Complaint Summons.
 - a. The officer shall indicate the race of the offender with the sex in the space allotted for "Sex".
 2. **The officer that observed the violation shall date and sign the complaint on the line marked signature of complaining witness, under the certification on the right side.**
 - a. **Officer must then check box below this area marked law enforcement use only.**
 3. **The officer may then issue the summons by signing the bottom and dating it.**
 - a. **There is no administering of oath when the officer signs the certification side of the summons.**
 - b. **The Borough ordinance summons is issued at the scene.**
 4. The officer must then complete and incident report on the issuance of the Borough Ordinance Complaint.
 - a. No other reports need to be generated unless the narrative can not be fit on the incident report, a motor vehicle is involved or involved in a collision.
 - b. Before the end of his/her tour of duty the summons and report should be turned in to the tour commander for review.
 - c. The summons should then be disseminated as follows:
 - (1) Blue copy to the court.
 - (2) White copy to case jacket or Records Division
 - (3) Pink copy to police officer.
 - (4) Green copy remains in summons book.
 - (5) Hard copy to defendant (Delivered to defendant at the scene by issuing officer).
- B. Citizen Signing of Complaint Summons

**SERVICE
ORDINANCE VIOLATIONS/SUMMONS SAMPLE
VOL X CH 3**

1. Where the complainant is a citizen, the officer in charge is to administer the oath and witness the complainant's signature.
2. The Judge, court clerk or deputy court clerk are authorized to issue complaint summonses on citizen complaints, after making a probable cause determination
3. An officer is not authorized to issue a complaint summons signed by a citizen.
4. The summons is to be forwarded to the Court to be issued.
5. A witness subpoena should also be filled out for the complainant and forwarded to the court.

C. Criminal complaints

1. Borough Ordinance summonses will not replace criminal complaints, if a charge can be placed on a CDR 1 or 2, then it should be. Borough Ordinance violations such as disorderly conduct are for downgrade purposes only.

III. VERBAL WARNINGS:

A. Verbal

1. A verbal warning is appropriate when the violator commits an act which may be due to ignorance of a local ordinance which may be unique or a violation of which the subject may not be aware.
2. Information on verbal warning will be entered in the computer aided dispatch system under comments.

**ORGANIZATION
PATROL SUPERVISORS RESPONSIBILITIES
VOL. II, CH. 6**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-18-2001	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
VOLUME TITLE: ORGANIZATION	# PAGES: 7					CHAPTER 6
ACCREDITATION STANDARD(S):	REFERENCE: V# II, C# 6					
SUBJECT: PATROL SUPERVISORS RESPONSIBILITIES, SERGEANTS & LIEUTENANTS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS R. TESSARO						EVALUATION DATE:
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PROSECUTOR'S OFFICE:						
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PURPOSE:

To ensure that Patrol Supervisors (Sergeants and Lieutenants) have a guideline which establishes what their responsibilities are in the supervision of their personnel.

POLICY:

The Patrol Supervisors overall responsibility is to promote the goals and objectives of the Police Department through policy and procedure and to encourage enthusiasm of their subordinates towards this end.

I. CONTROL AND SUPERVISION

- A. Supervisors shall have immediate supervision of officers on duty and officers assigned to special duty in their respective assignments.
- B. Supervisors will maintain working relationship with their subordinates and require a proper attitude by these subordinates to their position as supervisors.
- C. Supervisors should set an example to all subordinates in sobriety, dignity, courtesy, discretion, diligence and observance of proper discipline and shall, at all times, appear neatly attired, clean in person and equipment.

ORGANIZATION
PATROL SUPERVISORS RESPONSIBILITIES
VOL. II, CH. 6

- D. Supervisors shall make themselves thoroughly acquainted with the capabilities of officers under their supervision and impartially report, in writing to their commanding officer, every case of misconduct, incompetency, neglect of duty or any violation of the rules and regulations on the part of such police officer, and his/her failure to so report, will be sufficient cause for disciplinary action.
- E. Supervisors shall particularly familiarize themselves with all subjects pertaining to the duties of an officer, and shall assist and instruct the officers under their supervision in the proper discharge of their duties and shall be held strictly responsible for their efficiency, discipline and general good conduct and appearance.
- F. Supervisors shall be charged with exacting the proper performance of police duties from members of the department assigned to his/her supervision; and he/she shall have such regular hours of duty as shall be prescribed by the Chief of Police.
- G. Supervisors shall be held responsible for the proper conduct and appearance of officers under their supervision and would be deemed guilty of neglect of duty when those under their command or supervision are habitually lax and indifferent in the performance of their duties.
- H. Supervisors shall, when on duty, unless otherwise ordered, constantly and faithfully patrol Borough of Fort Lee, visiting each sector or post as often as practicable; ascertain whether each officer is at his/her proper place, and aid in the enforcement of every duty.
- I. Supervisors shall not leave Borough of Fort Lee while on duty, except on official business connected with the department and, in such event, shall advise their commanding officer of the time of departure and return, and the nature of the business transacted.
- J. Supervisors shall constantly scrutinize and follow-up the activities of officers under their charge, with the view of ascertaining whether police duties are properly and efficiently performed, and instructions properly carried out.
- K. Supervisors shall, while on patrol, be charged with the enforcement of the law, the prevention of crime and arrest of offenders, observe and communicate with officers under his/her supervision as often as possible during his/her tour of duty.
- L. Supervisors are responsible to have a current knowledge and understanding of the department's policy and procedures. Supervisors will follow the guidelines of policy and procedure and, in turn, require his/her subordinates to adhere to policy and procedure.
- M. Supervisors will set the example for their subordinates.

**ORGANIZATION
PATROL SUPERVISORS RESPONSIBILITIES
VOL. II, CH. 6**

II. ADMINISTRATIVE RESPONSIBILITY

- A. Supervisors shall frequently test and examine the personnel under their supervision to ascertain their knowledge in the rules and regulations and all other matters pertaining to their duties. When it appears that an officer is ignorant of his/her duties and after a reasonable period of instruction, he/she still shows no indication of improvement, or, if for any reason, a supervisor believes that an officer under his/her supervision is either mentally or physically unfit for patrol duty, he/she shall promptly inform his/her commanding officer, in writing, of his/her observation.
- B. Prior to the beginning of a shift, the supervisor will make his/her subordinates aware of any special orders and assign these subordinates accordingly.
- C. Supervisors are required to review all reports of their subordinates prior to the end of their tour of duty for accuracy and legibility.
- D. Tour Commanders are to review the daily activities of all personnel under their command utilizing the following procedure:
 - 1. Thirty minutes prior to the end of each respective tour, generate a daily activity report for each of the officers on duty at that time.
 - 2. The Supervisor will access Munipol in their computer by putting in their user name and password, they will then access CAD and put in a station number greater than 4 (6 or 7), they will then click on 11=officer report, put in the date and shift number (1=12x8, 2=8x4 and 3=4x12), by pushing the F5 key the computer will then print the report for all officers on the shift.
 - 3. The printed reports are to be reviewed, with particular attention being paid to sector responsibilities, completion of tasks assigned at the beginning of the tour and 10-89's. If deficiencies are noted, such as failure to adhere to sector guidelines, etc., the supervisor is expected to take the following action:
 - a. Make a notation on the officer's activity report indicating the deficiency.
 - b. Document on the report itself the supervisory action taken to correct the deficiency. This can be done in the supervisor's own handwriting.
 - c. Upon reviewing these reports, noting deficiencies therein and the action taken to correct them, the supervisor will then sign each report in the lower right hand corner, staple a copy of that tour's blotter to them, and place them in the Shift Supervisor's mail slot in the tour commanders office. In addition, a copy will be forwarded to their respective Shift Commander using an interoffice envelope and placing it in the report/mail box at the desk.

**ORGANIZATION
PATROL SUPERVISORS RESPONSIBILITIES
VOL. II, CH. 6**

4. Submitted reports will be reviewed administratively to ensure that first line supervisors are taking corrective action when officers fail to adhere to the aforementioned rules, regulations, policies, and procedures.
- E. Prior to the beginning of a shift, the supervisor will inspect his/her subordinates' uniforms and equipment as per department policy.
- F. Supervisors will complete other monthly reports and submit them to their Commanding Officer, as required.
- G. Supervisors will be required to perform any duty deemed necessary by their Commanding Officer or the Chief of Police.
- F. Supervisors will maintain proper shift coverage as authorized in department policy.
- G. Supervisors will insure that all property checks are conducted and documented as authorized in department policy.

III. GENERAL DUTIES OF PATROL DIVISION ROAD SUPERVISOR

- A. Patrol Division Road Supervisor
 1. The road supervisor will assist the tour commander in ensuring that the personnel on the shift perform their duties efficiently and completely.
 2. He will undertake the duties and responsibilities of the tour commander in that officer's absence.
 3. The road supervisor must be completely familiar with all standard operating procedures, so that he can assure proper compliance and when necessary give guidance.
 4. The road supervisor will, at the beginning of the tour, acquaint himself with all crimes which have occurred, items of special interest, and any other police information which shift personnel should be made aware of.
This information should be disseminated to all personnel. At the conclusion of the shift, the road supervisor will brief the oncoming road supervisor of any occurrences of special interest or importance which the oncoming shift should be made aware of.
 5. The assigned road supervisor will ensure that all personnel are properly uniformed and equipped before going on the road. The inspection will include all assigned vehicles. The operation of the vehicle cameras will be checked during this inspection.

ORGANIZATION
PATROL SUPERVISORS RESPONSIBILITIES
VOL. II, CH. 6

6. The road supervisor will make a cursory inspection of all unassigned vehicles in the police yard, ensuring that all windows are closed, lights off and that vehicles are locked.
 7. While on the road, the assigned supervisor will monitor all radio transmissions, ensuring that units are answering their radios in the correct manner and that Com-
cen is properly dispatching calls. The supervisor will immediately correct any responses not in compliance with the S.O.P.'s.
 8. The road supervisor will respond to all arrest situations requiring a direction of efforts. He will ensure that all procedures regarding arrest, search, and transport of prisoners are proper.
 9. The road supervisor will respond to all serious or potentially serious calls, and take operational command until the arrival of a superior officer or specialist who would normally take command of the incident.
 10. Incidents which would require the response of a road supervisor include, but are not limited to the following:
 1. All suicide and DOA calls;
 2. All 10-27 calls (Mental Subjects);
 3. All major fires, disasters and bomb threats;
 4. All crime in progress calls;
 5. All 10-45's (alarms) requiring the search of a structure;
 6. All serious motor vehicle collisions and struck pedestrians;
 7. All domestic violence calls, whether founded or not;
 8. All disorderly group/riot calls;
 9. All major traffic situations;
 10. All mutual aid calls;
 11. All calls in which an officer requests or needs assistance;
 12. All situations in which police personnel incur any type of injury.
- B. At all serious incidents, the road supervisor will:
1. Ensure that proper procedures are carried out;

**ORGANIZATION
PATROL SUPERVISORS RESPONSIBILITIES
VOL. II, CH. 6**

2. Call for specialist or additional personnel as needed or prescribed by S.O.P.'s.
 3. Send all uninvolved officers back into service as soon as possible;
 4. Assign officers to specific duties;
 5. Make a summary report of all actions taken at the incident.
- C. When necessary, the road supervisor will render local discipline for minor infractions, making a record of the incident. If the incident is of a more serious nature, the supervisor will prepare an incident report, forwarding it for investigation.
- D. The road supervisor will note and report all incidents in which personnel, including dispatchers, perform above and beyond the norm, so that such actions can be reviewed and rewarded
- E. The road supervisor will be responsible for bringing suggestions, problems, and other items encountered among the officers assigned to work for him to the attention of their Commanding officer, who will then forward these to staff personnel for review.
- F. When the tour commander takes a meal break, or must leave headquarters for other reasons, the road supervisor will take his place at the desk.
- G. Unless an emergency or other unusual condition occurs, the desk is to be manned either by the tour commander or the road supervisor at all times.
- H. On a daily basis an e-mail will be sent to the Shift Commander and Shift Supervisor on his/her shift activities, which will include any inconsistencies in assignments and any disciplinary actions taken. A copy (cc) will also be sent to the Deputy Chief.

IV TOUR COMMANDER RESPONSIBILITIES

- A. The assigned tour commander, or desk officer, will be in overall command of the routine operations on his tour. His duties will include:
1. Being completely familiar with all standard operating procedures and general and special orders of this department, so that he can immediately supply guidance and ensure that all S.O.P.'s and orders are properly followed;
 2. The notification of his/her Commanding Officer, if the normally assigned supervisor does not report for duty or calls in sick for the next tour.
 - a. If there is no Commanding Officer available, the tour commander will see that an appropriate replacement for the supervisor in question is found, all supervisors contacted should be noted and forwarded to the Commanding Officer.

ORGANIZATION
PATROL SUPERVISORS RESPONSIBILITIES
VOL. II, CH. 6

3. Conducting, or having the road supervisor conduct, a daily briefing for personnel, where all matters of importance will be discussed;
4. The assignment of personnel to daily routine and operational duties.
5. The entry of all personnel coming on duty into the blotter.
6. The entertainment of complaints and reports from persons appearing at the police desk;
7. The review of all reports and case jackets submitted by assigned officers;
8. Ensuring that all necessary entries are made into the tow log, cell log, and computer;
9. Overseeing the security of all equipment, including portable radios, unit keys, shotguns, etc.;
10. Overseeing the securing and cleanliness of headquarters.
11. Ensuring the safety and welfare of all prisoners;
12. Monitoring all radio communications to ensure proper demeanor and response;
13. The responsibility for notifying when necessary police, civilian, and official personnel, according to S.O.P.'s;
14. The supervision of all personnel while in headquarters;
15. The local disciplining of personnel for minor infractions;
16. Preparing incident reports as necessary, in accordance with the S.O.P.'s.
17. Completion of Tour Commander's relief log on a daily basis.
18. Submit daily e-mail on his/her activities to the Shift Commander and Shift Supervisor, a copy (cc) will also be sent to the Deputy Chief.

ORGANIZATION

JOB DESCRIPTION: PATROL OFFICER

VOL. II, CH. 7

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-14-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
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ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: PATROL OFFICER RESPONSIBILITIES						DISTRIBUTION ALL
ISSUING AUTHORITY: <u>ACTING CHIEF BERNARD M. HART</u>						EVALUATION DATE:
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PURPOSE:

To establish a guideline for Patrol Officers to follow in the every day performance of their duties.

POLICY:

The below set of guidelines are standards which Patrol officers should adhere to whenever possible in the daily performance of their duties.

I. PATROL OFFICER RESPONSIBILITIES

A. Image

1. The law enforcement agency must be able to project to the citizens of the community its ability and willingness to serve with integrity and effectiveness. Although this is a departmental effort, the individual officer plays the more significant part.

B. When dealing with the public officers should:

1. Project a positive appearance: Walk erect and approach in a businesslike manner.

ORGANIZATION

JOB DESCRIPTION: PATROL OFFICER

VOL. II, CH. 7

2. Be courteous, positive and firm in your statements. Ignore verbal attempts to irritate you. If the subject is argumentative, step away and ask only those questions that are necessary to complete the performance of duty.
3. Courtesy and control of personal feelings denotes strength. Rudeness, name calling and sarcasm reflects personal weaknesses.
4. Be patient and listen to his/her story. It takes little effort to be courteous. Treat the citizen in the same manner in which you would like to be treated.
5. Do not become involved in a backyard dispute. You are the referee attempting to restore order. Should the situation appear to be resulting in a breach of the peace, inform the parties that you will take action if a disturbance occurs.
6. If the call is not a police matter, tell the citizen that your authority is limited and does not extend to such matters. Refer the complainant to an appropriate agency and inform him of the action he can take. Show you are interested by taking time out to explain any procedures they may have to follow.
7. In the majority of these instances, the complainant is seeking some advice, a referee or the elimination of an irritating situation. It is your job to be of assistance and not to ridicule or belittle the citizen for calling the police.

C. In arrest situations officers should:

1. Whenever possible obtain assistance before attempting an arrest. Manpower is a great deterrent to resistance.
2. Formulate a plan of action.
3. Be direct and positive in your approach.
4. Attempt to talk the person into submitting, peacefully.
5. Refrain from resorting to vulgarity or profanity.
6. Do not use excessive physical force.
7. Refrain from expressing private views or opinions.
8. Enforce the law impartially.
9. Do not engage in acts of brutality. The professional officer is aware that tense situations can be aggravated by an officer who abuses his authority, or acts impulsively.

ORGANIZATION

JOB DESCRIPTION: PATROL OFFICER

VOL. II, CH. 7

10. Remain calm and controlled in the face of verbal abuse, but take effective measures to protect yourself from physical danger.

II. GENERAL DUTIES

A. Investigate:

1. Crimes
2. Disorderly and petty disorderly offenses
3. Borough of Fort Lee Ordinance Violations
4. Traffic Accidents
5. Non-Criminal Complaints
6. Dog or Animal Complaints
7. General Complaints

B. Report:

1. Road Conditions or Hazardous Conditions
2. Street Lights Out
3. Dead or Sick Animals
4. Animals Struck by Motor Vehicles
5. Damaged Road Signs
6. Lost or Found Items
7. Unusual incidents

C. Enforce the Law:

1. State Criminal Code, Title 2C, Title 2A.
2. Borough of Fort Lee Ordinance
3. State Traffic Laws, Title 39

D. Assist:

ORGANIZATION

JOB DESCRIPTION: PATROL OFFICER

VOL. II, CH. 7

1. The public with direction or information
 2. Disabled motorists
 3. Other police agencies
 4. Other Borough of Fort Lee Officials (building dept, board of health, fire dept etc.).
 5. Direction of traffic
 - a. Issued traffic vest will be worn during traffic posts and officers are to remain out of their vehicles during such posts.
- E. Complete Patrol of assigned sectors
1. Remaining in the assigned sector unless dispatched to another, or the need for backup for another officer in another sector is needed.
 - a. Officers will ask permission of Tour Commander to leave sector for meal breaks or any personal reasons.
 2. Complete assignments given at briefing (radar details, traffic posts etc.).
 3. Complete walking assignment calling in any problems in the grid assigned.
- F. Answer All Assigned Calls.
- G. Escorts:
1. Funeral
 2. General (Stranded Motorists, etc.)
 3. Business with paid voucher.
 4. Bank Escorts from or to Borough Hall.
- H. Man School Traffic Posts
- I. Checks:
1. Vacant Houses
 2. Businesses
 3. Banks and Borough of Fort Lee Buildings

ORGANIZATION

JOB DESCRIPTION: PATROL OFFICER

VOL. II, CH. 7

- J. Check Patrol Vehicles, following vehicle inspection sheets.
 - 1. Including the proper operation of the MVR and Mic.
- K. Cover Special Events (when assigned).
- L. Be proficient with the use of all Emergency Equipment.
- M. Transport Prisoners
- N. Maintain driving skills following NJ motor vehicle laws.

III. HANDLING ASSIGNMENTS

- A. Proceed to the scene promptly and safely.
- B. Render assistance to the injured.
- C. Effect the arrest of the criminal.
- D. Locate and Identify witnesses.
- E. Interview the complainant and the witnesses.
- F. Maintain the crime scene and protect the evidence.
- G. Note all conditions, events and remarks.
- H. Arrange for the collection of evidence (BCI, Detectives etc.).
- I. Report the incident fully and accurately.
- J. Yield the responsibility to the follow-up Detective.
- K. Request that a supervisor respond to the scene when appropriate.
- L. Follow Chain of Command procedures.

ORGANIZATION
JOB DESCRIPTION: PATROL OFFICER
VOL. II, CH. 7

V. POLICE OFFICER - ESSENTIAL FUNCTIONS

- A. To adequately perform the responsibility of a police officer, the officer must be able to perform the essential functions of the position.
1. Restrain or subdue resisting suspects.
 2. Effectuate a full physical custody arrest, forcibly if necessary, using handcuffs and other restraints.
 3. Conduct visual and audio surveillance.
 4. Perform law enforcement patrol functions, on foot or in a vehicle.
 5. Issue Summonses.
 6. Direct traffic, sometimes for long periods of time, using hand signals, flares, barricades, etc.
 7. Observe, record, recall and report incidents and information.
 8. Administer field sobriety tests.
 9. Operate Mobile Video Recorder and body mic according to policy.
 10. Transport citizens, prisoners and committed mental patients, using handcuffs and other restraints, when appropriate.
 11. Work other shifts and adapt to irregular working conditions.
 12. Maintain mental alertness and readiness to act, even during periods of calm and inactivity.
 13. Identify, collect, label and preserve evidence.
 14. Secure the scene of a crime, emergency or disaster.
 15. Stand guard at the scene of a crime, emergency or disaster to prevent damage, loss or injury.

ORGANIZATION

JOB DESCRIPTION: PATROL OFFICER

VOL. II, CH. 7

16. Control crowds.
17. Secure and evacuate persons from particular areas, using either verbal commands or the appropriate degree of physical force.
18. Perform rescue and support functions at the scenes of accidents, emergencies and disasters.
19. Administer emergency first aid, including operating the Ambulance.
20. Physically check buildings, including doors and windows, to insure that they are secure.
21. Remedy hazardous conditions by direct action or through notification of the appropriate authority or agency.
22. Perform searches of people, vehicles, buildings and large outdoor areas, which may involve seeing, feeling and detecting objects, and walking for long periods of time.
23. Search for missing, wanted or lost persons and evidence.
24. Load, unload, aim and fire a handgun and shotgun in day and night conditions from a variety of body positions at the proficiency level required by qualification standards.
25. Process arrested persons, which includes examining documents, communicating verbally, and eliciting and recording information.
26. Understand and follow orders, Rules and regulations, policies and procedures.
27. Accept direction and function cooperatively as one member of a unit.
28. Communicate effectively verbally and in writing, detailing incidents and activities of those involved.
29. Prepare written investigative and other reports, including sketches, using appropriate grammar, symbols and mathematical computations.
30. Read and comprehend legal and non-legal documents, including the preparation and processing of documents such as summonses, affidavits and warrants.
31. Communicate effectively and coherently over telephone, walkie-talkie or radio, initiating or responding to verbal communications.
32. Communicate effectively in court and in other formal settings.

ORGANIZATION

JOB DESCRIPTION: PATROL OFFICER

VOL. II, CH. 7

33. Communicate effectively with people, including juveniles, by giving information and direction, by eliciting information, and by advising of rights, processes and procedures.
34. Communicate effectively with individuals in an agitated or distraught condition.
35. Mediate disputes and confrontations with hostile and potentially violent individuals.
36. Gather information by observation of behavior, visual inspection and oral communication; determine what information is significant; assess a situation based on that information; and exercise independent judgment to make decisions concerning choice of action and equipment.
37. Perform a variety of tasks, involving different and sometimes contrasting skills in rapid succession during a short period of time.
38. Exercise independent judgement in determining when there is reasonable suspicion to detain, when probable cause exists to search and/or arrest, and when force may be used and to what degree.
39. Endure verbal, mental and physical abuse, including threats, taunts and insults to self, family and fellow officers, and respond with the appropriate police action in a professional manner..
40. Withstand exposure to and deal appropriately with stress involved in dealing with hostile views, opinions and behavior in antagonistic settings; with crime victims, accident victims, disaster victims and their families; with incidents of suicide and domestic violence.

**TRAFFIC
PEDESTRIAN AND BICYCLE
TRAFFIC LAW ENFORCEMENT
VOL. IX, CH. 13**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-26-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 3					CHAPTER 13
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I. PURPOSE

To establish guidelines for the department's pedestrian and bicycle enforcement program.

II. DISCUSSION

A balanced transportation management system must provide for all modes of transportation, including pedestrians and bicycles and ensure their safety. The identification of the causes of pedestrian and bicycle accidents requires specific detail in order to establish a sound foundation for countermeasure development.

The countermeasures should:

1. Reduce or eliminate those human, vehicle, or environmental factors leading to an accident;
2. Reduce or eliminate those behavioral actions, decisions, and events that lead directly to an accident; and
3. Reduce or eliminate an accident-type by counteracting precipitating factors.

**TRAFFIC
PEDESTRIAN AND BICYCLE
TRAFFIC LAW ENFORCEMENT
VOL. IX, CH. 13**

Traditionally, pedestrian and bicycle traffic law violations have been looked upon lightly by law enforcement officers for the dual reasons of not being a particularly "serious" violation, and not being one that is "popular" with the public to enforce. However, recent studies have indicated that the pedestrian and bicycle problem is far more serious than was initially thought, with many deaths and injuries resulting from pedestrian and bicycle traffic law violations.

III. POLICY

Officers should take appropriate enforcement action when and where pedestrian violations are observed.

Officers should take appropriate enforcement action when and where bicycle traffic law violations are observed.

The enforcement actions will be commensurate with the pedestrian and bicycle accident experience, with specific emphasis being placed on these particular violations, and at times and places as determines through analysis of accident reports.

IV. PROCEDURE

A. Pedestrian Enforcement

The enforcement of traffic laws pertaining to pedestrians necessitates broad discretion from individual officers. To provide guidance in this discretion, the following procedures are established, which should result in more uniform and consistent application of the law.

1. Prior to any substantial increase in the enforcement effort directed toward pedestrian traffic, sufficient publicity and community awareness campaigns will be conducted by the administration. This is particularly true in those jurisdictions where pedestrian laws have previously received minimal attention.
2. Officers shall concentrate their efforts on pedestrian violations in those areas where pedestrian accidents have been frequent and severe.
4. With regard to pedestrian traffic laws, the "spirit" of the law shall supersede the "letter" of the law and application be made accordingly.
5. Title 39:4-32 through 4-34 should be used.

B. Bicycle Enforcement

The use of bicycles as a major means of transportation, both for business and recreation, has resulted in an increase in traffic accidents involving bicycles and an attendant increase in fatal and personal injury accidents.

**TRAFFIC
PEDESTRIAN AND BICYCLE
TRAFFIC LAW ENFORCEMENT
VOL. IX, CH. 13**

It is inherent in the role of the police to enforce those laws relating to the safe operation of bicycles. In this regard, officers have a unique challenge with regard to their discretion in applying those laws. The following procedures are guidelines to discretion, which should result in a uniform and consistent application of the law:

1. In those areas where congestion and the frequency of traffic accident experience involving bicycles has been predominant, those laws pertaining to the proper operation of bicycles should be enforced.
2. On those arteries with a substantial flow of vehicular traffic, and where hazardous moving violations are observed involving persons operating bicycles, the applicable laws should be enforced.
3. In those areas where traffic flow is minimal, visibility is unobstructed, and traffic accident experience low, officers should exercise discretion in the application of those laws regarding the safe operation of bicycles.
4. Officers should be less tolerant with older offenders (adults) who should be aware of the hazards inherent in the unsafe operation of bicycles. Officers should be more lenient in the enforcement of the law and more instructive in their response to youthful offenders, who may not be fully aware of their responsibility in the safe operation of bicycles.
5. All bicycles being operated on public streets will be regulated by Title 39, Chapter 4,
 - a. 39:4-10 to 39:4-14.2
 - b. Bicycle helmet laws 39:4-10.1.a-e should be strictly enforced.
6. If the operator of a bicycle violates any section of the Title 39 statutes pertaining to bicycles, the operator regardless of his age can be issued a motor vehicle summons or verbal warning for that violation.
7. When a juvenile is issued a summons (in the juvenile's name), the parents are to be notified and served with the summons.
 - a. Helmet law 1st offense should be a warning, however the parent or guardian may also be fined \$25.00 through the issuance of a summons. 2nd offenses may be subsequently fined \$100.00.

Fort Lee Police Department Prisoner Property Notice

Date:

Case #:

Name:

Address:

Town, State:

Be advised that this notice is being given to you regarding your personal property. All of your property can not be transported with you to the Bergen County Jail in accordance with their policy.

You were given a copy of the Supplemental Property Report as a receipt of your property which is secured by the Fort Lee Police Department.

You must contact the Fort Lee Police Department, Evidence Unit at 592-3786 Monday-Friday, 9:00 A.M. to 5:00 P.M. within 180 days to arrange to claim your property. If you are unable to claim your property you may authorize a person to claim the property on your behalf. A notarized letter containing their name would be required from you. If you have no interest in claiming your personal property complete the property waiver below.

Failure to respond to this notice within 180 days will result in the Borough of Fort Lee taking possession of your property, which may then be destroyed

NO OTHER ATTEMPTS WILL BE MADE TO CONTACT YOU AFTER THIS NOTIFICATION.

Date: _____

Officer's Signature: _____

Prisoner's Signature: _____

Waiver of Interest in Personal Property

I, _____ (name) of

_____ (Address)

do hereby release all interests in the personal property and turn the property over to the Borough of Fort Lee Police Department.

Owner's Signature: _____ Date: _____

**ADMINISTRATION
PROMOTIONAL PROCESS
VOL. I, CH. 5**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 07-07-2009	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 3					CHAPTER 3.1
ACCREDITATION STANDARD(S):34.1.3	REFERENCE: V#C#					
SUBJECT: PROMOTIONAL PROCESS						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PROMOTION POLICY:

Promotion denotes vertical movement in the organization hierarchy from one rank classification to another, accompanied by increases in salary. Validity of the promotional process can only be accomplished through clear concise written procedures. The promotional process has been developed to identify employees who possess the ability for assuming greater responsibilities combined with the necessary skills and knowledge to perform competently at a higher organizational level, as set forth in NJAC 4:A-2, 4, 5 & 6

PROCEDURE:

I. ELIGIBILITY

- A. A sworn member of the department is eligible to participate in the promotional process provided they have completed three (3) years of service with the Borough of Fort Lee Police Department.

Officers seeking promotion to the next higher rank must have served a minimum of one (1) year in their present rank.

1. The promotional process is considered to have begun when the written examination is announced.

- C. All promotions shall be made from the membership of the Borough of Fort Lee Police Department.

1. Promotions shall be made from within the department provided the candidate meets the

**ADMINISTRATION
PROMOTIONAL PROCESS
VOL. I, CH. 5**

eligibility requirements of this policy and successfully completes the examination process as outlined within the procedures.

- a. An officer promoted to a higher rank shall serve a probationary period of 90 days from the date of appointment.
2. Oral interviews prior to appointment to probationary status are not conducted by this department.

II. WRITTEN AND ORAL EXAMINATION

- A. All officers who are eligible for promotion shall submit to a civil service examination.
 1. The written and oral (depending on rank) examinations shall be administered by the New Jersey State Department of Personnel (DOP).
- B. Whenever a promotional examination is scheduled, a notice shall be posted at the police department that will announce that there will be an exam and it will include when and where the applications will be distributed.
- C. Department of Personnel regulations and procedures will be followed for the application and administration of exams.
- D. Department of Personnel procedures will be followed for the appeal of any results of a promotional exam.
- E. If there are 3 or less officers eligible to take a promotional exam, provisional appointment may be made in compliance with DOP's rule of 3.

III. CERTIFICATION AND TERM OF ACTIVE LIST

- A. Following the publication of the promotional list and notification to those on the list by the Department of Personnel, the officers listed must write to the Borough appointing authority within 5 business days advising that they are either interested in the position or that they are not interested.
- B. When promotions are called for the Chief of Police will request to the governing body that a certain number of candidates from the list be certified for promotion.
- C. The table of organization ordinance will be followed to fill positions through the promotional process.
- D. The Mayor and Council will vote on how many promotions will be made and set a date for the ceremony.
- E. The governing body of the Borough of Fort Lee will make the final decisions on promotions using the current table of organization and with the recommendations of the Chief of Police.

ADMINISTRATION
PROMOTIONAL PROCESS
VOL. I, CH. 5

- F. The term of an active list is 3 years from the publication of the list. Under certain circumstances, lists may be extended as per Department of Personnel procedures.

**AUTHORITY
PROPERTY INVENTORY
VOL. VII, CH. 10**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 09-19-05	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 5					CHAPTER 10
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: PROPERTY INVENTORY OF MOTOR VEHICLES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

This policy is designed to provide officers with clear guidelines when conducting an inventory of personal property that may be present in an impounded motor vehicle.

POLICY:

There is a marked differentiation between a search of a vehicle and a property inventory.

An inventory is an administrative process by which items of property are listed and secured. An inventory is not to be considered or used as a substitute for a search.

A search is an examination of a person, place, motor vehicle or thing with a view toward discovery of weapons, contraband, instrumentality of a crime or evidence. It is distinguished from an inventory.

PROCEDURE:

- I. POLICE IMPOUNDMENT AND STORAGE AT BOROUGH OF FORT LEE AUTHORIZED IMPOUNDMENT AREA**
 - A. Any vehicle involved in a crime shall be impounded and stored at the police authorized impoundment area as outlined in the department's Evidence Policy.

AUTHORITY
PROPERTY INVENTORY
VOL. VII, CH. 10

1. Any vehicle that was involved in a crime should be towed into headquarters and followed by one of our officers, for continuity of evidence.
 2. At headquarters the vehicle will be photographed.
 3. If there is a more thorough search that needs to be conducted, it may be done at headquarters, providing all criteria in search and seizure guidelines are met.
 4. If B.C.I. is needed to process the vehicle, have the vehicle placed in a sally-port..
 5. Vehicle tow report will be completed and will indicate whether the vehicle is releasable or not (seizure/confiscated, pending further investigation).See Vol-5,ch-8 towing policy.
- B. If a search for evidence must be conducted, the department's Search and Seizure Policy shall be followed **before** an inventory is conducted.
- C. After a search has been conducted, if applicable, then an inventory of personal property shall be initiated.
1. All personal articles shall be listed on the department's Property Report Form.
 - a. If personal property belongs to an arrestee, then items should be placed with prisoner property if they are not evidence.
 - b. If items are too large to be put with property in a property envelope, they will be clearly marked and placed in a property locker.
 - c. All prisoner property that is smaller than a shoe box will accompany the prisoner to BCJ when transported initially to the jail. The jail will not take items after the prisoner has been initially taken into jail custody and will not take larger items than what will fit in a shoe box.
 2. All areas where personal property could be stored shall be inspected.
 3. All items listed on the Property Report are to be tagged as follows:
 - a. Date and time.
 - b. Incident Report case number.
 - c. Name of owner, address.
 - d. Officers signature and I. D. Number.
 - e. Description of items, quantity and serial number/model if appropriate.
 - f. NCIC/SCIC numbers if appropriate.

AUTHORITY
PROPERTY INVENTORY
VOL. VII, CH. 10

- 4. Small personal items, such as rings or other jewelry, are to be placed in an envelope, marked and placed in a property envelope.
- D. Personal property that has been removed from a vehicle shall be placed in the Police Property Locker and secured.
 - 1. A copy of the Property Report is to be placed in the case jacket (if one exists) and a copy is to be attached to the property envelope or property where appropriate.

II. IDENTIFICATION/PROPERTY UNIT RESPONSIBILITY

- A. The ID/Property officer in charge of property shall remove all property from the department's Property Locker and the articles will be placed in the Property Storage area.
 - 1. The Property Storage area is designed for long term property storage. This can be considered anytime over 24 hours.
- B. The Property Storage area shall be locked at all times.
- C. One person's property is to be sectioned from another person's property.
- D. Property may only be released when "Proof of Ownership" is verifiable.
- E. All property that is released shall be signed for by the person receiving the property.
- F. The ID/Property officer in charge shall periodically notify the owner of the property that has been stored at police headquarters, that the department would like to release the property as soon as possible.
- G. If short term property (under 24 hours) can be released, every attempt to do so should be attempted.
 - 1. Any Division Supervisor may release short term property that is stored in the Property Locker.
 - 2. The only officer authorized to release property from the Property Storage area is the ID/Property officer in charge of property or an officer designated by the Chief of Police.
- H. Any evidence will be handle using procedures outlined in the evidence policy- Vol-7, ch11.

III. STORAGE OF VEHICLES AT AN APPROVED TOW YARD

- A. In those situations where vehicles are impounded for minor traffic violations and stored at an approved tow yard, an inventory of personal property shall be conducted if the vehicle is not occupied.
 - 1. This is to be accomplished at the location of the traffic stop.

AUTHORITY
PROPERTY INVENTORY
VOL. VII, CH. 10

2. If the trunk is locked, then the officer should not attempt to forcibly gain entry. A notation should be made on the tow report.
- B. If the driver, or owner, of the vehicle is present, the officer should ask if there is any personal property in the vehicle.
1. If there is personal property in the vehicle, the officer should recommend that the driver, or owner, remove the property for safekeeping.
 2. The officer should make a notation in his tow report that the driver, or owner, were advised to remove any personal property and what their response was at the time.
- C. Any property inventoried shall be placed in the department's Property Locker, as outlined in this policy.

IV. NON-IMPOUNDMENT SITUATIONS

- A. Vehicles moved but not taken to a police facility or to a designated area shall not be classified as Police impoundments and shall not be inventoried or searched. However, the officer who caused the automobile to be moved shall make sure that the windows of the automobile are rolled up and, if possible, the trunk and doors are locked before he leaves the vehicle.
- B. The keys for the vehicle shall be left with the tow truck operator.
1. In this situation the owner of the vehicle or authorized operator must be present and aware of the tow and the location where the vehicle is being towed, if not then the vehicle will be towed to a police authorized tow yard and a release will be needed for the vehicle. The officer will complete a tow report on all vehicles towed to an authorized tow yard in situations where a release is needed.
- C. Tow operator will be advised of the fact that a vehicle does not require a release. See tow policy Vol-5, ch-8.

V. SCOPE OF INVENTORY

- A. Whenever an officer has a right to inventory a vehicle pursuant to this procedure, the officer shall examine the passenger compartment, the glove compartment, whether or not locked, and the trunk, whether or not locked.
1. Entry shall not be attempted if the officer does not possess the keys to those areas.
- B. Any items of personal property which reasonably have a value in excess of \$25.00 (depending on size) shall be removed from the vehicle and placed in the Property Locker if requested by driver.
- C. All items so removed shall be listed and recorded on a Property Report and Tow Report.

AUTHORITY
PROPERTY INVENTORY
VOL. VII, CH. 10

- D. Any container, such as boxes or suitcases, found within the vehicle shall be opened and any item of personal property found shall be listed and recorded separately.

- E. Immediately upon completion of the inventory, the officer shall make sure that the windows are rolled up and the doors and the trunk are locked.

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-27-2007	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME #VI
VOLUME TITLE: GENERAL	# PAGES: 2					CHAPTER 1
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: PROSECUTOR'S OFFICE SPECIAL DIRECTIVES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

In order that the Borough of Fort Lee Police Department complies with all directives from the Bergen County Prosecutor's Office, this volume and chapter is established to facilitate quick access to the Prosecutor's policies and procedures that do not affect a specified Borough of Fort Lee Police Department policy and procedure.

PROCEDURE:

All personnel in the Borough of Fort Lee Police Department must adhere to the following procedures.

I. COUNTY WIDE NOTIFICATION PROCEDURES AND REQUEST FOR SPECIAL SERVICES FROM THE BERGEN COUNTY PROSECUTOR'S OFFICE:

- A. There shall be immediate notification by the Borough of Fort Lee Police Department in accordance with its established internal procedure to the Bergen County Prosecutor's Office, in matters involving the following criminal offenses or occurrences:
 - 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. Suicides, Bergen County Police Department will be notified, an investigator from the

**GENERAL
PROSECUTORS OFFICE-SPECIAL DIRECTIVES
VOL. VI, CH. 1**

Bergen County Medical Examiner's Office will be sent, he will notify Prosecutor's Office if needed.

5. Fires or explosions involving a fatality, suspected fatality, serious injury, or incidents involving a church, unoccupied or closed business and fires to businesses after hours..
 6. Industrial accident involving a death or serious injury.
 7. Vehicle accident involving a fatality or serious injury. A vehicle accident shall include automobiles, trains, planes, boats. Police vehicles or alcohol related.
 8. All deaths or seriously injured individuals who were in the process of being detained, arrested, or transported by a law enforcement officer.
 9. All deaths of patients in psychiatric care facilities (i.e., Greystone Park Psychiatric Hospital).
 10. Any Crime involving sexual assault or sexual contact.
 11. Any firearm discharge that result in injury or death (including accidental), by a law enforcement officer resulting in injury or death. Those not causing injury or death should be reported within 48 hours.
 12. Any incident wherein the services of the Bergen County Police Underwater Search and Recovery Team are required. Mobilization of this Team will be authorized and facilitated through the Bergen County Police Department.
- B. Members of the Prosecutor's Office are on call 24 hours a day and may be contacted during normal working hours at(**See v3c7 tab 3**). At all other times, the duty detective may be contacted through the Bergen County Police Communications Center at(**See v3c7 tab 4**).
- C. The circumstances surrounding each incident will be evaluated and a determination will be made by the duty detective if a response is warranted. When the duty detective(s) response is not required, he will be available, via telephone, to provide whatever assistance or guidance is necessary.
- II. Assistance in the other areas of investigation will be at the discretion of the officer in charge of the Investigation Division.**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 5/15/07	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME V
VOLUME TITLE: INTERAGENCY PROCEDURES	# PAGES: 2					CHAPTER 17
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: PUBLIC SAFETY MOBILE COMMAND CENTER						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
THOMAS RIPOLI CHIEF OF POLICE/PUBLIC SAFETY DIRECTOR						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE: Uniformed guidelines for multi-agency procedures in the operation of the Public Safety Mobile Command Center.

DISCUSSION: The Public Safety Mobile Command Center has been purchased with a combination of homeland security funds (grant) and the police department's confiscated funds. Agencies within Fort Lee permitted to use the Mobile Command Center are: Fort Lee Police department, Fort Lee Fire Department, Fort Lee OEM and Fort Lee VAC.

This Mobile Command Center is to be utilized as a field command post to run command and communications operations of a scene from a perimeter position. It is also to be used as a backup communications center, should the current communications center go down.

DEPOYMENT: Mobile Command Center may be deployed to major crime scenes, major fire scenes, public health emergencies, major evacuations, disaster scenes, tactical operations and special events. The Mobile Command Center should be deployed up wind and up hill from the incident at hand, preferably closed to utilities.

Incident Command System procedures will be utilized during operation of the Mobile Command Center.

Deployments to a mutual aid locations will only be done with administrative approval.

INTERAGENCY PROCEDURES
PUBLIC SAFETY MOBILE COMMAND CENTER
VOL, 5 CH 17

- I. **PROCEDURES:** In the event that the Mobile Command Center is needed at a scene, only individuals that have been trained to deploy the Mobile Command Center may do so.
 - A. Setup includes deploying to the scene, setting up leveling jacks, deploying the slide-outs, starting main and mast generators switching on all equipment, establishing satellite communications, radio communications, weather station operations and dispatch.
 - B. Operating personnel are responsible for the security of the unit, its surroundings and all equipment, compartments and doors.
 - C. Unit should be inspected for damage and proper condition prior to deployment, inspection sheet should be filled out.

- II. **MOBILE COMMAND CENTER ACCESS:** Access to the Mobile Command Center will be restricted to those individuals needed for command and control of the incident at hand. For unified command situations, a representative from each agency will be assigned to the Mobile Command Center. All others will not be permitted access to the Mobile Command Center unless authorized by the incident commander.
 - A. No civilians are allowed in the unit unless actively engaged in official business of Police, Fire, OEM or the VAC.
 - B. An area will be provided outside of the Mobile Command Center for other support personnel.

- III. **LOCATIONS WHERE MOBILE COMMAND CENTER CAN NOT BE OPERATED:**
 - Merkle Street
 - Wall Street
 - 15th Street crossing Stillwell Ave
 - Catherine Street at Ann Street
 - Old Palisade Road at Lower Main Street

POLICE PURSUIT INCIDENT REPORT

1. Department Fort Lee Police Department		2. Incident No.	3. Pursuit date
4. Officer		5. Badge No.	6. Car No.
7. Supervisor notified		8. Badge No.	9. Car No.
10. Initiating Agency		11. Initiating officer	
12. Location officer became involved		13. Time officer became involved	14. Highest speed
15. Location officer terminated		16. Time officer terminated	17. Approx. distance in pursuit (miles)
18. Weather <input type="checkbox"/> Clear <input type="checkbox"/> Rain <input type="checkbox"/> Snow <input type="checkbox"/> Other			
19. Road Surface <input type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Ice or snow <input type="checkbox"/> Other			
20. Area <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Highway <input type="checkbox"/> Rural			
21. Reason pursuit initiated <input type="checkbox"/> Traffic Violation (describe) <input type="checkbox"/> DWI <input type="checkbox"/> Warrant (describe) <input type="checkbox"/> Stolen Car <input type="checkbox"/> Assisting other agency (name) <input type="checkbox"/> Suspected criminal involvement (describe) <input type="checkbox"/> Other			
22. Tire Deflation Device <input type="checkbox"/> Tire deflation used Type Effect			
23. Reason pursuit terminated <input type="checkbox"/> Pursued voluntarily stopped/surrendered <input type="checkbox"/> Pursued stopped in accident <input type="checkbox"/> Pursued voluntarily stopped/attempted flight on foot <input type="checkbox"/> Pursued escaped in vehicle <input type="checkbox"/> Apprehended <input type="checkbox"/> Officer Decision <input type="checkbox"/> Escaped <input type="checkbox"/> Officer vehicle in accident <input type="checkbox"/> Pursued forced to stop/vehicle disabled <input type="checkbox"/> Supervisor decision <input type="checkbox"/> Other (describe)			
24. Number of people injured _____ # Pursued vehicle _____ # Police Vehicles _____ # Third party vehicles _____ # Pedestrians		25. Number of people killed _____ # Pursued vehicle _____ # Police vehicles _____ # Third party vehicles _____ # Pedestrians	
26. Number of vehicles in accidents _____ Pursued vehicle _____ # Police Vehicles _____ # Third party vehicles		27. No. of people in pursued vehicle	28. Number of people arrested
29. List charges for driver			
30. Signature		31. Date	32. Reviewed by

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-13-2001	REVISION DATE: 5/19/09 10/6/09	PAGE #: 13 5 8,9 9,10 12 14 14 13 14	SECTION: IX D I.B.3,e I.I.E,G/J,1,a, J,11,12 V.A IX,E,X,B IX,D IX A IX D	APPROVED	VOLUME V
VOLUME TITLE: INTER-AGENCY PROCEDURES	# PAGES: 14					CHAPTER 6
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: PURSUIT PROCEDURES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL: AG 19-1		Special Instructions				
PROSECUTOR'S OFFICE: A26 V-5 C-6						
REFERENCE:		PURSUIT PROCEDURES				

PURPOSE:

To ensure that officers have a policy to review with the guidelines to be followed in pursuit situations, every officer should be familiar with these policies and procedures.

POLICY:

The pursuit of a fleeing vehicle is a very serious matter. When a police officer initiates a pursuit, he/she must consider many factors such as road conditions, weather conditions, the nature of the offense or call, the safety of the officer and the safety of the general public.

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.

PROCEDURE:

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

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

this policy or any standard operating procedure to anticipate all possible circumstances. Therefore, this policy is intended to guide a police officer's discretion in matters of vehicular pursuit.

This policy has been formulated to provide minimum requirements to direct the Borough of Fort Lee Police Department officer's activities in this very critical area of police practice.

Deciding whether to pursue a motor vehicle is among the most critical decision 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 in 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 law enforcement community in any subsequent review of such actions.

THE FOLLOWING WAS MANDATED BY THE NEW JERSEY ATTORNEY GENERAL

DEFINITIONS:

- A. **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.
- B. **Divided Highway:** A road which includes a physical barrier between traffic traveling in opposite directions.
- C. **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.
- D. **Law Enforcement Officer:** Any person sworn to uphold the law 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.
- E. **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.
- F. **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.

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

G. 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.

H. 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.

I. 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.

J. Vehicle Contact Action: Any action undertaken by the pursuing officer intended to result in contact between the moving police vehicle and the pursued vehicle.

K. Violator: Any person who a police officer reasonably believes: (1) has committed an offense enumerated in Section I, A of this policy or (2) poses an immediate threat to the safety of the public or other police officers.

L. Attempt to Stop: When an officer attempts to close the distance gap between his/her vehicle and the violator vehicle. The use of audio and visual emergency equipment has not yet been employed at this phase.

M. 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 the criteria established in this policy.

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 of Pursuit

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

1. A police officer may only pursue
 - a. When the officer reasonably believes that the violator has committed an offense of the first or second degree, or an offense enumerated below, or an offense enumerated in Appendix C of this policy.
 - (1) Death by Auto 2C:11-5
 - (2) Aggravated Assault 2C:12-1b
 - (3) Criminal Restraint 2C:13-2
 - (4) Aggravated Criminal Sexual Contact 2C:14-3a
 - (5) Arson 2C:17-1a & b, 2a
 - (6) Burglary 2C:18-2
 - (7) Theft by Extortion 2C:20-5
 - (8) Escape 2C:29-5
 - (9) Automobile Theft 2C:20-2
 - (10) Manufacturing, distribution or dispensing of C.D.S. 2C:35-5b
 - 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 whether 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.

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

- c. Population density and volume of pedestrian traffic.
 - d. Environmental factors such as weather and darkness.

 - e. Road conditions: construction, poor repair, extreme curves, ice, Intersections controlled by traffic signals, 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 future 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 be 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.
 2. When the pursuing officer terminates the pursuit he will immediately notify communications of such, giving his location of termination.

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

II. ROLE OF THE PURSUING OFFICER

When a police vehicle is involved in a pursuit and is equipped with a Mobile Video Camera, Camera and Mic will be activated during the pursuit at all times and during apprehension of suspect. Officers report will also indicate camera use and tape should be removed from vehicle by a supervisor after termination of pursuit or arrest of suspect.

- 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. He will then notify communications of initiation and give a location.
- 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. Nature of the violation
 - 6. The speed of the pursued vehicle.
 - 7. Other information that may be helpful in terminating the pursuit or resolving the incident.
 - 8. Officer will give continuous updates of location, direction and speed.
 - 9. A second vehicle may join in the pursuit, remaining at a safe following distance for speed and road conditions behind the first vehicle.
 - 10. Once stopped, no officer will approach a pursued vehicle until a second unit arrives and cuts off any escape route, should the suspect attempt to flee.
 - 11. In the event the suspects have been suspected of committing a serious crime, or are suspected of being armed, no stopped vehicle is to be approached. Upon the arrival of sufficient assistance, the occupants are to be ordered out of the vehicle one at a time. If the occupants have been injured as the result of a crash, sufficient personnel are to be requested before any approach is made
- D. Apprehension of offenders outside of our jurisdiction.

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

1. A person or persons apprehended outside of this jurisdiction but within the state, may be returned to this borough for processing.
 2. Should additional offenses occur either during the pursuit or at its conclusion, complaints should be signed in whichever jurisdiction they occurred.
 3. If the involved vehicle is to be impounded as being used in the commission of a crime, it should be towed by a borough authorized tow company, to Headquarters for further processing.
 4. If the vehicle has been involved in a collision in another jurisdiction, and is not being impounded, that jurisdiction will normally have the vehicle towed according to local procedures. That jurisdiction will also be responsible for the collision report.
 5. If any controversy arises over who is to tow the vehicle, the tour commander will be responsible for contacting the other jurisdiction's headquarters to resolve the matter.
 6. A person or persons apprehended outside of this state will be taken directly to a local precinct or police station, where a judicial hearing will be arranged.
 7. Fort Lee officers will not become directly involved in any pursuit into this borough, if two or more other agency vehicles are already involved, if one unit is involved, then one unit may join in the pursuit, as long as the purpose for the pursuit is known and fits these guidelines.
 8. If a pursuit from another state, or a jurisdiction not familiar with this area comes through this borough, and has deviated from the main highways, then one of our units may follow the pursuit with the permission of a supervisor, so that they can maintain locations and direction for the jurisdiction involved. If the pursuit then leaves this borough, the next jurisdiction should be notified and our unit should terminate.
 9. Special situations which may dictate the intervention of more than two units may occur, permission to deviate from standard operation procedures may only be authorized by a supervisor.
- E. Apprehension of offenders.
1. A person or persons apprehended by another New Jersey agency in Fort Lee, will be immediately returned to the other jurisdiction unless exigent circumstances exist.
 2. A person apprehended by an out of state agency is to be brought to headquarters, where a Judge will be contacted.
 3. If a pursuing agency wishes to make its own arrangements for towing vehicles, it may do so. If the agency so requests, this department will utilize a towing company from the authorized tow list.

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

4. If a pursued vehicle becomes involved in a collision in this borough, and the pursuing agency does not wish to impound the vehicle, this agency will provide the tow, as well as take the report.
5. If any controversy arises as to who is responsible for the tow, the tour commander is responsible for contacting the involved agency to settle the controversy.

III. VEHICULAR PURSUIT RESTRICTIONS

- A. No pursuits will be conducted
 1. In a direction opposite to 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 possible 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 -92*).
- F. Throughout the course of a vehicular pursuit, pursuing officers shall not attempt to overtake or pass the violator's moving vehicle.
- G. Upon 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 officers 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.
 1. There shall be no street paralleling along the route unless the pursuit passes through the patrol's assigned area. A patrol that is parallel-street-pursuing shall not join or interfere

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

with a pursuit, and shall stop all pursuit-related activity at the boundary of its assigned area.

- I. 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.
- J. Tire deflation device: Road spike system may be deployed during the course of a pursuit with supervisory approval, by officers trained in the operation and deployment of the deflation device.
 1. 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.
 2. This deflation device should not be used to stop motorcycles, mopeds, or similar vehicles.
 3. This deflation device should not be used in locations where specific geographic features (sharp curves, steep embankments etc.) increase the risk of serious injury to the officer, violator or public.
 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 deflation device should not attempt to overtake and pass a pursuit in order to position the device.
 6. The officer deploying the deflation device should do so from a position of safety.
 7. The officer deploying the deflation device should in a position to allow sufficient time for deployment.
 8. The supervisor overseeing the pursuit must approve the location of deployment.
 9. Communications center should advise all units of the location of deployment.
 10. The officer operating the deflation device should take a position of safety as the pursued vehicle approaches.
 11. After all other traffic has passed over the deflation device, and immediately prior to the pursued vehicle passing over the deflation device, the deflation device should be placed.

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

12. Immediately after the pursued vehicle goes over the deflation device, the officer should remove the device.
13. The officer should then advise communications immediately if the pursued vehicle ran over the spikes, if the officer observed any deflation, and the direction and operation of the pursued vehicle after contact with the spike strip.
14. As soon as practical, the officer should remove the deflation device from the roadway.
15. The road spike system used should then be placed out of service until the spikes can be replaced.

K. Reporting the use of a Tire Deflation Device.

1. The following should be included in the narrative vehicle pursuit report:
 - a. Date, time and location of deployment.
 - b. Officer who deployed the deflation device.
 - c. Supervisor who authorized the deployment.
 - d. Date and time of activation.
 - e. Results of the use of the deflation device on the pursued vehicle.
 - f. Results of the use of the deflation device on any other vehicle, property or person.
 - g. Results of the use of the deflation device itself.

L. 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).

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

- M. Officer 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. 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 only if
 - 1. There is a reasonable belief that the violator has committed an offense of the first or second degree, or an offense enumerated in I-A-1-a of this policy, or
 - 2. There is a reasonable belief that violator poses an immediate threat to safety of the public or other police officers.
- B. The supervisor shall also determine whether or not a tire deflation device should be deployed.
 - 1. This deflation device should not be used to stop motorcycles, mopeds, or similar vehicles.
 - 2. This deflation device should not be used in locations where specific geographic features (sharp curves, steep embankments etc.) increase the risk of serious injury to the officer, violator or public.
 - 3. Deployment locations should have reasonably good sight distances to enable the officer to observe the pursuit and other traffic as it approaches.
- C. 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.
- D. 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.
- E. 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.
- F. The supervisor shall ensure, for the duration of the pursuit, that this policy and agency procedures are followed by all officers.
- G. The supervisor shall respond to the scene or jurisdiction where a pursuit has ended and resulted in an arrest, collision or injury.
- H. The supervisor will see that an arrest in another state is handled properly, and that the arrestee is not brought back to this state until a judicial hearing has taken place.

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

- I. The supervisor will also see that the Chief of Police is notified through the chain of command.
- J. The supervisor will complete a report on the pursuit and his actions.

V. COMMUNICATIONS CENTER RESPONSIBILITIES

- A. Upon notification that a pursuit is in progress, communications personnel shall immediately advise a Tour Commander and Road Supervisor of essential information regarding the pursuit and give updates on the progress of the pursuit (when possible).
- B. Communications personnel shall carry out the following activities and responsibilities during the pursuit:
 - 1. Receive and record all incoming information on the pursuit and the pursued vehicle;
 - 2. Control all radio communications and clear the radio channels of all non-emergency calls;
 - 3. Obtain criminal record and vehicle checks of the suspects;
 - 4. Coordinate and dispatch backup assistance and air support units under the direction of the field supervisor;
 - 5. Notify neighboring jurisdictions, where practical, when pursuit may extend into their locality; and
 - 6. Provide copy of communications tape to the Chief's Office.

VI. REINSTATING PURSUITS

- A. Reinstatement of any previously terminated pursuit shall be undertaken consistent with the authorization criteria for originally initiating a pursuit.

VII. 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.

VIII. PURSUIT REPORTING

- A. All law enforcement officers who operate law enforcement vehicles in vehicular pursuit

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

situations and the supervising officer shall be required to file a pursuit incident report. Pursuit incident reports shall be narrative reports, in addition to the report form, and should contain, at a minimum, the following information: (See Appendix B)

1. Location, date and time of pursuit initiation. (Point of actually starting to pursue).
 2. Location, date and time of pursuit termination. (Point of actually discontinuing where lights and siren are turned off).
 3. Highest speed achieved, weather conditions, road surface and description of pursuit area.
 4. Reasons for initiating and terminating the pursuit.
 5. Consequences of the pursuit, such as accidents, injuries or fatalities.
 6. Whether or not the violator was apprehended.
 7. The offenses with which the violator was charged.
- B. The Department will prepare an annual agency Vehicular Pursuit Summary Report (See Attachment A) for submission to the county prosecutor. 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 accident, injury, death and arrest.
 3. The number and type of vehicles involved in accidents (police, violator, third party).
 4. A description of individuals injured or killed (police, violator, third party).
 5. The number of violators involved and arrested in pursuit incidents, including passengers.
 6. The number of pursuits in which an authorized tire deflation device was used.

IX. VEHICULAR PURSUIT REVIEW

- A. The Department will conduct a formal review of all pursuit incident reports. This will be done after every incident involving any vehicular pursuit.
- B. Pursuit incidents will be reviewed for compliance with applicable policy and department operating procedures.
- C. Pursuit incidents will also be reviewed to identify the need for remedial training of individual officers or specific areas of emphasis in agency-wide training regarding pursuit situations and the application of pursuit policies and procedures.

**INTER-AGENCY PROCEDURES
PURSUIT PROCEDURES/ROAD BLOCKS
VOL. V, CH. 6**

- D. Administrative and annual analysis of each pursuit / roadblock incidents and summary pursuit information will be conducted in order to identify any additions, deletions or modifications warranted in departmental pursuit procedures.
- E. 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.).

X. TRAINING

- A. All officers will attend in-service vehicular pursuit training twice annually. This in- service training shall be held simultaneously with use of force training which is provided in the firearms requalifications process.
- B. Vehicular pursuit training shall consist of knowledge of applicable statutes, familiarization with statewide police pursuit policy, departmental procedures, , decision making skills and the use of tire deflation devices, to include hands on use.
- C. An annual report will be filed with the Bergen County Prosecutor. The report will confirm in service pursuit training of all police officers in conjunction with semi-annual firearm requalification and the use of force training.

XI. VEHICULAR PURSUIT NOTIFICATION

- A. When a police vehicular pursuit involves serious personal injury, the Bergen County Prosecutor's Office will be notified immediately in accordance with the Major Incident Notification Directive.
- B. When a police vehicular pursuit involves property damage the Bergen County Prosecutor's Office will be notified during the next business day.
- C. Any police vehicular pursuit not involving property damage or personal injury should be recorded in accordance with the reporting procedures outlined within Section VIII, Subsection A of this directive. However it is not necessary to contact the Prosecutor's Office regarding these pursuits.

**TRAFFIC
RANDOM MOTOR VEHICLE STOPS
VOL. IX, CH. 25**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-01-2007	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 3					CHAPTER 25
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: RANDOM MOTOR VEHICLE STOPS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

The purpose of this policy is to establish guidelines for random stopping of motor vehicles on the roadways within Borough of Fort Lee.

DISCUSSION:

The stopping of motor vehicles generally requires probable cause, to meet the legal requirements for Random Stops at checkpoints such as DWI, the following procedures must be adhered to by every member of this department.

I. PROCEDURE:

A. STATIONARY SOBRIETY CHECKPOINTS

1. The Operations Division Commander Responsibilities

- a. The Operations Division Commander should be designated the locations where sobriety checkpoints will be conducted.
- b. The Operations Division Commander may have a Work Schedule and plan developed by a Patrol Division Supervisor, as the supervisor in charge of the operation.

**TRAFFIC
RANDOM MOTOR VEHICLE STOPS
VOL. IX, CH. 25**

- c. The supervisor in charge will be responsible to prepare a news release two weeks prior to the operation and submit it to the Chief for approval. Once approved, one news release will be given to the local paper and the other to the local radio station. These releases must be published or announced one week prior to the operation.
 - d. The supervisor in charge, when organizing the operation, will have at least one Breathalyzer Operator assigned with additional manpower needed for the sobriety checkpoint.
2. Patrol Supervisor's Responsibilities
- a. The supervisor will be responsible for the proper utilization of the D. W. I. Road Check signs and highway flares at the checkpoint.
 - b. The supervisor will be responsible to ensure that officers assigned to the operation complete the Vehicle Check Report. At the completion of the operation, the report shall be completed and submitted to the Operations Division Commander. A copy will also be forwarded to the Administrative Division Commander.
 - c. After completion of the operation, the supervisor will be responsible to complete the Supervisor Report and submitted to the Operations Division Commander. A copy will also be forwarded to the Administrative Division Commander.
 - d. Supervisor is responsible to ensure that all the officers are properly entered in the blotter.
3. Sobriety Checkpoints
- a. D. W. I. Road Check Assignments:
 - (1) Minimum manpower shall consist of:
 - (a) One (1) Command Level Officer in charge of the operation
 - (b) Three (3) Uniformed Officers
 - b. The predetermined sequence of vehicles that will be stopped will be determined based upon the traffic flow presented on the day selected. **Example: every third car, every fifth car, etc.**
 - (1) Once a "stop sequence" has been determined for an evening, it shall be conducted until the conclusion of the operation.
 - (2) Locations should be selected based upon:

**TRAFFIC
RANDOM MOTOR VEHICLE STOPS
VOL. IX, CH. 25**

- (a) Alcohol related accidents and arrests.
 - (b) Safety issues such as visibility, lighting and equipment.
 - d. Proper lighting, signs, flares and other equipment should be utilized. Personnel shall wear their reflective Traffic vests.
 - e. Officers making the stops should be courteous and it is imperative that they advise the motorist of the purpose of the stop.
 - f. All attempts should be made not to delay traffic for any prolonged period of time. Ideal circumstances are to have no lines of stopped traffic other than a few cars to be checked.
 - g. The plate numbers of all stopped and checked vehicles shall be recorded.
 - h. Addition police vehicles may be positioned in the area to stop vehicles that either attempt to avoid or refuse to stop for the checkpoint.
- B. Motor Vehicle/DOT Inspection Services
- 1. Should this department be contacted by the New Jersey Motor Vehicle Commission/DOT for assistance in a checkpoint, it must be approved by the Chief of Police.
 - 2. Officers assisting with these checkpoints will follow MVC/DOT protocol in assisting them.
- C. Checkpoints at certain times in relation to a crime that was committed are also permitted to obtain possible witness accounts of the incident, or suspicious activity that may have been observed during that time period. Stops may only be made in a systematic and non-discriminatory manner and must not be for a prolonged period of time, they must be as brief as possible.
- D. Random stops having to do with Homeland security Issues will be approved by the Chief of Police and will follow protocol of DWI checkpoints.
- E. Any other random stops that are not based on probable cause are not permitted.

NOTE: If a crime has occurred (abduction, kidnapping, homicide etc) that requires the stop of all vehicles coming from an area; these are not considered to be Random Motor Vehicle Stops.

**OPERATIONS
RECORDS ACCOUNTABILITY
VOL. IV, CH. 8**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-07-2005	REVISION DATE: 8-19-08 5-18-09	PAGE #: 5 6 3	SECTION: IX X IV.A	APPROVED 05-18-2009	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 6					CHAPTER 8
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: RECORDS ACCOUNTABILITY						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
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PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure that proper procedures are followed in the handling and maintenance of all records.

POLICY:

As a matter of Department Policy, strict accountability will be maintained for all records, which are maintained by this agency. The procedures set forth in this policy should be followed in maintaining and releasing records. Any question regarding release of information to the media may be addressed in Media relations Policy Volume 6, Chapter 6.

PROCEDURE:

I. OFFICER RESPONSIBILITY

- A. All officers who require a case jacket must request it through the Officer in Charge of the Record Bureau.
- B. All case jackets must be signed out in the Record Bureau logbook.
- C. The officer signing out the file will be held strictly accountable for the integrity of the contents.

**OPERATIONS
RECORDS ACCOUNTABILITY
VOL. IV, CH. 8**

- D. At no time will the officer in possession of the file release any contents to anyone except the Chief, Officer in Charge of Records or the Records Custodian.
- E. It is the responsibility of the officer in possession of the file to return it directly to the Officer in Charge of Records or his/her designee.

II. CRIMINAL RECORDS CUSTODIAN

- A. The OIC of Records or his designee will be responsible for completing the appropriate section of the jacket sign out log when releasing or receiving a case jacket.
- B. Record Bureau Personnel may only release a report to an officer after the Officer In Charge of Records has authorized the release.
- C. The OIC of Records is responsible for the filing and re-filing of all reports. All original reports shall be filed in Central Records.
- D. The Court Liaison Officer will be responsible for preparing all applicable reports for Municipal court presentation.
- E. After case jackets are prepared for court, the Court Liaison and OIC of Records will ensure that all jackets are signed out in the record bureau log.
- F. Jackets authorized to be released to the Officer in Charge of the Court, or any other officer who signs out a report, must be recorded in the Record Bureau Log.
- G. All other requests for reports must be made in writing on the letterhead of the agency making that request.
 - 1 After the request is received, it will be submitted to Officer in Charge of Records for final approval.
 - 2 After approval is granted by the Officer in Charge of Records, it will be the responsibility of the Record Bureau Personnel to process the reports and collect all the required fees.
- H. All reports pertaining to an indictable arrest must be submitted to the Bergen County Prosecutor's Office Intake Section
 - 1. Reports must be submitted within 48 hours after a complaint is signed when a defendant is incarcerated in lieu of bail.
 - 2. Reports must be submitted within five days after a complaint is signed when a defendant is released on bail.
 - 3. In cases involving an assault where the victim requires any type of medical attention, A "Consent for Release of Information" form is to be signed and

**OPERATIONS
RECORDS ACCOUNTABILITY
VOL. IV, CH. 8**

submitted immediately to the attending physician or hospital. A copy of the form shall be submitted with the other reports.

4. The Municipal Court Administrator is responsible to submit the complaint within twenty four (24) hours.

III. TRAFFIC RECORDS

- A. The Records Custodian is responsible for filing and re-filing all traffic records.
- B. The Records Custodian will be responsible for preparing all reports for court presentation.
- C. When the records have been prepared for court, the Court Liaison Officer will submit all the required records to the court.

IV. AUTHORIZED PERSONS

- A. Removal of reports from the report file for internal use requires authorization from the Officer in Charge. The following personnel are exempt from this requirement;
 - Chief of Police
 - Investigation Division Commander
 - Operations Division Commander
 - Investigative Division Personnel
 - Records Custodian
 - Supervisors
 - Specific officers granted fob access by the Chief of Police.
 1. The removal of any file from the records bureau must be documented in the logbook.
 2. Fob access to records is granted to only the above personnel, access is recorded in the system for entry of the records room.
- B. The officer that removes a report file for internal use will be responsible for returning all reports back to the records room.
- C. All other requests for report files must be approved by the Chief of Police or the Officer in Charge of Records. This includes any internal or external use.

**OPERATIONS
RECORDS ACCOUNTABILITY
VOL. IV, CH. 8**

- D. Only Investigative Division Personnel and the Chief of Police will have access to criminal history record information.
- E. NCIC/SCIC information will be protected for privacy and security precautions, as would any other report.
- F. No criminal history report, or copy, should under any circumstances be transmitted through any facsimile type equipment.

V. RECORDS RETENTION

- A. Records will be retained in accordance with New Jersey Department of State Guidelines
- B. All criminal history records shall be placed in the case jacket. (By order of the Municipal Court Judge)

VI. RECORDS CHECK WAIVER FORM

- A. Anyone requesting a check of police records must produce a waiver form from the individual who is the subject of the check.
- B. If an individual is requesting a records check on themselves, a waiver form is still required.

VII. DISCOVERY REQUESTS

- A. All discovery requests should be made through the Borough of Fort Lee Municipal Prosecutor, or in indictable crimes through the Bergen County Prosecutor's Office.
- B. After approval of the Municipal Prosecutor, the request should be forwarded to the proper Bureau or officer in control of the information requested:
 - 1. Records Bureau; for reports such as accidents, arrests, incident reports and case files for arrests, fatal accidents, DOA's etc.
 - A. Some of these are considered public records and do not need a request for discovery, such as accident reports and crime reports.
 - 2. ID Bureau; for copies of items in evidence which are discoverable such as any documents put into evidence, video tapes, photo's etc.
 - 3. Individual officers; for copies of officers notes from summonses issued, arrests etc.
- C. The Records Bureau should receive any discovery to be supplied to an individual or Attorney.

**OPERATIONS
RECORDS ACCOUNTABILITY
VOL. IV, CH. 8**

- D. The records Bureau shall charge a fee for copies of discovery, the fee schedule for discovery requests is listed in Appendix “a” of this policy, and is subject to change yearly.

VIII. PUBLIC RECORDS (Open public Records Act N.J.S.A. 47:1A-1 et seq.)

- A. Requesting access to Government Records under the New Jersey Open Public Records Act.

- 1. Any person requesting public records must first fill out the proper request form and deliver it to the records custodian (Supervisor in charge of records).
- 2. The records custodian will within 7 days notify the requesting party of the denial or approval of the release of the records requested.
- 3. If approved, the records custodian will make sure that any redaction necessary is made to the document, and a copy of the redacted document will be given to the party after proper fees are collected.

- B. Denial of public records.

- 1. By State Law, a custodian must deny access to a person who is convicted of an indictable offense in New Jersey, any other state, or the United States, who is seeking government records containing personal information pertaining to the person’s victim or the victim’s family.
- 2. By law, the records custodian must notify requesting party that it grants or denies a request for access to government records within 7 business days after the custodian of the record requested receives the request, provided that the record is currently available and not in storage or archived. If the record requested is not currently available or is in storage or archived, the custodian will advise requesting party within 7 business days when the record can be made available and the estimated cost. Requesting party may agree with the custodian to extend the time for granting or denying your request or making records available.
- 3. Requesting party may be denied access to a government record if the request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.
- 4. If the records custodian is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form and send the requesting party a signed and dated copy.

IX. AFTER HOURS ACCESSIBILITY

- A. On a daily basis records personnel will be available from 0730 hours to 1600 hours, on Wednesday of each week records will be staffed until 1900 hours.

**OPERATIONS
RECORDS ACCOUNTABILITY
VOL. IV, CH. 8**

- B.** Records personnel may be recalled in case of emergencies involving the records bureau upon notification and approval of the Chief of Police or the Chief's designee.

X. JUVENILE RECORDS

- A.** Juvenile criminal records shall be separated from adult criminal records and stored in secure file cabinets in the Juvenile Bureau. The Juvenile Bureau Supervisor is responsible for maintaining the confidentiality of these records. Access is restricted to personnel with a need to know.
- B.** Procedures for the collection, dissemination, and retention of fingerprints, photographs and other forms of identification pertaining to juveniles are contained in the Fingerprinting Policy Volume VII, Chapter 12.

**TRAFFIC
REQUEST FOR RE-EXAMINATION OF DRIVER
VOL. IX, CH. 12**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-27-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 2					CHAPTER 12
ACCREDITATION STANDARD(S):	REFERENCE: V9C12					
SUBJECT: REQUEST FOR RE-EXAMINATION OF DRIVER						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
ACTING CHIEF BERNARD M. HART						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE: NJAC 13:20-12.2, NJ MVS Form MR-5						

I. PURPOSE

To establish guidelines for requesting reexamination of drivers who appear to be physically or mentally incapable of safely operating a motor vehicle.

II. DISCUSSION

Routine enforcement, accident reporting, and investigation activities frequently lead to the discovery of drivers who have suspected incompetency, physical or mental disability, disease, or other conditions that might prevent the person from exercising reasonable and ordinary care over a motor vehicle.

III. POLICY

Officers should complete a NJ Motor Vehicle Services (MVS) form (MR-5) to request a reexamination of a motorist when it appears that a licensed motorist suffers from a disease or condition that prevents them from exercising reasonable and ordinary care over a motor vehicle, as allowed under NJAC 13:20-12.2.

IV. PROCEDURE

A. Officers should complete a NJ Motor Vehicle Services (MVS) form (MR-5) when:

1. A person is believed to have a mental or physical disorder that may affect their ability to safely operate a motor vehicle.

**TRAFFIC
REQUEST FOR RE-EXAMINATION OF DRIVER
VOL. IX, CH. 12**

2. A person is involved in a traffic accident resulting in a fatality where a violation of any of the provisions of NJSA 39:4-1 et seq. is established:
3. A person has accumulated 12 or more points as provided in NJAC 13:19-10.1;
4. A person is convicted of violating any of the provisions of NJSA 39:4-1 et seq. where it appears the offense was of such careless, reckless or indifferent nature as to require reexamination.

Note: A Request for reexamination may be requested and conducted by MVS before a conviction is secured.

- B. All requests for reexamination will be made on a form (MR-5) as provided by the NJ Motor Vehicle Services.
- C. It is essential that the form be completed carefully and in its entirety to limit the need of officers having to appear at a MVS hearing.
- D. The information to be entered is self-explanatory, however, certain portions must be specifically addressed.
 1. The physical defects must be described in specific detail.
 2. The summary portion must be written in such detail that reasonable grounds for the reexamination are conclusively established.
- E. The form must be signed (not printed) by the initiating officer.
- F. The initiating officer should present the completed form to the Tour Commander for review.
- G. Upon completion of review, the form should be returned to the officer.
- H. The officer should then mail the form to Motor Vehicles Services as directed on the form.

**AUTHORITY
PRISONER RESTRAINT CHAIR
VOL. VII, CH. 8-2**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE:	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 4					
PROSECUTOR REVIEW POLICY	REFERENCE: V7C8-2					CHAPTER 8
SUBJECT: PRISONER RESTRAINT CHAIR						
						DISTRIBUTION I 2
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						
						EVALUATION DATE:
ATTORNEY GENERAL, PROSECUTOR'S OFFICE REFERENCE 95-2						

PURPOSE:

The Fort Lee Police Department recognizes the need to provide officers and prisoners with the safest, most humane, and least psychologically traumatizing system for restraining prisoners.

It is also meant to be employed as a humane and comfortable restraint when it is suspected that a prisoner might do harm to himself or herself. It is an especially useful tool for restraining alcohol-affected prisoners.

The chair itself may be used in less secure areas to enhance constant observation of prisoners when needed.

The chair is not meant to be an instrument of punishment and should not be used as such.

AUTHORITY
PRISONER RESTRAINT CHAIR
VOL. VII, CH. 8-2

POLICY:

1. The Pro-Straint Prisoner Restraint Chair should be located in the Briefing Room. It may be utilized for the following:
 - A. Females Prisoners
 - B. Juveniles in custody
 - C. Motor Vehicle arrestees
 - D. With the Tour Commander's permission:
 1. Inmates who display behavior which may or does result in the destruction of property or who are in danger of causing physical harm to themselves (See Procedures: II "Out of Control Prisoner's")

DEFINITION

1. Restraint Chair is a chair with equipment designed to restrain or limit the movement of a prisoner.

PROCEDURES:

I. Non Violent Prisoners

- A. Upon arrival at HQ, officers will notify the Tour Commander of the type of arrest. If the arrest falls into any of the categories listed above in the **Policy** the officers should:
 1. Secure their weapons in the gun locker located behind the Tour Commander's Desk.
 2. Escort and prepare the prisoner for seating.
 - a. For most arrests, the prisoner will be handcuffed behind their back at this time, the handcuffs should then be removed. The prisoner should be seated and one hand should be cuffed to the chair. Then only the lap belt should be utilized to further secure the non violent prisoner.

II. Out of Control Prisoners

- A. If upon arrival at HQ, or at a later point in time, the prisoner is deemed to be "Out of Control" by a Supervisor, the officers may apply the restraints to the prisoner who is to be placed in the restraint chair in the following manner:

AUTHORITY
PRISONER RESTRAINT CHAIR
VOL. VII, CH. 8-2

1. If upon arrival at HQ a prisoner is already handcuffed behind their back, they may be placed directly in the restraint chair after the black pad is removed creating a void for the handcuffs.
 2. Reasonable amount of force may be necessary to place the prisoner in a prone position on the floor, face down
 3. Apply a leather restraint belt with handcuffs, placing the handcuffs so the keyholes are facing upward, away from the fingers.
 4. Apply the leg irons so that the keyholes are facing the floor.
- B. When seating the prisoner in the restraining chair, the officers (2 or 3) should maintain a positions of advantage and apply the restraint equipment as follows:
1. One officer should be positioned behind the chair to control the prisoner's left arm, head and torso. If the two officers can not control the prisoner, then three officers should be utilized.
 2. One officer should control the prisoner's right arm and shoulder, and if needed, a third officer should then control the prisoner's left arm and shoulder.
 3. If needed, a fourth officer should stand ready to control the prisoner's legs.
 4. One officer should verbally command the prisoner to sit. If they fail to comply, then reasonable amount of force may be necessary to place the prisoner in the restraint chair.
 5. One officer should fasten the lap belt restraint across the prisoner's abdomen.
 6. One officer should fasten the leg belt and remove any slack.
 7. The officer controlling the arms should fasten the shoulder belts one at a time over the shoulder crossing.
 8. If the above procedure can not be followed, a prisoner may be handcuffed behind their back and placed directly in the restraint chair after the black pad is removed creating a void for the handcuffs.
- C. In situations where the full restraining capability of the chair has been employed, the Tour Commander will be responsible for ensuring that:
1. The actions taken are fully documented in the Arrest Report.
 2. In a criminal arrest, the actions taken may be fully documented in the officer's Narrative Report.

AUTHORITY
PRISONER RESTRAINT CHAIR
VOL. VII, CH. 8-2

3. An entry will be made in the Cell Log indicating the use of the restraint chair.
4. If the prisoner is a danger to himself or herself, then the Psychiatric Emergency Screening Program (262-HELP) should be contacted. The mental health professional should be asked to conduct an evaluation of the prisoner. The screener may conduct the evaluation in the field. If the determination is made transport the prisoner for mental commitment then the security department at psychiatric institution should be notified of the prisoner's condition.
5. All reasonable precautions should be taken to ensure the prisoner's safety during evaluation and transportation.

III. Observation of Out of Control Prisoner

1. The Tour Commander will assign one officer under his immediate command to:
 - A. Check all the restraints for tightness every 15 minutes.
 - B. If an officer observes a lack of circulation in the hands or feet, they should adjust the restraints to restore circulation.
2. If a prisoner complains of pain due to the restraints or their placement in the restraint chair, the Tour Commander should notify Com-Cen to dispatch the VAC to HQ to examine the prisoner.
3. The Tour Commander should notify the VAC of the prisoner's chief complaint.
4. The prisoner may be removed from the restraint chair to allow medical evaluation and treatment. Special consideration should be given to ensure the safety of all personnel.

IV Miscellaneous Information

1. Whenever possible a prisoner should be fully clothed when in the restraining chair.
2. A blue paper surgical mask may be placed over the mouth and nose of the prisoner who is sick or spitting. The chin portion of the mask should be cut to prevent the prisoner from aspirating in their vomitus or saliva.

OPERATIONS

EQUIPMENT TRAFFIC SAFETY VESTS

VOL. IV, CH. 16-1.4

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-03-2003	REVISION DATE: 11/5/2007	PAGE #: 1 2	SECTION: Policy II-A3	APPROVED	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 3					CHAPTER 16-1.4
ACCREDITATION STANDARD(S):	REFERENCE: V4C16-1.4					
SUBJECT: EQUIPMENT: TRAFFIC SAFETY VESTS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:	Special Instructions					
PROSECUTOR'S OFFICE:						
REFERENCE: SOP 96-4						

PURPOSE

To establish guidelines for the issuance, proper use and care of departmental traffic safety vests.

POLICY

This policy will apply to all sworn police personnel in this department under the conditions described herein.

This department shall issue all sworn police personnel an ANSI Level II florescent yellow green colored traffic safety vest, with orange reflective striping and "POLICE" emblazoned in black capital letters down the right chest and across the horizontal reflective material on the rear of the vest. As with all issued equipment, the officer will sign for the vest when it is issued to them.

Plainclothes officers may use ANSI Level I blue police vests issued to specific vehicles for identification purposes ONLY when involved in special operations that do no involve traffic control (i.e. active shooter response, crime scene control).

OPERATIONS

EQUIPMENT TRAFFIC SAFETY VESTS

VOL. IV, CH. 16-1.4

PROCEDURE

I Responsibilities

- A. It shall be the responsibility of each individual officer to have the traffic safety vest available for their immediate use while on duty at all times.
- B. Each individual officer shall maintain their vest in an appropriate manner so that it remains clean, unwrinkled, and in a usable condition.
- C. As with all issued equipment, the officer shall be financially responsible for the replacement of the traffic safety vest in the event of its loss, destruction, or deterioration through misuse, or abuse.
 - 1. The department will only replace a worn or destroyed vest with good cause, and only upon receipt and approval of appropriate documentation describing the circumstances of the loss.
- D. Supervisors shall, in the course of their normal equipment inspections, periodically inspect traffic safety vests of all personnel under their respective command.

II. Conditions and Procedures for Use:

- A. The traffic safety vests shall be used by the specified police personnel under the following circumstances:
 - 1. All Traffic and Patrol personnel, while engaged in maintaining a normally assigned traffic post, such as those that are manned by this department on a daily basis, shall wear the traffic safety vest for the duration of that post.
 - 2. Traffic and patrol personnel, while engaged in the diversion of traffic from an incident or collision scene, when that temporary post will be manned for all but the briefest period of time, shall wear the traffic safety vest.
 - 3. Any time a plainclothes officer mans a traffic post, for any period of time, the traffic vest shall be worn, for obvious safety and identification reasons. Plainclothes officer should be relieved as soon as manpower permits. Plainclothes officers may use ANSI Level I blue police vests issued to specific vehicles for identification purposes ONLY when involved in special operations that do not involve traffic control (i.e. active shooter response, crime scene control).
 - 4. Any officer, while assigned to or manning a traffic detail of any sort, or a security detail that involves directing traffic, shall wear the vest for the duration of the detail.

OPERATIONS

EQUIPMENT TRAFFIC SAFETY VESTS

VOL. IV, CH. 16-1.4

5. During hours of darkness, plainclothes personnel, while working in the roadway at the scene of an incident or collision, will wear the safety vest for the duration of their involvement at the scene.
6. The traffic vest shall be worn, at the direction of a supervising officer, at any scene, event, special operation, incident, or collision where the supervisor deems it necessary. Supervisors will ordinarily issue such an order within their own chain of command, unless exigent circumstances are present.
7. The supervisor at the scene of any incident where the wearing of the vest by police personnel is called for will be accountable for ensuring the proper wearing of the vests by those under their supervision and command.

**ORGANIZATION
SCHOOL CONTACT PROCEDURES
VOL,5. CH,16-1.**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 03-07-2007	REVISION DATE: 03-10-2009	PAGE #: 3-5	SECTION IV:	APPROVED 03-10-2009	VOLUME V
VOLUME TITLE: ORGANIZATION	# PAGES: 5					CHAPTER 16-1
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: SCHOOL CONTACT PROCEDURES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To have a list of contact information and Board of Education procedures in contacting school personnel in appropriate situations.

POLICY:

- I. Suspicious situations possibly or definitely involving breaking and entering, vandalism, theft, etc., Com-Cen, or the Tour Commander may begin calling the persons listed below. The first person to respond should call the building principal.
 - A. SUPERVISOR, BUILDINGS & GROUNDS – see call list
 - B. SUPERINTENDENT OF SCHOOLS - see list below
 - C. HEAD CUSTODIAN - see list below
 - D. PRINCIPAL - see list below
 - E. ASSISTANT PRINCIPAL - see list below
 - F. BOARD SECRETARY – see call list

**ORGANIZATION
SCHOOL CONTACT PROCEDURES
VOL,5. CH,16-1.**

- II. Major damage, fire, flood, etc., the Supervisor of Buildings & Grounds, the Superintendent of Schools, the principal, assistant principal, and Board Secretary, in that order who will notify appropriate personnel.

- III. Snow days - Procedure for communication on school closings.
 - A. Superintendent of Schools will monitor weather conditions.

 - B. Before 5:30 AM proper school personnel will be notified of the decision on school closings by the Superintendent. The Superintendent will notify the following stations:
 - WCBS News Radio 88:** 212-975-8888
 - WOR:** 877-877-9135
 - WINS:** 212-315-7094
 - CHANNEL 5 (Good Day NY):** 212-452-3970
 - JUKEBOX RADIO:** 201-439-1031 or 439-0011
 - TIME WARNER:** 201-592-7600

 - C. Christ the Teacher School to be called by the Superintendent before 5:30 AM:
201-944-0421 or Sister Rosemarie before 5 at home: 201-944-2911

- IV. Call list on next page.

**ORGANIZATION
SCHOOL CONTACT PROCEDURES
VOL,5. CH,16-1.**

**FORT LEE SCHOOL DISTRICT
255 WHITEMAN STREET, FORT LEE, NJ 07024**

Procedure for Communication of School Closings and Delayed Openings

Snow Days

Superintendent of Schools and Director of Buildings and Grounds will monitor weather conditions. Before 5:30 AM proper school personnel will be notified of the decision on school closings and delayed openings by the Superintendent. The Assistant Superintendent, Dr. Joseph Miceli, will notify the following stations and provide the proper code:

WCBS News Radio 88: 212-975-2127 Code 4097
WINS: 212-315-7094 Code BG Zero58
CHANNEL 5: 212-452-3695 Code: Password 34658 Organization ID 48769

For sounding the Fort Lee Fire Siren at 7:15 AM, which is a steady one-minute blast (the signal for closing schools), the Superintendent telephones the Fort Lee Fire Department at 201-461-8000, reports her name, title and all schools will be closed due to inclement weather.

Jack DeNichilo calls ⇨ H: 201-461-8039 C: 201-406-8173 calls ↓	Maria Varela H: 201-941-9866 C: 201-314-4260		
Raymond Bandlow (Supt) calls ⇨ H: 732-556-6152 C: 201-280-7666 calls ↓	Frank Romano (Asst Supt) calls ⇨ H: 201-666-4431 C: 201-563-9591 calls ↓ *see page two	Cheryl Balletto/BA calls ⇨ C: 201-704-5264 H: 201-428-1362 calls ↓	Sue Aitken H: 201-641-5667 C: 201-481-0044 calls ↓
Fort Lee Fire Department 201-461-8000 (before 7 AM)	Cheryl Best (Dir/C&I) H: 973-509-2288 C: 973-768-8150 calls ↓	Ana Flores H: 973-857-3810 C: 973-464-3374 calls ↓	Maryann Coulson H: 201-585-8042 C: 201-983-7886 calls ↓
Christ the Teacher School 201-944-0421 (before 5 AM) Sister Rosemarie @ home 201-944-2911	Ann Marie Bruder (Dir. Spec.Serv.) C: 862-208-9412 C: 201-314-2451	Mary Pall H: 973-778-7193 C: 201-7041-388 calls ↓	Betty Albrizio H: 201-947-0815 C: None calls ↓
Jay Berman (HS) H: 718-948-2268 C: 917-623-7663	Larry Wolff (Dir. Counseling Serv.) H: 201-791-0793 C: 201-873-2197	Kathy Hausler H: 201-251-0716 C: None calls ↓	Adrienne Lynn H: 973-416-1827 C: 973-901-6486 calls ↓
Rosemary Giacomelli (MS) H: 201-768-1143 C: 201-218-7689	Pat Ambrosio (Athletic Director) C: 973-930-2261	Georgette Manginelli H: 201-475-1677 C: None calls ↓	Carol Frate H: 201-944-4506 C: None calls ↓
Joan Costantino (#1) H: 201-943-7576 C: 201-314-3176	Tammi-Ann Gil H: 201-864-1687 C: 201-697-2979	Georgia Servos H: 201-947-7616 C: None	Tom Sweeney C: 201-321-6478
Priscilla Church (#2) H: 973-746-5732 C: 201-314-3176	Jason Ruggiero H: 973-545-2013 C: 201-289-3741 calls ↓		
Robert Kravitz (#3) C: 201-286-3006 C: 201-314-3231	Robert Farian H: 201-387-0380 C: 201-310-8810		
Peter Emr (#4) H: 201-265-3930 C: 201-259-0677	Scott Burrows H: 201-840-1722 C: 201-240-3270		

**ORGANIZATION
SCHOOL CONTACT PROCEDURES
VOL.5, CH.16-1.**

Charlie Luppino Jr (Bd. Pres.) H: 201-461-4722 C: 551-265-8007			
Pam Angelini (Bd. VP) H: 201-224-2247 C: 201-638-8980			
Arthur Levine H: 201-832-6900 C: None			
Linda McCue H: 201-224-2363 C: 201-637-6838			
Angela Napolitano H: 201-224-2756 C: 201-218-6448			
Michelle Stux-Ramirez H: 201-969-0097 C: 201-522-0999			
Candee Romba H: 201-699-0529 C: 201-665-4598	Peter Suh C: 917-751-5000 W: 212-230-9725		
Yusang Park (James) C: 551-574-2807 W:201-242-1500	Joseph Surace H: 201-585-1895 W: 201-947-6400		

EACH ADMINISTRATOR WILL SET UP A COMMUNICATION CHAIN WITH HIS/HER STAFF (PROFESSIONAL + NON-PROFESSIONAL)

BUILDING OFFICE	BUILDING	HEAD CUSTODIAN	POLICE, FIRE + AMBULANCE
201-585-4675	H.S.	SAL BORDONARO: 201-693-1694	*201-592-3700 **911
201-585-4660	M.S.	PETE PADILLA: 201-983-0391	
201-585-4620	No. 1	JOHNNY ARROYO: 201-617-5206	
201-585-4630	No. 2	NICKY OCELLO: 201-265-6894	
201-585-4640	No. 3	FAYEZ SALLOUM: 201-969-1054	
201-585-4650	No. 4	RICKY JAUREGUI: 201-346-9170	

***FRANK ROMANO CALLS↓**

FIRST STUDENT BUS

VINCE DEROME – 201-567-8776-7 BEFORE 5:00 AM/ C: 973-897-8410

CHARTWELLS FOOD SERVICES

SCOTT KALLENSEE - H: 201-599-4269 BEFORE 5:30 AM/ W: 201-585-5771

JENNIE BOUDREAUX – (BEFORE 6AM IN POSSIBLE)

SERVICE: 201-387-1220/H: 201-244-6189

GREENHOUSE SCHOOL –

MIRIAM CARMINIO – H: 201-576-0003

BERGEN COUNTY HEAD START –

NANCY GRINER – H: 201-556-1695

**ORGANIZATION
SCHOOL CONTACT PROCEDURES
VOL,5. CH,16-1.**

*** Raymond Bandlow calls ↓**

CLIFFSIDE PARK –

MIKE ROMAGNINO, ACTING SUPERINTENDENT

H: 973-661-0364

C: 973-768-5667

*FROM OUTSIDE THE DISTRICT ** FROM INSIDE THE DISTRICT

PHIL PEZZONO

H: 973-595-1824

C: 973-919-9118

ORGANIZATION
JOB DESCRIPTION: SCHOOL CROSSING GUARDS
VOL. II, CH. 14

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 05-03-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
VOLUME TITLE: ORGANIZATION	# PAGES: 7					CHAPTER 14
ACCREDITATION STANDARD(S):	REFERENCE: V2C14					
SUBJECT: SCHOOL CROSSING GUARDS RESPONSIBILITIES						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
ACTING CHIEF BERNARD M. HART						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

The purpose of this policy is to establish procedures for hiring, managing and operating the School Crossing Guard Program within the Police Department.

POLICY:

Due to the ever increasing vehicular traffic in Borough of Fort Lee, it is important to have well-trained and knowledgeable crossing guards. The responsibility of the crossing guards is to the children they cross going to and from school.

School crossing guards shall not be members of the regular or special police force and their powers and duties shall cease at the expiration of the term for which they were appointed. Such crossing guards shall not have the right to bear firearms or the power of police arrest.

The below procedures should be followed in hiring, training, assignments and operating the School Crossing Guard Program.

ORGANIZATION
JOB DESCRIPTION: SCHOOL CROSSING GUARDS
VOL. II, CH. 14

DISCUSSION:

State Requirements

An act concerning municipal crossing guards and supplementing **Chapter 14 of Title 40A** of the **New Jersey Statutes**, which was enacted by the Senate and General Assembly of the State of New Jersey.

Bill Statement

This Bill permits municipalities to appoint crossing guards at school crossings or other pedestrian crossings and specifies the training, duties, powers, uniforms and qualifications or such guards.

PROCEDURE:

I. Hiring & Applications

- A. Municipalities may appoint crossing guards to terms not exceeding one (1) year and may revoke such appointments without cause or hearing. No person shall be appointed as a crossing guard unless such person is sound in body and of good health and has not been convicted of any criminal offense involving moral turpitude.
- B. Every crossing guard shall be under the supervision and direction of the Chief of Police of the municipality wherein they are appointed and shall perform duties only in such municipality. Crossing Guards shall comply with the Rules and Regulations as determined by the appointing authority.
- C. The first process involved in Crossing Guards is hiring, is getting notice to qualified people that crossing guards are needed. The hiring process involves advertising in local newspapers or an announcement at a Borough Council meeting. Both types of notification require approval from the Chief of Police.
- D. Qualified candidates are then instructed to respond to Fort Lee Police Traffic Bureau to be interviewed and fill out an application and tax form. The application list pedigree information, name, address, Date of birth, and references. The references are required and checked to see if applicants are of good character.
- E. When new applications are given the initial form, applicant investigation is through computer checks on their in-house arrest record and MARS. Next, the applicant is given a "Conditional Offer of Employment" form. When the C.O.E. is completed, issue part 2 of the application, and schedule an appointment at the Board of Health for eye and ear tests. When all phases of the application are completed, a report is submitted to the chief on recommendations.

ORGANIZATION

JOB DESCRIPTION: SCHOOL CROSSING GUARDS

VOL. II, CH. 14

- F. The application is then turned over to Fort Lee Police Detective Bureau. A detective then checks the applicant information using a computer to see if applicant has any criminal records. Any criminal record would disqualify the applicant.
- G. The application and tax form are presented to the Traffic Bureau Supervisor then forwarded to the Administrative Division Commander for approval of the applicant. If the Administrative Division Commander approves the application, it is presented to the Chief of Police.
- H. Before any crossing guard application is approved, the Chief of Police should ascertain the eligibility of the applicant.
- I. Once the Chief approves the application both the application and a letter is sent to Borough Clerk who then presents the name(s) of Crossing Guard candidates before the Borough Council. The Borough Council votes on candidate(s) and decides if the applicant gets hired.
- J. All crossing guards shall be properly trained to perform their duties as specified in this policy.

II. Uniform

- A. School crossing guards shall wear the uniform, or parts of uniforms, as may be prescribed by the Chief of Police at all times while on duty to ensure professional appearance, immediate identification and the welfare of the guards.
 - 1. The following is a list of the official school crossing guard uniform:
 - a. Blaze orange Cold Weather Coat(crossing guard patch on each sleeve)
 - b. Blaze orange Hat w/muffs
 - c. Blaze orange Spring/Fall Windbreaker type Jacket (crossing guard patch on each sleeve).
 - d. Traffic Vest (orange)
Note: Must be worn as outer most garment over personal clothes.
 - e. Traffic Gloves
 - f. Crossing guard badge, to be worn only on a jacket, coat or a traffic vest
 - g. Raincoat (**only worn with orange side out**)
- B. The Chief of Police of a municipality which appoints crossing guards shall have the power to position such guards on any street or highway within the municipality; provided, however, that such guards be stationed only when it is necessary to control or

ORGANIZATION

JOB DESCRIPTION: SCHOOL CROSSING GUARDS

VOL. II, CH. 14

direct pedestrian traffic during those time periods of a school day when it is necessary to cross pedestrians or during any special event or program involving pedestrians or during any special event or program involving pedestrian crossing when it is deemed to be in the best interests of public safety.

C. Issued Equipment

1. All guards will be issued the following equipment:
 - a. The above specified School Crossing Guard Uniform
 - b. 18" stop sign
 - c. whistle

D. Cell Phones

1. Cell phones may be issued to Crossing guards and should be used for emergency situations only. They are not to be used for personal business.
2. The Crossing Guard will dial 911, which will put the caller in touch with Bergen County Police Dept. The Guard should then ask the County Police Dispatcher to put them in touch with the Fort Lee Police Department. If this is not practical, then the Guard needs to explain the emergency and provide their location so that the County Police Dispatcher can effectively relay the call to this department.

III. Guard Duties

A. The following is a list of duties for School Crossing Guards:

1. Duties include crossing children to/ from school. At posts with a traffic light crossing guards will cross only with the light. All traffic will be stopped prior to crossing. Crossing guards duties do not include directing traffic.
2. Posts and hours are specific. Crossing guards are to remain on post during the designated hours as established by the Traffic Bureau. Crossing guards that arrive late or leave their post early put children in jeopardy. Derelict guards will be subject to payroll deduction, possible charges, disciplinary action and/ or termination.
3. Emergencies occurring at crossing guard's posts (i.e. accidents, injured persons) must be reported immediately to Com-Cen by the crossing guards.
4. Crossing guards are to remain observant of conditions on their post. Guards observed sleeping will be disciplined/ terminated.

ORGANIZATION

JOB DESCRIPTION: SCHOOL CROSSING GUARDS

VOL. II, CH. 14

5. Crossing guards are not to report for duty under the influence on intoxicants or medication that would impair their ability to perform their function. Posted guards under the influence of intoxicants will be disciplined/ terminated.
6. Crossing guards may park their vehicles at or near their posts as long as they do not cause hazard to pedestrians or roadway traffic.
7. No crossing guard has an inherent right to any specific post. Crossing guards may be moved from time to time to fill other areas due to turnover, etc.
8. Crossing guard's uniforms and equipment are property of the Fort Lee Police Traffic Bureau. Items are to be utilized at the guard post. Items lost or stolen are the responsibility of the guard.
9. Crossing guards must ensure that school children understand not to follow them into the roadway. Guards should ensure that all traffic is stopped prior to entering the crosswalk (with stop sign held high) As which time children will be verbally or directionally directed to cross.
10. Crossing guards shall seek adequate gaps in vehicular traffic which would assure the safe crossing of pedestrians attempting to cross. In the absence of any such safe crossing gaps or whenever pedestrians may be crossing and approaching vehicular traffic may interfere with safe crossing, crossing guards shall stop the vehicular traffic in order to safely cross the pedestrians. Upon the completion of such pedestrian crossings, the crossing guard shall control the movement of the interrupted vehicular traffic until it resumes normal flow.
11. Crossing guards shall not direct or control vehicular traffic unless it is necessary as prescribed above. Whenever it becomes necessary to control or direct vehicular traffic, the crossing guard shall utilize the uniform signals and gestures that are used by police officers.
12. Department issued equipment (i.e. "Stop" sign) are to be available and used at all times on post.

B. Hours

1. Regular School Scheduled Hours
 - a. School Crossing Guards are to report to their post at the following times:

0745 Hours to 0915 Hours
1200 Hours to 1300 Hours
1430 Hours to 1600 Hours
2. Summer School Hours

ORGANIZATION

JOB DESCRIPTION: SCHOOL CROSSING GUARDS

VOL. II, CH. 14

- a. School Crossing Guards are to report to their assigned posts as scheduled by the Liaison as dictated by the times and location of summer school as established by the Fort Lee school system.

3. Modified School Schedule

- a. School Crossing Guards are to report to their assigned posts as scheduled by the Liaison as dictated by the modified school schedule (i.e. early dismissal, delayed opening, etc.) as established by the Fort Lee school system.

C. Sick Calls

1. Sick calls must be received by the Police Station Tour Commander (592-3524) between 0645 and 0715 hours. The crossing guard must identify themselves and their assigned post so that a substitute crossing guard can be posted.
2. Guards with excessive sick days may be given posts as alternates or released
3. Normal time-off-requests are to be submitted in writing and personally given to the Crossing Guard Liaison, or in his absence the Traffic Bureau Supervisor.

IV. Training

- A. Crossing Guards are shown a state mandated videotape. This instructional video instructs the crossing guards on equipment, using equipment, proper procedures on crossing school children across a street. And timing traffic condition to ensure that crossing guard and child can cross the street in safely.
- B. A lecture is given by Crossing Guard liaison officer. This lecture covers subjects and responsibilities such as duties, hours and sick-call procedures. A short synopsis of the past school year's program, and a motivational lecture on the importance of the children's safety.
- C. Training shall consist of a minimum of two (2) hours of classroom instruction which should include methods of crossing pedestrians and the duties and responsibilities of crossing guards. Field training should consist of a minimum of sixteen (16) hours during which the trainee is supervised by an experienced crossing guard or a regular police officer.

V. Crossing Guard Liaison Duties and Responsibility

Crossing Guard Liaison Officer will be assigned this position by the Traffic Bureau Supervisor, with approval of the Chief of Police.

ORGANIZATION

JOB DESCRIPTION: SCHOOL CROSSING GUARDS

VOL. II, CH. 14

- A. Check to see if the guards are at their proper post at the assigned times and for any traffic problems by the schools between 0745 hours to 0915 hours when school is in session.
- B. Spot-check the posts during the course of the day for any potential problems, and assist when possible. If a guard is sick or unable to report for their post a replacement guard is to be assigned.
- C. The Crossing Guard posts should be assigned as posts are vacated or as directed by the Liaison or Traffic Bureau Supervisor.
- D. A supply of school crossing guard equipment should be maintained to replace old equipment or to supply new guards in emergent situations. If additional supplies are needed, the Crossing Guard Liaison should prepare a requisition request and submitted it through the proper channels.
- E. Maintain a payroll record keeping system as specified below:
 - 1. The record should list days and hours worked by all crossing guards. The records are to be maintained for the entire year.
 - 2. Pay sheets for the guards must be filled out by the Liaison, and turned over to the record room for the two-week pay period by the first Monday after payday.
 - 3. The original copies of the payroll are to be turned over to the record room to be calculated and forwarded to the Administrative Division Commander for approval. A copy should be maintained by the Liaison in the Traffic Bureau.
 - 4. After being approved, the Records Bureau will send the original payroll record to the payroll department at Borough Hall every 2 weeks.
 - 5. The paychecks are to be picked up from the Records Bureau during their operating hours. Information may also be given to crossing Guards along with their paychecks.
- F. In the School Crossing Guard Liaison's absence, the Traffic Bureau Supervisor (or Tour Commander), should assign the Liaison's responsibilities to another officer(s).

**ORGANIZATION
SCHOOL RESOURCE OFFICER
VOL V, CH 16-5**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 10-15-2008	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME V
VOLUME TITLE: ORGANIZATION	# PAGES: 5					CHAPTER 16-5
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: SCHOOL RESOURCE OFFICERS						DISTRIBUTION ALL EVALUATION DATE:
ISSUING AUTHORITY: _____						
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE

The purpose of this directive is to establish and codify the policy, procedures, duties and responsibilities of the School Resource Officer Program.

POLICY

The policy of this department is to assign police officers to designated schools on a full-time basis to assist school administrators in formulating response plans to school safety issues.

I. GENERAL

- A. The youth of this borough are our most cherished resource and must be both protected and developed to their greatest potential. As such, the Fort Lee Police Department in cooperation with the Fort Lee Board of Education has established what is known as the School Resource Officer Program. This program is designed to reduce juvenile delinquency and instill civic awareness through a collaborative approach between law enforcement and the educational system, focusing on meaningful communication, prevention, education and information sharing.
- B. School Resource Officers will focus their efforts on developing a rapport with students, faculty and staff members to foster an environment in which information related to crime and other offenses can be obtained, collated and analyzed for

ORGANIZATION
SCHOOL RESOURCE OFFICER
VOL V, CH 16-5

the good of the students, faculty and community at large. This network will facilitate the sharing of information between school, police and community officials so plans can be developed to reduce the incidence of youth crime.

- C. The program provides school administrators, faculty and staff members with information concerning community problems that may affect students and their academic performance. The SRO can bring the vast resources of the law enforcement profession to bear on local issues. Criminal trends may be shared with educators where permitted by law. This is especially helpful when intervening at the early stages of a developing problem.
- D. The program provides an opportunity to familiarize administrators, faculty and students with the laws of this state and provide information about the juvenile and criminal justice systems. The SRO can arrange classroom or assembly presentations on a wide variety of related topics. The SRO can participate in classroom discussions about laws, values, community and civic responsibilities, criminal procedure, or police discretion.
- E. The program works with various community groups and associations to address problems or potential problems that may impact the safety of our youth. These groups may include, but are not limited to PTAs homeowners associations, tenant associations, community alliance associations, neighborhood watch associations, civic associations, state and county juvenile officer associations, the National Association of School Resource Officers, and the New Jersey Association of School Resource Officers.
- F. The program provides the opportunity for the SRO to develop on-site adjustment programs for students involved in minor delinquent acts. Law enforcement has traditionally utilized this discretion with first time juvenile offenders to informally resolve instances of relatively minor delinquent conduct and keep the youth out of the formalized juvenile justice system.
- G. The program provides for immediate action in handling trespassers on school property. This immediate action sends a clear message that trespassing and disorder will not be tolerated. The safety and security of the student body, faculty and staff is facilitated.
- H. Finally, police officers and students can interact in a non-confrontational setting, fostering an understanding of each other's role in society. Police officers should represent all that is good within society and provide an example for others to emulate at this early learning stage.

II. DUTIES AND RESPONSIBILITIES

- A. Although assigned to the school on a full-time basis, the SRO remains an employee of the police department, supervised under our formal chain of command and subject to all written directives, rules and regulations.
- B. The SRO is assigned to the Investigative Division, Juvenile Bureau, and under the supervision of the Division Commander, Bureau Commander or designees.

ORGANIZATION
SCHOOL RESOURCE OFFICER
VOL V, CH 16-5

- C. The SRO shall not be considered an employee of the Board of Education.
- D. The SRO shall act under authority granted to them by New Jersey Statutes, New Jersey Attorney General's Guidelines, applicable criminal procedures, State Memorandum of Agreement between Educators and Law Enforcement Officials, and local ordinance.
- E. The Chief of Police, or designee, in cooperation with the Superintendent of Schools or designee shall assign the duties and responsibilities of the SRO.
- F. Specific duties of the SRO include, but are not limited to:
 - 1. Provide relevant training to school staff during the pre-planning period and throughout the school year as requested by the staff.
 - 2. At the beginning of each school year, provide a menu of law enforcement related topics to school officials that can be presented to the students at the administrator's or teacher's request.
 - 3. Shall serve as a role model to students and faculty by exhibiting appropriate attitude, behavior, courtesy and respect.
 - 4. Provide assistance in programs related to peer mediation, conflict resolution, and peer leadership.
 - 5. Provide instruction or resources for specialized, short-term programs involving a wide range of topics such as security, crime prevention, drug and alcohol resistance education, and other criminal justice or juvenile justice topics.
 - 6. Attend school functions such as athletic events, dances, field trips, PTA meetings, faculty meetings and Board of Education meetings.
 - 7. Create, supervise, and/or participate in after school programs.
 - 8. If requested, attend conferences between school personnel and parents regarding individual student or general security concerns.
 - 9. Research and manage available grants to enhance this program.
 - 10. Coordinate the sharing of delinquency intelligence between the school and the police department, as provided for by NJSA 2A:4A-60, and the State Memorandum of Agreement between Educators and Law Enforcement Officials.
 - 11. Assist school personnel in handling emergencies.

ORGANIZATION
SCHOOL RESOURCE OFFICER
VOL V, CH 16-5

12. Advise the principal, or designee, on matters dealing with the proper handling and security of money, personal possessions and valuable property.
13. Recommend security measures, where indicated.
14. Provide security and surveillance of the assigned areas. Note and report anomalies, accidents, fires, dangerous practices and conditions, and other acts or circumstances requiring investigation and/or remediation for the health and welfare of students and school personnel.
15. Conduct investigations into criminal activity or delinquent activity on school grounds, including trespassers, suspicious persons, or hazardous conditions in accordance with existing police policy and procedures.
16. Warn, detain, cite, and/or take into custody, violators of the law, when necessary.
17. Assist in truancy investigations.
18. Investigate offenses occurring off of school property, provided that these offenses directly relate to students attending the school to which the SRO is assigned.
19. Assist the Principal, or designee, on matters related to the enforcement of child custody orders and domestic violence restraining orders.
20. Assist with Megan's Law notifications received by the school, as directed by the Bergen County Prosecutor, and in conjunction with the departments Megan's Law Liaison.
21. Enforce traffic laws and parking regulations on school property, and assist other public safety officials in traffic control as necessary.
22. Testify in court.
23. Assist with the training of school security personnel.
24. Supervise security at school-sponsored activities and public meetings, as directed.
25. Complete timely and accurate reports in accordance with existing police policy.
26. Assist other law enforcement agencies in establishing an SRO program.
27. Complete any other assignment as directed by the Chief of Police, or designee.

**ORGANIZATION
SCHOOL RESOURCE OFFICER
VOL V, CH 16-5**

III. APPEARANCE

- A. The SRO should normally be attired in the uniform of the day.

IV. SCHOOL DISCIPLINE

- A. **The SRO shall not act as a school disciplinarian!** Disciplining students is a school responsibility. However, if the principal, or designee, believes that an incident may be a violation of the law, they may contact the SRO. The SRO will determine whether a law enforcement action is appropriate. The SRO is not to be regularly assigned as a lunchroom monitor or hall monitor.

V. SEARCHES

- A. The SRO shall not routinely participate in student searches conducted by school officials. School officials may search a student based upon reasonable suspicion. A law enforcement official must satisfy the more stringent requirement of probable cause in order to justify a search.
- B. Requiring the SRO to conduct or participate in all school sponsored student searches may invalidate these searches. However, the SRO may conduct searches under circumstances where a search by a law enforcement officer is permitted by law.

VI. ARREST

- A. In cases where the SRO observes a crime or offense on school property during school hours which would justify a warrantless arrest, the SRO shall notify the Principal, or designee, as soon as it is practicable to do so.
- B. The principal or designee shall be notified before a student is removed from school grounds. Every reasonable precaution should be taken to minimize the disruption of the school environment to the greatest extent possible consistent with public safety requirements.
- C. Whenever a planned arrest is to occur on school property, the principal or designee shall be advised and consulted prior to the arrest.

AUTHORITY
HOLDING FACILITIES/CELLS
VOL. VII, CH. 8
APPENDIX D

Fort Lee Police Department
Prisoner Screening Report

Name: _____

Date: _____

Case # _____

<u>Officer's Visual Opinion</u>	No	Yes	
Is the prisoner conscious?			
Does the new inmate have obvious pain, bleeding, signs of injury, trauma, illness or other symptoms suggesting need for Emergency Medical Services? Note injury & previous treatment.			
Is the prisoner under the influence of alcohol?		*	
Does the prisoner appear to be under the influence of medication or drugs?			
Are there any signs of alcohol / drug withdrawal?		*	
Does the prisoner show signs of depression?		*	
Does the prisoner's behavior suggest the risk of suicide?			
Does the prisoner's behavior suggest the risk of assault to officers?			
<u>Prisoner Questions</u>			
Are you considering suicide or hurting yourself?			
Are you presently taking medication for diabetes, heart disease, seizures, arthritis, asthma, ulcers, high blood pressure, or psychiatric disorders? (Circle condition)			
Are you taking or allergic to any medication?			
Have you recently been hospitalized or recently seen a medical or psychiatric doctor for any illness?			
Have you fainted recently or had a recent head injury?			
Do you have epilepsy?			
Do you have a history of Tuberculosis?			
Do you have hepatitis?			
Do you have diabetes?			
If female, Are you pregnant?			
Are you currently on birth control pills?			
Have you recently delivered?			
Do you have any other medical problems we should know about?			
<u>Persona Data</u>			
Have you lost a family member or a close friend recently?			
Have you experienced a significant personal loss in the past 6 months (job, relationship, death)?			
Is prisoner very worried about major problem other than legal situation (financial, family, medical)?			
Has your family or significant other attempted or committed suicide?			

**AUTHORITY
HOLDING FACILITIES/CELLS
VOL. VII, CH. 8
APPENDIX D**

Does the prisoner history of psychiatric treatment?			
Does the prisoner history of drug or alcohol abuse?			
Does the prisoner hold a position of respect within the community (professional, public official) and / or alleged crime is shocking in nature?		*	
Is the prisoner is thinking about killing themselves?		*	
Does the prisoner have previous suicide attempts (check wrists)?		*	
Does the prisoner feel that they have nothing to look forward in the future?		*	
Does prisoner appear very anxious, afraid or angry?			
Does the prisoner feel unusually embarrassed or ashamed?			
Is the prisoner acting or talking in a strange manner (cannot focus attention, hearing or seeing things that are not there)?			
No prior arrests or criminal history?			
Is any child or other person solely dependent upon you for care, sustenance or supervision?		*	
If yes, a. Where is the dependent(s) and who is currently caring for them? b. Can you make arrangements for alternate care for your dependent(s)?			
If yes to a * question or 6 or more questions notify a supervisor.			

Tour Commander: _____ notified at: _____

Officer's Name

Supervision Level Instituted: () Regular 30-minute () At-Risk 15-minute () Constant

Tour Commander's Name

AUTHORITY
HOLDING FACILITIES/CELLS
VOL. VII, CH. 8
APPENDIX D

(8/25/00)

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**SERVICE
SKATEBOARD/ROLLER-BLADE ENFORCEMENT
VOL. 10, CH. 13**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-20-2007	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME 10
VOLUME TITLE: SERVICE	# PAGES: 3					CHAPTER 13
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: SKATEBOARD / ROLLER-BLADE ENFORCEMENT						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To provide officers with a guide to follow when dealing with complaints involving individuals with skateboards or roller-blades/roller-skates.

POLICY:

When officers encounter individuals or groups using skateboards or roller-blades/skates in unauthorized areas, or with improper safety equipment, they should follow the procedures set forth in this policy.

I. Helmet Regulations

- A. Helmets are required for children under the age of 17 while roller-skating or skateboarding.
 - 1. Roller-skate means a pair of devices worn on the feet with a set of wheels attached, regardless of the number or placement of those wheels, and used to glide or propel the user along the ground.
 - 2. A person under 17 years of age shall not operate any roller skates or skateboard unless that person is wearing a properly fitted and fastened helmet which meets the standards of the American National Standards Institute (ANSI Z90.4 bicycle helmet standard), the Snell Memorial Foundation's 1990 Standard for Protective Headgear for Use in Bicycling, the American Society for Testing and Materials (ASTM) standard or other such standard, as appropriate.

**SERVICE
SKATEBOARD/ROLLER-BLADE ENFORCEMENT
VOL. 10, CH. 13**

2. The requirement in subsection b. of this section shall apply at all times while a person subject to the provisions of this act is operating roller skates or skateboarding on any property open to the public or used by the public for roller skating or skateboarding.
3. These regulations are covered in N.J.S. 39:4-10.5.
4. Penalties are covered under 39:4-10.6.

II. Regulations upon roadway

- A. Every person operating any roller skates or skateboard upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by chapter four of Title 39 of the Revised Statutes and all supplements thereto, except as to those provisions thereof which by their nature can have no application.
- B. Regulations applicable to roller skates and skateboards shall apply whenever any person operates any roller skates or skateboard upon any highway or upon any path set aside for the exclusive use of roller skates or skateboards subject to those exceptions stated herein.
- C. These regulations are covered under 39:4-10.10.
- D. Traffic Regulations
 1. Every person operating any roller skates or skateboard upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction; provided, however, that any person may move to the left under any of the following situations:
 - (a). To make a left turn from a left-turn lane or pocket;
 - (b). To avoid debris, drains or other hazardous conditions that make it impracticable to ride at the right side of the roadway;
 - (c). To pass a slower moving vehicle;
 - (d). To occupy any available lane when traveling at the same speed as other traffic;
 - (e). To travel no more than two abreast when traffic is not impeded.
 2. Persons operating any roller skates or skateboards upon a roadway may travel no more than two abreast when traffic is not impeded, but otherwise shall ride in single file, except on paths or parts of roadways set aside for the exclusive use of bicycles, roller skates or skateboards.
 3. These regulations are covered under 39:4-10.11.

**SERVICE
SKATEBOARD/ROLLER-BLADE ENFORCEMENT
VOL. 10, CH. 13**

III. Borough Parks and Playgrounds

- A. The following acts are prohibited unless in authorized areas for such activities:
 - 1. Roller-skating.
 - 2. Skateboarding.
 - 3. Riding bicycles.
 - 4. Coasting with sleds or carts.
 - 5. Operating any other vehicles.
- B. Violations are covered under Borough Ordinance 293-4

**SERVICE
SNOW REMOVAL
VOL, 10. CH 14.**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-15-2007	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME X
VOLUME TITLE: SERVICE	# PAGES: 3					CHAPTER 14
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: SNOW REMOVAL & ENFORCEMENT						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
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PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure the safety of the public during weather conditions which produce snow or ice, and to provide officers with a guideline to follow in assisting with the enforcement of snow removal ordinances.

POLICY:

During inclement weather conditions which produce snow or ice, officers should take notice of any hazardous conditions caused by the snow or ice on public or private property. The DPW can then be notified for Borough road conditions, and the Building Department for any enforcement action covered by Borough of Fort Lee Ordinance 360-3

PROCEDURES:

- A. During patrol functions officers should take notice of any of the following conditions on public or private property:
 - 1. Public streets:
 - a. Officers should advise Com-Cen when streets in the borough begin to get hazardous due to snow and ice, so that a list of streets can be supplied to the DPW when they start plowing operations.
 - b. Parking regulations on streets posted with signs stating that there is no parking while streets are snow covered should be enforced under ordinance 388-37

**SERVICE
SNOW REMOVAL
VOL, 10. CH 14.**

- c. On the 12x8 tour between December 1st and March 31st officers should issue summons on those streets designated as no parking between the hours of 2400 and 0600. 388-36
 - 2. The depositing of snow or ice on streets or sidewalks.
 - a. No person is permitted to deposit or cause to be deposited, any snow or ice which has accumulated on private property upon any public street or sidewalk. 360-2
 - 3. The accumulation of snow or ice on sidewalks of any private property abutting upon any public street.
 - a. When these conditions exist, the owner or tenant is responsible for the removal of the snow or ice within 12 hours of daylight after the accumulation of these conditions. 360-3
 - 4. The accumulation of snow or ice on any multiple dwellings; private street, public walkway, steps, stairs, street or highway, lane, alley, driveway, parking area or other such roadway located on the property which is open to the public, or to which the public is invited. 360-4
 - a. The owner of such property is responsible for the removal of snow and ice within 4 hours of daylight after such conditions have been created on;
 - (1). All areas which are considered accessible routes.
 - (2). The total width of walkways or 4 feet, whichever is greater, including curb cuts where the property is a corner property at an intersection of 2 public roadways.
 - 5. The accumulation of snow or ice on any Commercial, Professional or office buildings; private street, public walkway, street or highway, lane, alley, driveway, parking area, steps or stairs located on the property which is open to the public, or to which the public is invited. 360-5
 - b. The owner or tenant of such property is responsible for the removal of snow and ice within 4 hours of daylight after such conditions have been created on;
 - (1). All areas which are considered accessible routes.
 - (2). The total width of walkways or 4 feet, whichever is greater, including curb cuts where the property is a corner property at an intersection of 2 public roadways.
- B. Officers taking notice of these conditions should relay the information to Com-Cen to have the building department notified.

**SERVICE
SNOW REMOVAL
VOL, 10. CH 14.**

1. An incident report should be completed regarding the property and its condition and a copy should be forwarded to the building department for enforcement.

**AUTHORITY
STRIP / BODY CAVITY SEARCHES
VOL. VII, CH. 21**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-11-2001	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VII
VOLUME TITLE: AUTHORITY	# PAGES: 8					CHAPTER 21
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ATTORNEY GENERAL:			Special Instructions			
PROSECUTOR'S OFFICE:						
REFERENCE:			STRIP/BODY CAVITY SEARCHES			

POLICY:

The authority of the police to conduct strip searches and body cavity searches is strictly circumscribed. In the past, unlawful strip searches and body cavity searches have subjected police departments to substantial civil judgments. Therefore, strip searches and body cavity searches should be conducted only when lawful.

The following taken from procedures promulgated by the Division of Criminal Justice and the Municipal Detention Facilities Administrative Code promulgated by the Department of Corrections shall govern strip searches and body cavity searches. All police departments and police officers will comply with the procedures set forth below regarding strip searches and body cavity searches if the situation warrants such an intrusive act.

PROCEDURE:

I. NJ DIVISION OF CRIMINAL JUSTICE STRIP SEARCH POLICY

A. Definitions

1. A strip search is any removal or rearrangement of clothing to permit the visual inspection of a person's undergarments, buttocks, anus, genitals and breasts. A strip search does not include the removal or rearranging of clothing reasonably required to render medical treatment or assistance or the removal of articles of outer clothing, such as coats, ties, belts or shoelaces.

**AUTHORITY
STRIP / BODY CAVITY SEARCHES
VOL. VII, CH. 21**

2. A body cavity search is a visual inspection or manual search of a person's anal cavity or vagina cavity.

B. No Arrest or an Arrest without Custodial Confinement

1. Absent a custodial confinement, no body cavity search is permitted.
2. Absent exigent circumstances, a strip search of an arrestee is permitted only if:
 - a. The police have a search warrant or the subject's consent; and
 - b. The strip search is authorized by the officer in charge of the station house.
3. If exigent circumstances are present, a strip search is permitted if:
 - a. The police have probable cause to believe that the arrestee is concealing a weapon, contraband or evidence of a crime; and
 - b. Exigent circumstances prevent the police from obtaining a search warrant and approval of the officer in charge.

C. Custodial Confinement

1. A body cavity search is permitted if:
 - a. The officer in charge authorizes confinement in a municipal detention facility or transfer to an adult correctional facility; and
 - b. The officer in charge authorizes the body cavity search; and
 - c. The police have either a search warrant or the consent of the subject.
2. A strip search is permitted if:
 - a. The officer in charge authorizes confinement in a municipal detention facility or transfer to an adult correctional facility; and
 - b. The officer in charge authorizes the strip search; and
 - c. The police have a search warrant or the consent of the subject or reasonable suspicion that the person is concealing a weapon, contraband or a controlled dangerous substance.

D. Procedures

1. A body cavity search must be:
 - a. Conducted by a licensed physician or registered nurse of the same sex as the subject;

**AUTHORITY
STRIP / BODY CAVITY SEARCHES
VOL. VII, CH. 21**

- b. Conducted in private;
- c. Conducted in a medically acceptable manner and environment;
- d. Conducted under sanitary conditions; and
- e. Conducted in accordance with Department of Corrections regulations.

2. A strip search must be:

- a. Conducted by a person of the same sex as the subject;
- b. Conducted in private;
- c. Conducted under sanitary conditions;
- d. Conducted in a professional and dignified manner; and

1 In custodial confinement, conducted in accordance with Department of Corrections regulations.

E. Reporting Requirements

- 1. An officer who performs a strip search or who has a body cavity search conducted must report the reason for this search on the record of arrest. The report must include:
 - a. A statement of facts indicating reasonable suspicion or probable cause for the search;
 - b. A copy of the search warrant, if applicable;
 - c. A copy of the consent-to-search form, if applicable;
 - d. The name of the officer in charge who authorized the search;
 - e. The name(s) of the person(s) who conducted the search; and
 - f. An inventory of any items found during the search.
 - g. If exigent circumstances were the basis for the strip search, the officer who conducted the search must file a separate written report stating the reasons for the immediate search.

F. Requirements and Procedures for Officer in Charge

- 1. The arrested person should be processed in accordance with law and standard operating procedures.

**AUTHORITY
STRIP / BODY CAVITY SEARCHES
VOL. VII, CH. 21**

2. Where appropriate, the arrested person shall be released either on his/her own recognizance or on bail.
3. Arrested person will be released without custodial confinement or will soon be released on bail or on his/her own recognizance.
4. The officer in charge shall ensure that a consent to a strip search or body cavity search is in writing whenever possible.
5. The officer in charge shall ensure that all strip searches and body cavity searches are conducted in private and that these searches cannot be observed by persons not physically conducting the search.
6. When a body cavity search is conducted, the officer in charge 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.
7. Reports pertaining to strip searches or body cavity searches are not public records. These reports shall be made available, upon request, only to the person searched, the County Prosecutor, the Attorney General or the Commissioner of the Department of Corrections.

II. NEW JERSEY MUNICIPAL DETENTION FACILITIES STRIP SEARCH GUIDELINES.

A. Definitions

1. A strip search is any removal or rearrangement of clothing to permit the visual inspection of a person's undergarments, buttocks, anus, genitals and breasts. A strip search does not include the removal or rearranging of clothing reasonably required to render medical treatment or assistance or the removal of articles of outer clothing, such as coats, ties, belts or shoelaces.
2. A body cavity search is a visual inspection or manual search of a person's anal cavity or vagina cavity.
3. Each person detained, arrested or lawfully confined to a municipal detention facility should be thoroughly searched prior to placement in a cell.
4. Searches shall be conducted in a professional and dignified manner, with maximum courtesy and respect for the person.
5. No detainee shall be searched as punishment or discipline.
6. All objects or property in the possession of the person detained, arrested or lawfully confined in a municipal detention facility, whether the objects or

**AUTHORITY
STRIP / BODY CAVITY SEARCHES
VOL. VII, CH. 21**

property are opened or closed, shall be thoroughly searched and an inventory of the contents prepared.

B. Strip Search: Strip Search of a Person(s) Who Has Been Detained or Arrested for Commission of an Offense Other Than a Crime.

1. A person who has been detained or arrested for commission of an offense other than a crime and who is confined in a municipal detention facility shall not be subject to a strip search unless:
 - a. The search is authorized by a warrant or consent; or
 - b. The search is based on reasonable suspicion that the person is concealing a weapon, contraband or evidence of a crime; and
 - (1) The search is authorized by the Tour Commander; or
 - (2) Exigent circumstances require immediate action to prevent bodily harm and these circumstances prevent obtaining a search warrant or approval of the Tour Commander.
2. Strip Searches shall be conducted, in private, by a person of the same sex.

C. Strip Search: Strip Searches of a Person(s) Lawfully Confined in Municipal Detention Facility Who is Charged with Committing a Crime

1. The person authorized to conduct a strip search on a person lawfully confined in a municipal detention facility shall obtain the approval of the Tour Commander to conduct the search.
2. Strip Searches may be conducted in the following circumstances:
 - a. The Tour Commander authorizes confinement in a municipal detention facility or transfer to an adult county correctional facility; and
 - b. The Tour Commander authorizes the search; and
 - (1) A search warrant has been issued authorizing the strip search; or
 - (2) The person lawfully confined has voluntarily consented to the search; or
 - (a) There is reasonable suspicion to believe that the person is concealing a weapon, contraband or controlled dangerous substances; or the person lawfully confined will be placed under psychological observation or suicide watch.

**AUTHORITY
STRIP / BODY CAVITY SEARCHES
VOL. VII, CH. 21**

3. The authorized strip search of a person who has been confined in a municipal detention facility for the commission of a crime shall be conducted, in private, by a person of the same sex.
4. A strip search shall include a check for:
 - a. Body vermin;
 - b. Cuts;
 - c. Bruises;
 - d. Needle scars; and
 - e. Other injuries, where appropriate.
5. Under exigent circumstances, a person of the opposite sex may conduct a strip search and/or in the presence of only those officers deemed necessary for security of the opposite sex as ordered by the officer in charge.

D. Body Cavity Search: Body Cavity Searches of a Person(s) Who Has Been Detained or Arrested for Commission of an Offense Other Than a Crime

1. The person who has been detained or arrested for the commission of an offense other than a crime shall not be subject to a body cavity search unless:
 - a. The search is authorized by a warrant or consent; and
 - b. The search is authorized by the Tour Commander.
 - c. An authorized body cavity search of a person who has been detained or arrested for commission of an offense other than a crime shall be conducted:
 - (1) Under sanitary conditions;
 - (2) At a location where the search cannot be observed by unauthorized persons;
 - (3) By a physician or a registered nurse who must be of the same sex as the detained or arrested person; and
 - (4) In the presence of only those officers deemed necessary by the officer in charge for security, who are of the same sex as the detained or arrested person.
2. The person who has been detained or arrested for the commission of an offense other than a crime may:

**AUTHORITY
STRIP / BODY CAVITY SEARCHES
VOL. VII, CH. 21**

- a. Remove the object in the presence of the physician or registered nurse, and an officer of the same sex as the person; or
 - b. Be examined by the physician or registered nurse who may remove the object, without the use of force.
- E. **Body Cavity Search:** Body Cavity Searches of a Person(s) Lawfully Confined in a Municipal Detention Facility Who is Charged with Committing a Crime
 1. Under no circumstances may a body cavity search be conducted on a person who is lawfully confined in a municipal detention facility unless:
 - a. The Tour Commander authorizes such a search; and
 - b. There is either a search warrant authorizing the search or a valid consent authorizing the search.
 2. In the event the Tour Commander authorizes a body cavity search that is supported by a search warrant authorizing the search or a valid consent authorizing the search, the lawfully confined person shall be escorted immediately to the hospital utilized by the municipal detention facility or other medically acceptable environment, and removal of contraband shall be conducted:
 - a. Under sanitary conditions.
 - b. By a physician or registered nurse of the same sex as the lawfully confined person; and
 - c. At a location where the search cannot be observed by unauthorized persons;
 - d. In the presence of only those officers deemed necessary by the officer in charge for security, who are of the same sex as the detained or arrested person.
 3. The lawfully confined person may:
 - a. Remove the object in the presence of the physician or registered nurse, and officer(s) assigned by the officer in charge to provide the security, if necessary; or
 - b. Be examined by the physician or registered nurse who may remove the object without the use of force.
- F. Reports Regarding Strip or Body Cavity Searches
 1. The officer requesting a strip search shall present the a completed Strip Search Form (Appendix A) to the Tour Commander unless exigent circumstances exist,

**AUTHORITY
STRIP / BODY CAVITY SEARCHES
VOL. VII, CH. 21**

then a brief verbal report should be provided to the Tour Commander before conducting the strip search.

2. The Tour Commander shall review the form and determine if the facts establishing reasonable suspicion justify the authorization of a strip search. If a strip search is appropriate, the Tour Commander shall authorized the strip search by signing the lower portion of the form.
3. The officer who performs the strip search or authorizes a body cavity search shall file the Strip Search Form in the Case Jacket, to be made part of the detained or arrested person's record which shall include, but not be limited to, the following information:
 - a. A statement of facts indicating the reasonable suspicion or probable cause for the search;
 - (1) A copy of the search warrant, if appropriate;
 - (2) A copy of the consent form (Appendix B), if appropriate;
 - (3) The name of the officer in charge who authorized the search;
 - (4) The name(s) of the officer(s) present during the search and the reason for his or her presence;
 - (5) The name(s) of the person(s) conducting the search;
 - (6) An inventory of any item(s) found during the search;
 - (7) The reason for use of force, if necessary; and
 - (8) 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.
4. Reports regarding strip search or body cavity search shall not be deemed public records, but, upon request, shall be made available to:
 - a. The Commissioner, New Jersey Department of Corrections;
 - b. The Attorney General;
 - c. The Bergen County Prosecutor
 - d. The Chief of Police or his designee; and/or
 - e. The person searched.

**AUTHORITY
STRIP / BODY CAVITY SEARCHES
VOL. VII, CH. 21
APPENDIX A**

**Fort Lee Police Department
Strip Search Form**

Case Number: _____

Date: _____

Time: _____

Prisoner's Name: _____
Last First Middle

Male: _____ Female: _____

Charges: _____

Not Authorized: ()

Facts Supporting Reasonable Suspicion: _____

Reporting Officer: _____ Officer's Signature: _____

Based on the above articulable facts presented to me, I as the Officer in Charge, hereby authorize a strip search.

Strip Search Authorized by: _____ Tour Commander's Signature

Strip Search Conducted by: _____ Officer Signature

Matron: _____ Matron's Signature: _____

**INTERAGENCY PROCEDURES
SUDDEN DEATHS/DOA
VOL.V, CH.15**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 02-18-2003	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME V
VOLUME TITLE: INTERAGENCY PROCEDURES	# PAGES: 6					CHAPTER 15-1
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: SUDDEN DEATHS/DOA'S						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To have proper procedures to follow when confronted with sudden death situations involving Citizens/Visitors in Fort Lee, Borough Employees, construction sites, and fire scenes.

POLICY:

Officers dispatched to sudden death/DOA calls should respond immediately to the area. On arrival they will make sure the scene is safe to enter, then confirm the type of incident involved. When the death is suspicious, or the deceased is an infant or child under 3 years of age or fetal death occurring without medical attendance, (except those which are clearly miscarriages) then the procedures in the Homicide/Sudden death policy should be followed in VOL.5,CH,15. All deaths in Police custody will be treated as suspicious death unless the prisoner is hospitalized for an organic disease etc. When type of incident is confirmed and not suspicious, the below procedures should be followed.

I. Citizens/Visitors

- A. When responding to a sudden death call at a location in Fort Lee, officers should first ensure that the death is not suspicious, if there is any question as to whether it is suspicious, then a Road Supervisor should be requested.
- B. When not suspicious, officers should gather all pertinent information for completion of incident report, Medical Examiner report worksheet, death pronouncement form and officers narrative report. Information should include:

**INTERAGENCY PROCEDURES
SUDDEN DEATHS/DOA
VOL.V, CH.15**

1. Decedent's name
2. Address
3. Date of Birth
4. Age
5. Race
6. Marital status
7. Social Security Number
8. Occupation
9. Whether they live alone in the residence
10. Next of kin
11. Family doctor
12. Medical history
13. Signs of Trauma
14. Position of body
15. Who discovered
16. Was body moved
17. Alcohol or drug involvement
18. Was person suicidal
19. Date last scene alive, by whom / name and relationship
20. Does remaining amount of medication coincide with date issued
21. Any health complaints by decedent
22. Doctor or registered nurse paramedic/hospital and doctor pronouncing, contact information. Doctors name that will sign death certificate.
23. Time of pronouncement

**INTERAGENCY PROCEDURES
SUDDEN DEATHS/DOA
VOL.V, CH.15**

24. Time Police notified
25. Case number
26. If Hospice case or not.
 - a. If it is a Hospice case, see section VIII
27. Medical Examiner's (M.E.) office contacted by whom and what time, investigator responding or not, whether the body will be released or not.
28. Livery picking up the body or M.E.'s office.
29. Who residence was secured by and location of keys if secured by the Police.

A LIST OF DOCTORS AND REGISTERED NURSES AT THE MAIN DESK SHOULD BE UTILIZED

- C. After determining the above information 1 through 20, the officer should advise Headquarters of the situation and arrange for a pronouncement and for the M.E.'s office to be called, stand by for their response or release of the body. Officer should stand by until the body is removed or until they are relieved by another officer who will stand by.
- D. A hard copy of a doctors pronouncement is need at the time of pronouncement
- E. When not performed by a doctor, the pronouncement form for other than licensed physicians should be used.
 1. When there is next of kin present, the person pronouncing should be referred to them for payment.
 2. When next of kin is not present, they should be supplied a voucher which they will SIGN ONLY, to be attached to the officers reports.
- F. Locksmith should be called if the decedent lived alone, the key should be secured by the officer and attached to his case jacket on the incident.
- G. Next of kin should be advised that they are permitted remove legal papers and clothing **only**, or that they may respond to HQ when they need to gain access for papers for probate court or clothing for the funeral, and an officer will escort them back to the residence, and complete a report afterwards.
- H. Officer will then complete all required reports and submit the case jacket to the Tour Commander for review. It will then be forwarded to the Detective Bureau.

II. Borough Employees

- A. If an employee dies or is seriously injured in any borough related accident, a full investigation of the incident will be conducted to determine the cause of the incident.

**INTERAGENCY PROCEDURES
SUDDEN DEATHS/DOA
VOL.V, CH.15**

- B. First responding officers will ensure that the immediate area, equipment, vehicles, etc. are secured for examination in the same manner which would be used at a suspected homicide scene. No other employees will be allowed access to the above items until the investigator in charge of the case releases them.
- C. Photographs will be taken, and any necessary statements recorded.
- D. The Tour Commander will ensure that the following persons are notified as soon as possible.
 - 1. The Chief of Police
 - 2. The employee's department head;
 - 3. The Council Police Liaison;
 - 4. The Mayor;
 - 5. The Borough Administrator.
- E. The decision on notifying next of kin will be left up to the borough department head, and will be made by the police department only upon specific request.
- F. Procedures in section **II** , B through E above should be followed, except that the Borough Voucher should always be used for the pronouncement.

IV. CONSTRUCTION SITES

- A. First arriving officers must:
 - 1. Notify the Criminal Investigation Division to respond for photographs and investigation;
 - 2. Sequester, if possible, or at least secure witnesses for statements;
 - 3. Secure the immediate area(s) for processing of evidence;
 - 4. Prepare field notes to make a summary report.
- B. The responding investigating officers assigned to the case will ensure that the Bergen County Prosecutor and the Medical Examiner are notified.
- C. As soon as practical ensure that the Occupational Safety and Health Administration, Hasbrouck Heights, 201- 288-1700, is notified.

**INTERAGENCY PROCEDURES
SUDDEN DEATHS/DOA
VOL.V, CH.15**

- D. If the cause of the accident involves possible structural defects or unsafe practices in construction at the site, the Building Inspectors Office is to be contacted to assist in the investigation and determine possible violations.

V. FIRE SCENES

- A. Whenever a fire related death occurs, the Tour Commander will ensure that the following personnel are notified:
 - 1. The on-duty or on-call Investigators;
 - 2. The first listed department arson investigator;
 - 3. The Bergen County Arson Squad;
 - 4. The Bergen County Medical Examiner.
- B. The Supervisor in command at the scene will request the Fire Department's cooperation, through the Fire Chief, to secure the integrity of the scene as much as possible.
- C. Other than emergency personnel, no one is to be allowed into the scene until the arrival of the Bergen County Arson Squad, which will then make necessary decisions as to allowing entry.
- D. Times of the arrival of all responding police personnel, other agencies etc are to be noted, and a summary report made by first arriving officers and by the uniformed officer in command of all actions taken and all observations made.
- E. This department will cooperate in any way possible in assisting the Bergen County Arson Squad.

VI. NOTIFICATION OF NEXT OF KIN

Procedures in VOL. 4, CH.14 Death notification Policy will be followed.

VII. NOTIFICATION OF BCPO AND M.E'S OFFICE

- A. Upon the discovery of any sudden death, or the discovery of a person who is so gravely injured that he/she may succumb, a plainclothes officer will be dispatched to the scene to begin an investigation.
- B. If the death or injury appears to be drug related, a narcotics officer will respond; if not, a General Investigation Detective will be dispatched.
- C. Notifications

**INTERAGENCY PROCEDURES
SUDDEN DEATHS/DOA
VOL.V, CH.15**

1. The Bergen County Prosecutors Office will be notified as soon as practical (after sufficient information has been obtained to give that agency an idea of what has transpired). If that agency indicates that it will send investigators, the scene will be left undisturbed, and safeguarded until their arrival.

Note: Absolutely no statements of any kind will be made by any member of this department to the press if the Prosecutor's Office is responding.

2. The Bergen County Medical Examiner will be called. After business hours, the Bergen County Police will be called to report a suspicious death, or injured person who is in extreme peril of dying the following information must be obtained, and forwarded to the Medical Examiner or Bergen County Police:
 - a. Name, age, and sex of the victim
 - b. The cause of death, if available
 - c. Who identified the deceased, and how he was identified
 - d. The time and date the deceased was last seen alive and by whom
 - e. The time and date of pronouncement, and the person making it.*
3. The above information must be obtained whether the party is left at the scene or is transported to a hospital.

The Bergen County Medical Examiner will not under ordinary circumstances respond to make a pronouncement. In the event a sudden death is to be investigated, either a Medical Examiner or a Bergen County Police investigator who is trained in death investigation may respond.

4. Making all notifications will be the direct responsibility of the tour commander.
5. A report will be made in every instance that the Medical Examiner or Bergen County Police is notified regarding a sudden death.

VIII. HOSPICE CASES:

- A. If the decedent is a Hospice patient, there should be no need for police involvement, unless it is a suspicious death. The patient is treated as though they are in the hospital at the time of their death. Hospice arranges for the death pronouncement and will contact the medical examiners office.

**ORGANIZATION
SUPERVISORY REVIEW OF REPORTS
VOL. 2, CH.19**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE:	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
VOLUME TITLE: ORGANIZATION	# PAGES: 5					CHAPTER 19
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: SUPERVISORY REVIEW OF REPORTS						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE: 93-1						

PURPOSE:

To ensure that all reports taken by the officers of this department undergo supervisory review.

POLICY:

All Supervisors are responsible for proofreading all reports submitted by their subordinates in regard to arrests, accidents, vehicle involvement, property, investigations and any other reports completed in the performance of their duties. They will be responsible for verifying accurate content in regard to law (search and seizure, proper charges, evidence handling etc.), procedures to be followed by this department, correction of spelling and grammar.

PROCEDURES:

The following procedure will be adhered to with regard to the proofreading, verification, and correction of the various reports and paperwork produced during the daily operations of this department.

The various reports and paperwork referred to above refers to all investigative, arrest, vehicle involvement, property, and accident reports, as well as all paperwork and documents contained in a typical case jacket produced as a result of any arrest or incident.

**ORGANIZATION
SUPERVISORY REVIEW OF REPORTS
VOL. 2, CH.19**

- A. The first step in this procedure is for the reporting officer to submit to the tour commander a correct, accurate and legible rough copy of whatever report(s) or case jacket(s) are being submitted. THE IMPORTANCE OF THIS STEP CANNOT BE OVEREMPHASIZED. THE OVERWHELMING MAJORITY OF ALL PAPERWORK DEFICIENCIES CAN BE AVOIDED IF THE INITIAL REPORTING OFFICER VERIFIES AND PROOFREADS HIS OR HER OWN REPORT PRIOR TO SUBMITTING IT.

- B. After the tour commander reviews the rough copy; it will be initialed and marked with the Tour Commander's badge number (provided that it is correct). This in effect will be the "DESK APPROVAL". From that point, the Tour Commander has two options:
 - 1. Approval:
 - a. If the finished report or case jacket was satisfactory, the Tour Commander or desk officer will make three photocopies of the INVESTIGATION REPORT and or ARREST REPORT. One copy of each will be put on the appropriate spindle for completed rough copies and one copy will be placed in the box marked General Investigation, Juvenile, or Narcotics, as appropriate and one to the Operations Commander. The completed original rough copy of the reports (not case Jackets) will be placed in the box marked "APPROVED ROUGH COPIES TO BE ENTERED BY DATA ENTRY".

 - b. Case jackets will be handled as follows:
 - (1). If the case jacket is complete but the prisoner(s) have not been arraigned, the case jacket will be reviewed and held at the desk by the Tour Commander. The reviewing Tour Commander will sign off on line 2A of the Case Jacket Control Sheet, stapled to the front of all criminal and DWI case jackets. After the arraignment and bail has been set, and either the person has made the required bail or has been committed to jail, the Tour Commander will update the arrest report and C.D.R. (summons or warrant), and will complete the return of service on the CDR, and sign off on line 2B of the Case Jacket Control Sheet, indicating that the return of service is complete. The completed case jacket will at that time be placed in the General Investigation mail slot behind the police desk.

For further information, please refer to "Case Jacket Processing" in the Case Management and Tracking Policy VOL, VIII. CH, 2.

 - c. If for any reason a prisoner is arraigned, bail is set and the prisoner is at that time committed to jail; when the transporting officer(s) return the commitment to the desk and the case jacket is at that time no longer at the desk it will be the Tour Commanders responsibility to locate the case jacket. If the case jacket is located in the Detective Bureau he will make the proper updates as dictated above. If this occurs on the 8x4 shift Monday through Friday and the case jacket is located in Data Entry, he will give the information to be updated to the Data Entry Supervisor.

**ORGANIZATION
SUPERVISORY REVIEW OF REPORTS
VOL. 2, CH.19**

If the case jacket can not be located, a note will accompany the paperwork and this will be placed in the box to Data Entry for the proper updates. COM-CEN MUST ALSO BE MADE AWARE WHEN BAILS ARE SET.

- d. It will be the responsibility of the Supervisor in Data Entry to have the completed reports picked-up periodically throughout the course of the 8x4 tour, Monday through Friday.
- e. After an Investigation Report or an Arrest Report has been entered by a Data Entry Clerk, the Data Entry Supervisor will review the report, checking to ensure that all the information was entered as it was presented to them in rough form.

If all is correct it will be desk approved by the Data Entry Supervisor, using the original approving officer's ID number, and sent to the printer at the Police Desk. The Desk Officer will place these copies on the proper spindles at the desk.

2. Rejection

- a. If the ROUGH COPY of any report is unsatisfactory, the Supervisor will take the following action, dependent upon the circumstances:
- b. If the officer is on duty, he will be contacted and advised to make the appropriate corrections while on duty. The corrections are made by the officer, then the report is once again reviewed by the Tour Commander, if it has been properly corrected, he Initials it and puts his badge number on it and then disseminates it as previously mentioned. EVERY EFFORT SHOULD BE MADE TO REVIEW REPORTS BEFORE AN OFFICER GOES OFF DUTY, SO AS TO AVOID UNNECESSARY DELAYS IN DISSEMINATING CORRECT, FINISHED REPORTS.
- c. If the submitting officer is off duty when a report is found to be deficient, the following steps will be taken as appropriate:
 - (1) If the mistake is trivial, obvious, or typographical in nature, the supervisor will correct it himself. Likewise, if a significant deficiency or detail omission is present, the supervisor should attempt to contact the reporting officer by telephone or pager and make the correction after obtaining the needed information.

**ORGANIZATION
SUPERVISORY REVIEW OF REPORTS
VOL. 2, CH.19**

- (2). If the report contains a significant deficiency or omission that cannot be corrected by the supervisor, and for whatever reason, the officer cannot be reached, the report will then be placed in its designated tour slot (12x8, 8x4, 4x12) behind the desk, until such time that the officer reports back for duty. The tour commander will then check the slots on a daily basis and return any deficient reports to any officer who is on duty, whereupon corrections will be made. The report or jacket will then follow the routes previously mentioned.
 - (a) If a previously approved jacket or report is submitted to Data Entry after going through all previous supervisory and approval steps, and is still found to be defective at that level, the Data Entry Supervisor will return the report or jacket to the police desk, where it will be IMMEDIATELY corrected using any means necessary by the 8x4 Tour Commander. The completed report or jacket will then be submitted back to Data Entry as quickly as possible, so as to minimize any further delays.
 - (3) If the PRINTED COPY of the report is found to be defective, the report must be forwarded back to data entry for correction of their apparent mistake. After data entry makes the correction, the report will be reviewed and disseminated using the aforementioned procedure.
 - C. Detective and Narcotic Bureau reports and case jackets will be reviewed by the Detective or Narcotic Bureau Sergeant on duty at that time. If either bureau does not have a Sergeant on duty, the other Sergeant will handle the review. In the case where there is no Sergeant in either of the bureaus, it will be the responsibility of the Tour Commander to review all paperwork submitted.
 - D. COLLISION REPORTS:
 1. In the event that a collision report is retained at the desk for correction, a photocopy of it MUST be sent to the record room with a note attached advising that the report is not yet available for public dissemination. When the report is complete and correct, it will be forwarded and disseminated as usual.
 - a. Only after a report is properly corrected may it be forwarded to Data Entry for processing and dissemination to the public or other agencies.
 - E. STOLEN MV REPORTS:
 1. All rough copy stolen car reports must be photocopied after NCIC entry and supervisory review and entered in the stolen car book behind the desk. The log contained within that book must also be completed each time a stolen MV is entered or recovered. Remember to put a copy in the detective bureau slot of all stolen MV reports.

ORGANIZATION
SUPERVISORY REVIEW OF REPORTS
VOL. 2, CH.19

F. TOW REPORTS:

1. Tow reports will be photocopied and placed in the ring binder behind the desk with an entry being made of the vehicle in the tow logbook. The officer releasing the vehicle will complete the bottom of the report and note its release in the tow log, then forwarding the completed report from the binder to Data Entry after the Tour Commander signs off on it.
2. Computer printouts for towed vehicles are to remain with the original pink sheet. Do not put them in the binder.
 - a. Refer to the "Towed Motor Vehicle" SOP and associated FLPD memos for further information.

G. AFFIDAVITS:

1. Affidavits submitted by civilians at the police desk are to be handled in the following manner:
 - a. ALL affidavits should have the case number noted at the top of the first page.
 - b. If the affidavit relates to a collision, it should be attached to the collision report and forwarded to Data Entry after supervisory review and approval.
 - c. If the affidavit relates to a civilian complaint being lodged against another civilian, the original should be placed in the case jacket for that complaint, if a jacket is created. A copy will be attached to the photocopy of the investigation report and forwarded to the appropriate bureau.
 - d. If the affidavit is for some sort of documentation purpose, or is not yet accompanied by a complaint, then it should be photocopied and placed in the General Investigation slot behind the desk, attached to the photocopy of its accompanying rough copy investigation report. The original affidavit will stay with the original copy of the investigation report and be forwarded to Data Entry. They will then forward the affidavit to the appropriate bureau with the finished copy of the report.
 - e. If the affidavit is in reference to a citizen complaint against a police officer, it should be attached to the receiving supervisor's three liner and a photocopy of the investigation report and forwarded up the chain of command. DO NOT send citizen complaint affidavits to Data Entry, General Investigation, or the Records Room.

INTER-AGENCY PROCEDURES

TOWING

VOL V CH 8

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 04-13-05	REVISION DATE: 12-01-09	PAGE #: 3	SECTION: I, D	APPROVED	VOLUME V
VOLUME TITLE: INTER-AGENCY PROCEDURES	# PAGES: 11					CHAPTER 8
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
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CHIEF THOMAS O. RIPOLI						
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POLICY:

The towing and storage of vehicles is not just the responsibility of the business that is performing this service. When the police arrange for the impoundment of a vehicle, or when a vehicle must be towed for another reason, the obligation to ensure that the public is charged fairly and in a consistent manner requires that a uniform policy be established.

The procedures outlined will ensure that when the police department authorizes the impoundment or towing of a vehicle, storage fees, towing charges are applied uniformly, consistent with what the Borough of Fort Lee Council has adopted by ordinance.

DEFINITIONS:

Abandoned Vehicle - A vehicle which the owner or operator leaves on a public roadway and fails to notify the police and does not attempt to repair and remove the same within a reasonable period of time.

Accident Vehicle - A motor vehicle, which has been involved in an accident.

Disabled Vehicle - Any motor vehicle, which is unable to operate under its own power.

Heavy-Duty Recovery - the recovery of any motor vehicle over 10,000 pounds gross vehicle weight which requires the vehicle to be up righted or recovered from either on or off the traveled portion of a public roadway.

Heavy-Duty Towing - the towing of any motor vehicle over 10,000 pounds gross vehicle weight.

INTER-AGENCY PROCEDURES

TOWING

VOL V CH 8

Impounded Vehicle - a vehicle which, at the direction of the Police Department, is taken into Police custody because the operator of the vehicle was engaged in a violation of the law, including but not limited to the operator being arrested on a DWI charge; operator has been summonsed for driving without registration or insurance; the operator has been arrested for stealing the motor vehicle; vehicle has been involved in a serious accident, e.g.; death by auto.

License – Borough issued tow license.

Light-Duty Towing - the towing of any motor vehicle up to 10,000 pounds gross weight.

Motor Vehicle - all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only rails or tracks and motorized bicycles.

New license – License issued to licensee who did not hold a license in the boro in 1998.

Person – Any Natural person, partnership, corporation or association.

Storage Rates - fees charged for the storage of motor vehicles.

Towing List - a rotating list of all Towing Services registered with Borough of Fort Lee kept by the Borough of Fort Lee Chief of Police. When the police require the towing and storage of a motor vehicle from public roadways, they shall contact the Towing Service on the top of the rotating towing list as determined by this policy.

Towing Rates - fees charged by the Towing Service for the removal and transportation of the vehicle.

Towing Service - a business engaged in the towing or storing of motor vehicles which has been approved for the towing list.

Towing Vehicle - a motor vehicle employed by the Towing Service for the purpose of towing, transporting, conveying or removing of motor vehicles from public roadways.

PROCEDURE:

I. TOWING SERVICES

A. Registration:

1. No Towing Service shall be placed upon the towing list for towing or storage of motor vehicles within Borough of Fort Lee unless the towing service shall first register with Borough of Fort Lee. In order to be placed upon the towing list for light duty towing. Registration applications shall be made available by the Borough of Fort Lee Police Department. A Towing Service that has met all the specifications and requirements of this ordinance and has registered with Borough of Fort Lee shall be placed on the towing list by the Chief of Police. Each Towing Service must submit their schedule of basic towing and storage rates with their registration application. Such rates and fees for towing and storage of motor

INTER-AGENCY PROCEDURES

TOWING

VOL V CH 8

vehicles damaged in accidents or recovered after being stolen shall not exceed those set by the Commissioner of Insurance as set forth in N.J.A.C. 11:3-38.1, et seq. The rates and fees for towing and storage of motor vehicles not covered by N.J.A.C. 11:3-38.1 et seq. shall not exceed the rates set by this policy.

2. The Towing Service owner or its authorized representative shall sign the registration application form indicating that the full requirements of this policy have been met by the Towing Service applicant.
3. If any information provided by a Towing Service in its registration application changes, the Towing Service is responsible for notifying the Police Department of the change in the registration information within thirty (30) days of such change. Failure to comply with this provision will be deemed in violation of this policy.

B. Insurance:

1. No Towing Service shall operate within Borough of Fort Lee unless it carries liability insurance in the following amounts:
 - a. Each application for a license shall be accompanied by certificates of automobile and garage keeper's liability insurance, issued by an insurance company authorized to do business in the State of New Jersey, with policy limits of not less than \$300,000 per person and \$500,000 per accident for bodily injury and not less than \$25,000 for property damage. Each licensee shall, in addition to the foregoing insurance requirements, carry indemnification insurance in favor of the Borough of Fort Lee, in an amount not less than \$150,000.
2. Every Towing Service shall file a copy of its insurance policies with its registration applications, and keep its current policy on file at all times.

C. ROTATION:

1. The rotation wrecker on call will be utilized at all times.

Exceptions:

- a. If no wrecker service that is on the Borough of Fort Lee rotation list can perform a specialized function, then another service may be called.
- b. If an individual makes a special request and it does not cause a safety problem.

D. RATES AND FEE SCHEDULE

Rates and schedules are governed by ordinance 406.

INTER-AGENCY PROCEDURES

TOWING

VOL V CH 8

E. RULES AND REGULATIONS:

1. All Towing Services placed on the list shall be available to respond to a call 24-hours a day, 7 days a week, including holidays.
2. All Towing Services shall respond to a call in any part of Borough of Fort Lee within twenty (20) minutes. If a Towing Service does not respond within twenty (20) minutes of a call, the Towing Service next on the list shall be called and entitled to provide services as needed, and the first Towing Service shall lose any claim to compensation.
3. All drivers and operators of towing vehicles shall be properly licensed to operate a motor vehicle within the State of New Jersey and are subject to driver's license checks by the Borough of Fort Lee Police Department at the time of registration and at least on an annual basis thereafter, all operators of tow trucks must have borough issued license. All towing vehicles shall be properly registered and inspected in accordance with any applicable law.
4. All vehicles must be towed in a safe manner.
5. All Towing Services shall be capable of providing reasonable roadside services to disabled vehicles such as, but not limited to, jump-starting, changing of flat tires and providing fuel. Such services will only be performed if they can be done so safely, as determined by the Police Officer on the scene.
6. All towing services shall make available a copy of its basic rates and a business card to all owners and operators of motor vehicles which will be towed.
7. All Towing Services shall keep accurate records of all motor vehicles towed and stored at the direction of the Borough of Fort Lee Police Department. A copy of such record shall be provided to Borough of Fort Lee upon request.
8. Towing Services shall not remove any motor vehicle, which has been abandoned or involved in an accident on any public roadway without first notifying the Borough of Fort Lee Police Department.
9. The Police Department shall not call a Towing Service to remove a vehicle from private property. The Police Department shall provide owner with all available information regarding the ownership of the motor vehicle on their property, they will be supplied with a list of borough licensed tow companies, and the property owner will then be responsible for making their own arrangements to remove the vehicle using one of the companies from the list
 - a. Tow company will notify the Police department as soon as possible with the information on vehicle towed from private property, an NCIC check will be made and the information will be logged in the private tow book in Communications Center.

F. TOWING LIST: ROTATION

INTER-AGENCY PROCEDURES

TOWING

VOL V CH 8

1. A towing list will be kept with the approval of the Chief of Police. The towing list shall include all Towing Services, which have registered with Borough of Fort Lee. A Towing Service shall be placed on the bottom of the towing list with Borough of Fort Lee. The towing list shall be a rotating list as provided for in subsections 2., 3., and 4.
2. When the need arises, the Police Department will call the Towing Service on the list for that week. The Towing Service called shall perform any of the services covered by this ordinance.
3. If a Towing Service is unavailable to perform required services when called by the Police Department, for whatever reason, said Towing Service shall be placed on the bottom of the towing list, and the next available Towing Service shall be called. The Towing Service that responds in its place shall remain at the top of the list. For that day only. The following day the original company on the list for that week will continue until their week has ended.
4. If a Towing Service, after being dispatched is recalled and does not perform any duties or services covered by this policy, the Towing Service shall remain on the top of the towing list. However, if a Towing Service arrives at the scene of an incident in which its services are required and cannot perform said services, it shall lose its place on the towing list, and the next Towing Service on the list shall be on called for the rest of that day.

G. STORAGE FACILITIES:

1. All storage facilities operated or used by the Towing Service shall meet requirements of the Commissioner of Insurance set forth in N.J.A.C. 11:3-38.1 et seq., as well as all local zoning and code requirements, and must be located within five miles of the geographic center of Borough of Fort Lee.
2. All Towing Services shall have an indoor storage facility at its disposal for motor vehicles, which have been involved in criminal activity and impounded by the Police Department.
3. All storage facilities shall have a business office open to the public between normal business hours at least five (5) days per week, excluding holidays.

H. TOWING VEHICLE AND EQUIPMENT SPECIFICATIONS:

1. All Towing Services engaged in light duty towing shall have at least one wrecker, with the necessary brooms and equipment to do the complete removal. Each truck must have a manufacturer's capacity of at least 10,000 pounds, gross vehicle weight and a manufacturer's boom capacity of 4 tons. Proof of capacity must be supplied to the police Department at the time of registration.
2. All Towing Services engaged in heavy-duty towing shall have one (1) heavy-duty wrecker with a manufacturer's capacity of not less than 27,000 pounds gross

INTER-AGENCY PROCEDURES

TOWING

VOL V CH 8

vehicle weight and a boom capacity of not less than twelve (12) tons independently or twenty-four (24) tons jointly; air brakes so constructed as to lock rear wheels; heavy-duty enteric.

3. All towing vehicles must have radio equipment with a 24hr dispatch service or a cellular telephone for the purpose of maintaining communications with the Police Department radio desk and will have a paging service.
4. All towing vehicles must be equipped with at least one five (5) pound ABC-type fire extinguisher, safety chains, substances for application to small liquid spills, and stiff push brooms to clean up debris at scene.
5. Proof of towing vehicle and equipment specifications shall be provided to Borough of Fort Lee with registration application.
6. All towing vehicles are to conform with all applicable State and Federal laws and shall be subject to inspection by Borough of Fort Lee Officials during normal business hours at the time of registration and on an annual basis thereafter.

I. OFFICER RESPONSIBILITY FOR TOWING SERVICE

CALL OUTS:

1. Wreckers are not to be called to the scene until the officer-in-charge of the scene makes the request.
2. The officer at the scene is to determine when the wrecker should be called to eliminate unnecessary expense to the person whose vehicle is being towed.
3. It is the responsibility of the wrecker service that has responded to a tow call to make sure that before they leave, the scene is cleaned up.
4. The police officer-in-charge of the scene shall make a determination as to whether or not the scene has been properly cleaned.
5. Whenever the police department has called out a wrecker service, the officer at the scene shall provide the operator/owner of the vehicle with the wrecker information sheet, unless the vehicle has to be released by the Police Department.
6. The officer at the scene will complete the vehicle towing report on all vehicles towed. The only exception is when the vehicle has been involved in an accident and the driver was not removed from the scene by the an ambulance and is aware of the tow and where the vehicle is going, the tow operator will be advised that there is no release required from the Police for the vehicle, and when the tow is requested by the driver for a disabled vehicle and the driver makes arrangements with the company as to where the vehicle will be transported.
 - a. When a vehicle is impounded, it will be noted in comments section of report and will include what is needed to release the vehicle, or if the vehicle is subject to seizure.

INTER-AGENCY PROCEDURES

TOWING

VOL V CH 8

7. A Vehicle Property Report will be completed only when the officer secures valuables from the vehicle at headquarters. On all tows, the officer will do an inventory of the vehicle and list items in vehicle for security reasons. If of great value, the officer will secure at headquarters items following Vol VII, Chapter 10. When items are left in the vehicle, the officer will advise the towing service that they will be responsible for security.
8. Whenever a vehicle is towed to the Borough of Fort Lee Police (tow company) impoundment area, it shall be the responsibility of the investigating officer to conduct an inventory search as outlined in Policy and Procedure, Vol. VII, Chapter 10. The investigating officer will complete the Vehicle tow and Inventory Report.
9. When a vehicle is towed and is either subject to seizure, is a crime scene or is to be subject to an extensive search, it will be towed to Police Headquarters or an area designated by the officer in charge of the scene (garage for poor weather conditions).
 - a. Following such investigation, the original tow company will be called to remove the vehicle to their tow / impound yard.

J. MOTORIST REQUEST FOR TOWING

1. Disabled vehicles.
 - a. If a disabled motorist wishes to have his vehicle towed by a specific wrecker service other than the normal routine service, he may do so provided the disabled vehicle is not hindering traffic.
 - b. If a motorist (even in a collision) asks for a specific tow company or AAA, the company may be called , provided the vehicle is not hindering traffic, and that it will respond within a reasonable time period..
 - c. All other circumstances will warrant the call out of the scheduled rotation wrecker services.

K. When the patrol officer requests a wrecker, the Dispatcher shall record:

1. The name of the towing service.
2. Record date, time, location and officer requesting.
3. Proper notations will me made in the CAD system.

INTER-AGENCY PROCEDURES

TOWING

VOL V CH 8

II. IMPOUNDMENT AND REPORTING

- A. **Impoundment:** Impoundment of a vehicle occurs when either a vehicle is towed to the police impoundment area or when there has been a violation of law that precludes the driver/owner from continuing operation of the vehicle.
1. When vehicle is found to be unregistered, uninsured or is unsafe to operate.
 2. Where the vehicle is found to be stolen or abandoned.
 3. Where the vehicle has been used in connection with a crime.
 4. When a vehicle becomes disabled and its position upon a roadway presents a hazard or traffic blockage.
 5. When the operator of a vehicle has been placed under arrest and the vehicle cannot be safely parked in the immediate area, or there is not another occupant present that the driver wishes to release the vehicle to (who is a licensed driver DMV check should be made).
 6. When a vehicle has been involved in a motor vehicle accident and can not be readily or safely moved off the roadway to a safe parking space.
 7. When it becomes necessary for a vehicle to be examined in connection with any incident involving possible mechanical failure.
 8. Whenever an officer observes an unoccupied vehicle parked in such a manner so as to cause a hazard, or severe traffic problem, or is blocking a driveway to the extent that vehicles are blocked from ingress and egress.
 9. Where a specific problem necessitates the removal of the vehicle for the public's safety and welfare.
 10. Where "Emergency No Parking" signs have been properly posted and the vehicle must be removed.
 11. When a fire hydrant is completely blocked, or at the request of the fire department.
- B. Whenever a vehicle is impounded, a vehicle Tow Report / Inventory Report is to be completed by the investigating officer.
1. In the case of a collision involved tow, the same case number will be assigned for all of the towed vehicles involved in the same collision.
 2. In the cases where there are multiple vehicles towed from the same location such as emergency no parking areas, each vehicle will receive its own case number on the report.

INTER-AGENCY PROCEDURES

TOWING

VOL V CH 8

- C. All Vehicle Tow Report/ Inventory Reports shall be submitted to the Tour Commander for review.
 - 1. Any valuables secured at HQ will be documented as directed in section **I-7**.
 - 2. Upon receiving the report the Tour Commander will check it for accuracy and will then ensure that an NCIC/SCIC check has been made, and where possible an ownership of the vehicle ascertained and a copy of the print out attached to the original report. If for any reason, the computer check can not be made before the end of the tour, it will be the oncoming tour commander's responsibility to obtain the information.
 - 3. The tour commander will then forward the original to data entry. The bound towed vehicle logbook will also be filled out with the appropriate case number and information needed.

- D. Impoundment for Evidence Purposes
 - 1. Whenever a vehicle is impounded for evidence purposes, it is to be stored at the Borough of Fort Lee facility, locked and secured. A Vehicle tow / Inventory Report is to be completed immediately.
 - 2. Proper inventory and chain of evidence will be maintained, as outlined in Policy and Procedure, under Automobile Search and Inventory and Handling, and Preservation of Evidence, Vol VII, Chapter 11.
 - 3. No vehicle or property will be released from the impoundment area until all evidence collection and photographs have been completed.
 - a. Upon completion of all evidence collection and photographs the original Tow Company will be called to take possession of the vehicle for storage in their impound yard.

- E. When an officer requires a vehicle for further investigative requirements and the vehicle has been taken to a towing service storage area, he shall immediately notify the towing service to advise them not to release the vehicle.

- F. Vehicle release
 - 1. No vehicle will be released unless the desk officer has sufficient reason to believe that the person taking the vehicle is authorized to do so.
 - a. If they are not the owner of the vehicle, then they should be required to obtain a notarized letter from the owner identifying them as the person to whom the vehicle should be released.
 - 2. Persons seeking the release of a vehicle must sign the tow report in the proper location, which indicates they are obtaining the release. The tour commander will then

**INTER-AGENCY PROCEDURES
TOWING
VOL V CH 8**

fill out the release form authorizing the release of the vehicle. He will then check the appropriate Tow Company, which is listed on the back of the release.

- a. If for any reason the vehicle is in the Police yard, the tow companies charges must be paid prior to the release.

III. DISPOSITION OF VEHICLE

- A. It will be the responsibility of the chief of police or his designee to make a continuous evaluation of impounded vehicles.
 1. A determination will be made as soon as possible as to the necessity of retaining the impounded property.
 2. As soon as a decision is made wherein there is no further need or purpose for the evidence, the property shall be released to its rightful owner.
 3. The owner shall be notified, in writing, to pick up their property or that a storage charge will be levied.
- B. Every officer is required to advise individuals who have had their vehicle **seized** that prior to coming to headquarters to reclaim their vehicle they should call first to make arrangements to pick it up. Any release after normal working hours, Monday through Friday, 8:00 A.M. - 4:00 P.M. will require the individual claiming the vehicle to make arrangements through the impounding officer or the Towing Service for this special release. Any release other than normal working hours must be made through the records officer and the following steps will be adhered to. The records officer will pull the vehicle report and place the report in the mail box of the requesting officer with a memo indicating who will be picking up the vehicle, the time, the date and indicate where the vehicle is located.

Special releases will only be authorized as outlined in this section. If prior arrangements were not made, the individual will be notified to contact the records officer during regular working hours.

1. Vehicles held for seizure will be released after checking with Detectives involved with the case.
- C. The officer releasing the vehicle may only do so if a report has been signed as approved for release. After the report is completed, the officer releasing the vehicle will give a release to the person seeking it, that person should then be advised that it is the release for the vehicle and it should be turned over to the indicated tow company when picking up the vehicle.
 - D. After a release has been completed, the Vehicle Tow /Inventory Report in its completed form and any photocopies attached to the report will then be placed in the data entry slot for further updating and filing.

INTER-AGENCY PROCEDURES

TOWING

VOL V CH 8

- E. When the situation exists that a vehicle has been abandoned or is not claimed, it is the responsibility of the Chief of Police or his designee to arrange for the disposition of the vehicle.
 - 1. Title to the vehicle must be obtained before the department can dispose of the vehicle.
 - 3. Policy and Procedure Vol. VII, Chapter 10, sets forth the manner in which property may be disposed of if unclaimed. The following is an excerpt from the policy: All found or recovered property that comes into the possession of a member of the force and the owners whereabouts is unknown and cannot be ascertained, or if said owner refuses to receive said property, then the property shall be disposed of after six months, except in the case of a motor vehicle which shall be after three months.
 - a. See also Vol. IX, Chapter 7, Abandoned vehicles.

**OPERATIONS
USE OF FORCE
VOL. IV, CH. 1**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-09-1999	REVISION DATE: 4/12/01 9-2-2008 1-19-11	PAGE #: 5 and 6 9 5 2,3,8 9 5 8 10	SECTION: II A-3-a to h V B-3 and 4 LG I, A, D,2,4,IV,A- B,E IV, E G 2.3 IV A2 B2 V B1-4	APPROVED 4/12/01 4-27-09 12-3-09 1-19-11	VOLUME IV
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ATTORNEY GENERAL: AG 1-1 V-4 C-1		Special Instructions				
PROSECUTOR'S OFFICE: A-22						
REFERENCE:						

PURPOSE:

The purpose of this directive is to bring the members of this agency into compliance with guidelines promulgated by the New Jersey Attorney General, Bergen County Prosecutor and existing statutory and case law.

POLICY:

Sworn law enforcement officers have been granted the extraordinary authority 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 the provisions of this policy. Equally important is the obligation to prepare individual officers in the best way possible to exercise that authority. It is the policy of this department that police officers shall use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer or another.

DEFINITIONS:

Deadly force: Any use of force that is likely to cause death or serious bodily harm.

Non-deadly force: Any use of force other than that which is considered deadly force.

**OPERATIONS
USE OF FORCE
VOL. IV, CH. 1**

Less than lethal: Any force which under normal circumstances would not cause death or serious bodily harm.

Reasonable belief: Circumstances are sufficiently strong to justify a prudent and cautious person's belief that certain facts are probably true.

Serious bodily injury: Bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

PROCEDURE:

I. USE OF FORCE

A. Level of force used by officers should be one level higher than the opposing force to achieve compliance. Below are examples of types of force, the order in which they are used depends of the opposing force officers are presented with in the incident at hand.

1. Verbalization should be the first step after the presence of the officer is known to the individual involved.
 - a. If the individual is compliant, there is no further action needed.
2. When non-compliant, the officer must assess the danger involved and the necessity for either physical contact, OC spray, or Impact weapon (PR-24).
3. Deadly force.

B. Police Officers should escalate or de-escalate to the next level of force to combat the resistance encountered to accomplish a lawful objective.

1. **Specialty Impact Munitions may only be used where deadly force would be justified.**

C. Parameters for Use of Non-deadly Force

1. Where deadly force is not authorized, officers should assess the incident in order to determine which non-deadly technique or weapon will be necessary to de-escalate the incident and bring it under control in a safe manner.
2. Police officers are authorized to use department-approved non-deadly force techniques and issued equipment for resolution of incidents, as follows:
 - a. To protect themselves or another from physical harm; or
 - b. To restrain or subdue a resistant individual; or

**OPERATIONS
USE OF FORCE
VOL. IV, CH. 1**

- c. To bring an unlawful situation safely and effectively under control.
3. At no time would an officer be justified during a non-life threatening situation to intentionally:
 - a. Strike a suspect about the head, neck, face back or groin.
 - b. Strike prisoner in handcuffs or restraining straps.
 - c. Take any action intended to result in contact between a moving police vehicle and a pursued vehicle or person.

D. Non-deadly Force Weapons and Methods

1. A police officer should not normally use a non-deadly weapon unless qualified in its proficient use as determined by training procedures.
2. The following non-deadly/less lethal weapons are authorized:
 - a. PR-24 Side Handle Baton/PR-24S/Pr-24STS
 - b. Retractable Baton
 - b. Pepper/OC spray
3. Flashlights, or other similar articles, should not be used as police batons. Articles of this nature are designed for other specific purposes.
4. Choke holds, or the use of billies, saps, slappers, blackjacks, Stun Guns, or any other implement not expressly authorized, is prohibited. These weapons are not to be carried or possessed on the officer's person, police vehicle, locker or carried in or about anywhere while on duty. None of these articles are authorized to be carried or used by off-duty officers

E. Arrest

1. Prior to force being used by an officer during an arrest situation, the following criteria must be met:
 - a. Officers make known the purpose of the arrest or reasonably believe that their identity and purpose are otherwise known by or cannot reasonably be made known to the person to be arrested; and
 - b. When the arrest is made under a warrant, the warrant is valid or reasonably believed by the officer to be valid; or
 - c. When the arrest is without a warrant, that the arrest is lawful.

F. Parameters for Use of Deadly Force

Officers are justified in using deadly force in the performance of their duties only in the following situations and subject to the following limitations consistent with the provisions of the New Jersey Code of Criminal Justice:

1. Sworn personnel should use only the force necessary to effect lawful objectives. Police officers are authorized to use deadly force when the use of such force presents no substantial risk of injury to innocent persons:
 - a. Officers may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious bodily injury.
 - c. When deadly force is necessary to effect an arrest of, or prevent the escape of a person who has committed or has attempted to commit the following crimes:
 - (1) MURDER, AGGRAVATED MANSLAUGHTER or MANSLAUGHTER (2C:11-3 and 2C:11-4)
 - (2) KIDNAPPING (2C:13-1)
 - (3) ARSON (2C:17-1)
 - (4) ROBBERY (2C:15-1)
 - (5) BURGLARY OF A DWELLING (2C:18-2)
 - (6) SEXUAL ASSAULT or AGGRAVATED SEXUAL ASSAULT (2C:14-2)
 - (7) AGGRAVATED CRIMINAL SEXUAL CONTACT (2C: 14-3a);
 - b. When officers reasonably believe that the force involved creates no substantial risk of injury to innocent persons;
 - c. When officers reasonably believe that:
 - (1) There is an imminent threat of deadly force to officers or to a third party; or
 - (2) The use of deadly force is necessary to thwart the commission of one of the listed crimes and the person has inflicted or threatened the infliction of serious bodily injury; or
 - (3) The use of deadly force is necessary to prevent an escape or flight from arrest for a crime as set forth in this section and

**OPERATIONS
USE OF FORCE
VOL. IV, CH. 1**

- (a) There is an imminent threat of serious bodily injury to officers or a third person, or
- (b) The person has committed a crime involving infliction or threatened infliction of serious bodily injury.
- (c) The use of deadly force by officers to effect an arrest or to prevent an escape from custody for the crimes or attempts to commit the crimes of:

DEATH BY AUTO (2C:11-5), CRIMINAL SEXUAL CONTACT (2C: 14-3b) IS NOT AUTHORIZED.

- c. Police Officers shall be instructed in the Use of Force and all department issued weapons prior to possession and use.

G. MEDICAL ATTENTION

- 1. Medical aid will be administered, when it is safe to do so following a lethal force situation.
- 2. Medical aid will be offered in incidents where force other than lethal is used.
- 3. Appropriate medical aid should be rendered to minimize the severity of obvious injuries or non-visible trauma commonly associated with some weaponless or hand-to-hand tactics, Such Tactics may include neck holds, hard punches to the head, heart, or other vital organs, or restricting respiratory function.
 - a. “Appropriate medical aid” does not place the burden on the police department to have each injured person immediately evaluated at a medical facility.
 - b. “Appropriate medical aid” may include increased observation to detect obvious changes in condition, flushing chemical agents from eyes, applying first aid, evaluation by paramedics, or for more serious or life threatening incidents; immediate aid by medical professionals.

II. WEAPONS

A. Firearms

- 1. Before using a firearm, police officers shall identify themselves and state their intent to shoot, where feasible.
- 2. A police officer may also discharge a weapon under the following circumstances:

**OPERATIONS
USE OF FORCE
VOL. IV, CH. 1**

- a. During range practice or competitive sporting events.
 - b. To destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured.
3. Police officers shall adhere to the following restrictions when their weapon is exhibited:
- 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;
 - d. 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.
 - e. Warning shots are not permitted, except as a last resort to prevent imminent death or serious injury where deadly force would otherwise be justified, if not for the risk to innocent persons. Extreme caution should be exercised.
 - f. While any discharge of a firearm entails some risk, discharging a firearm at or from a moving vehicle entails an even greater risk of death or serious injury to innocent persons. The safety of innocent people is jeopardized when a fleeing suspect is disabled and loses 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 lesser extent, in the actions which necessitated the use of deadly force.
 - (1). Due to this greater risk, and considering that firearms are not generally effective in bringing moving vehicles to a rapid halt, officers shall not fire from a moving vehicle, or at the driver or occupant of a moving vehicle unless the officer reasonably believes:
 - (a) There exists an imminent danger of death or serious bodily harm to the officer or another person; *and*
 - (b) No other means are available at that time to avert or eliminate the danger.

**OPERATIONS
USE OF FORCE
VOL. IV, CH. 1**

- (2). A law enforcement officer shall not fire a weapon solely to disable moving vehicles.
- g. Firearms shall not be discharged when it appears likely that an innocent person may be injured.
- (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 bean bag 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.

III. TRAINING AND QUALIFICATIONS

A . Deadly Weapons

1. While on and off-duty, police officers should carry only weapons and ammunition authorized by and registered with the department.
2. Authorized weapons are those with which the police officer has qualified and received departmental training on proper and safe usage, and that are registered and comply with departmental specifications.
3. The police department shall schedule regular training and qualification sessions for duty, off-duty and specialized weapons which will be graded on a pass/fail basis.
4. Police officers who fail to receive a passing score with their weapon(s) in accordance with department testing procedures shall be relieved of their police powers and immediately reassigned to non-enforcement duties.

**OPERATIONS
USE OF FORCE
VOL. IV, CH. 1**

5. A police officer should not be permitted to carry any weapon with which he has not been able to qualify during the most recent qualification period.
6. A police officer who has taken extended leave or suffered an illness or injury that could affect his use of firearms ability will be required to re-qualify before returning to enforcement duties.

IV. REPORTING /INVESTIGATION PROCEDURES

A. A written report prepared according to departmental procedures will be required in the following situations:

1. When a firearm is discharged for other than training and recreational purposes.
2. When an employee takes an action which has caused or is alleged to have caused death or injury to another.
3. When a less than lethal weapon is used on a person.

B. A supervisor will be immediately summoned to the scene and will comply with investigative procedures, as required by the department in the following situations: (Reports in APPENDIX A,B,C, & D will be completed, if a firearm is discharged)

1. When a firearm is discharged for other than training and recreational purposes.
2. When an employee takes an action which has caused or is alleged to have caused death or serious injury to another.
3. When a subject complains that an injury has been inflicted.

C. When a member of the department discharges a firearm, accidentally or in the performance of a police duty (other than on an approved target range,) he is to:

1. Make a verbal report to the officer in charge immediately, or as soon as possible. This report shall be made before the current tour of duty ends.
2. The **Discharging of Firearms Report** is to be completed and submitted to the Chief of Police.
 - a. On duty officers are to submit the report prior to the conclusion of the tour on which the incident occurred.
 - b. Off duty officers are to submit this report as soon as circumstances permit but in no event shall the time exceed more than 16 hours after the incident occurred.
 - c. In the event a member who has discharged a firearm is physically incapacitated or fatally injured during the tour and is therefore incapable

**OPERATIONS
USE OF FORCE
VOL. IV, CH. 1**

of submitting this report, it shall be the responsibility of the officers supervisor to submit the report.

D. Any time an officer uses a non-deadly weapon, all the facts and circumstances shall be contained within his/her written report and the department Use of Force Report.

1. The officer shall include in his/her written report, the type of weapon used and the method that the officer used to employ that force.
2. Whenever an officer employs the use of a weapon and injury or death occurs, the officer shall immediately notify his/her supervisor.
 - a. The officer employing force shall complete the Initial Use of Force Report before completing his/her shift.
3. The officers supervisor shall initiate a review of each incident by the next work day.
 - a. The Department Use of Force Review Report shall be completed.

E. Weaponless physical force to effect an arrest:

1. In all instances when physical force is used, each officer who has employed such force shall complete
 - a. Any reports made necessary by the nature of the underlying incident; and a Use of Force Report

Special Note: Any firearm discharge, including accidental, by a law enforcement officer must be immediately reported to the Bergen County Prosecutor's Office. Discharge as a result of approved training and the destruction of animals need not be reported.

V. OFFICER REMOVAL FROM REGULAR DUTY

A. Whenever an officer employs such force that results in serious injury or death, the officer should be immediately removed from his/her regular duties.

1. The officer should be assigned to headquarters duty pending a thorough investigation.
2. If the officer's weapon was used then the weapon, all ammunition, holster and belt shall be immediately turned over to the Internal Affairs Officer. In most cases another weapon will be issued to the officer.
3. The officer shall not return to regular duty until approval has been granted by the Chief of Police.

B. The Internal Affairs Officer and the Bergen County Prosecutor's Office shall conduct an investigation whenever an incident occurs that involves a member of the department that has employed force that results in serious bodily injury or death.

**OPERATIONS
USE OF FORCE
VOL. IV, CH. 1**

1. The Internal Affairs Officer's report shall be confidential and forwarded directly to the Chief of Police.
 - a. The Internal Affairs Officer shall only investigate for administrative violations surrounding the incident.
 - b. The Bergen County Prosecutor's Office shall investigate criminal violations surrounding the incident.
 - c. If the officer's actions are of a criminal nature, then the administrative internal investigation must cease.
2. Copies of reports shall not be distributed to anyone unless authorized by the Chief of Police.
3. The Prosecutor's Office will take charge of the scene and will be responsible for scene investigation.
4. The Internal Affairs Officer will be responsible for assisting in all phases of the investigation.
 - a. Personnel from the investigative section may be used to assist in the investigation at the scene.

V. ADMINISTRATIVE REVIEW OF CRITICAL INCIDENT

- A. All reported uses of force will be reviewed by the appropriate departmental authority to determine whether:**
1. Departmental rules, policy or procedures were violated;
 2. The relevant policy was clearly understandable and effective to cover the situation;
 3. Department training is currently adequate.
- B. Use of force incidents involving an employee will include the following:**
1. The discharge of a firearm, for other than training or recreational purposes
 2. Takes an action that results in, or is alleged to have resulted in, injury or death of another person
 3. Applies force through the use of lethal or less lethal weapons
 4. Applies weaponless force at a level as defined by the agency

**OPERATIONS
USE OF FORCE
VOL. IV, CH. 1**

CB. All findings of policy violations and equipment or training inadequacies shall be reported to the appropriate unit for resolution and/or discipline.

DC. All use of force incident reports shall be retained as required by state law.

ED. There will be a regular review of use of force incidents by the appropriate departmental authority to ascertain training and policy needs.

1. An annual summary report of use of force incidents will be published and made available to the public.
2. The Chief will submit an annual report to the County Prosecutor's Office in January of each year.

VI. Health of the Officer

- A. Before an officer is declared fit for duty, he shall be sent to an appropriate mental health counseling service.
- B. If the officer was injured during the incident, he shall be immediately treated by a competent physician.
- C. If the officer was injured, he may not return to regular duty until the attending physician grants written permission.
- D. The officer should be removed as soon as possible from the scene of the incident where serious injury or death resulted during confrontation.

**OPERATIONS
SAED EQUIPMENT USE AND MAINTENANCE
VOL. IV, CH. 16-4**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 4/8/99	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IV
VOLUME TITLE: OPERATIONS	# PAGES: 5					
ACCREDITATION STANDARD(S):	REFERENCE: V4C16-4					CHAPTER 16
SUBJECT: SEMI-AUTOMATED EXTERNAL DEFIBRILLATOR (SAED) EQUIPMENT USE & MAINTENANCE						
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						DISTRIBUTION I 2
ATTORNEY GENERAL, PROSECUTOR'S OFFICE REFERENCE						EVALUATION DATE:

PURPOSE:

To establish guidelines for the use and care of departmental Physio-Control Lifepak 500 Semi-Automated External Defibrillator (SAED).

POLICY:

To identify individuals requiring early defibrillation along with procedures to be implemented following the use of the Physio-Control Lifepak 500 Semi-Automated External Defibrillator (SAED).

PROCEDURE

I. RULE:

- A. The altering, exchange, removal or remodeling of any equipment or parts thereof (except that which occurs through normal use) from the way it was issued is prohibited, unless approved and ordered by the Administrative Division.

**OPERATIONS
SAED EQUIPMENT USE AND MAINTENANCE
VOL. IV, CH. 16-4**

- B. Employees shall not use department-owned equipment or supplies for their personal use.
- C. Department-owned equipment or supplies must be available for inspection by a supervisor at all reasonable times.
- D. All employees shall be held responsible for all department-owned equipment or property issued to them or placed in their care.

II. PROCEDURE

- A. To apply the Physio-Control Lifepak 500 SAED, Fort Lee Police Officers must satisfy the following training requirements:
 - 1. Cardio-Pulmonary Resuscitation (CPR)
 - 2. Emergency Medical Technician (EMT)
 - 3. Emergency Medical Technician Defibrillator (EMT-D)
- B. Storage and Inspection
 - 1. The defibrillator units will be stored in the shotgun closet behind the Tour Commander's Desk.
 - 2. All EMT-Ds will make an entry in the SAED Log Book when the SAED is removed from storage and taken on the road at the beginning of their tour of duty. The units shall be returned to storage at the end of each tour. Each EMT-D should have a SAED in their patrol vehicle unless there is:
 - a. a malfunction of a SAED
 - b. more SAED units than qualified officers
 - 3. The Tour Commander should ensure that defibrillator units are placed in service by EMT-Ds during their tour unless there is:
 - c. a malfunction of a SAED
 - d. more SAED units than qualified officers
 - 4. The unit should be inspected to ensure that all required equipment and supplies are included with the unit. Any problems are to be reported to the Tour Commander.
 - a. If the problem is corrected, the unit may be placed in service.
 - b. If the problem can not be corrected, then the officer shall take the unit out of service, tag the unit as such. The Tour Commander shall notify the Administrative Division Commander of the status of the unit.

OPERATIONS
SAED EQUIPMENT USE AND MAINTENANCE
VOL. IV, CH. 16-4

5. Defibrillators will normally be secured in the trunk of the vehicle near the oxygen unit.
6. When the weather temperature is greater than 100 degrees (F) or less than 0 degrees (F), the defibrillators will be stored inside the vehicle and not in the trunk.

C. Application

1. The defibrillator should accompany the officer on all incidents requiring oxygen along with incidents having a high probability for its application.
2. The SAED should be applied to persons found in cardiac arrest (no respirations and no pulse). If CPR is indicated the defibrillator should be applied and utilized consistent with EMT-D training.
3. The SAED should not be applied to:
 - a. Children under 90 pounds
 - b. Trauma codes or obvious mortal injuries.
 - c. Patients that have a valid DNR
 - d. Patients who are obviously dead – Rigor Mortis, Lividity etc.
 - e. Any individual found with a pulse.
4. The SAED will not be operated in or around:
 - a. water
 - b. bathtubs or hot tubs
 - c. pools
 - d. flammable liquids or gases
5. The SAED should not be used to determine if a patient has or does not have a pulse.
6. The officer will provide the responding Ambulance Corps. crew with a verbal summary of the incident.
7. Once an EMT-D treats a patient with a SAED they will:
 - a. continue treatment and monitoring until relieved by either:
 - (1) another EMT-D (PD or VAC) that will continue treatment with the original SAED.
 - (a) The SAED must be picked up by the EMT-D officer when the Ambulance Corps. returns to town, unless the Tour Commander has authorized other arrangements.
 - (2) a Paramedic Unit (ALS)
 - (3) the Emergency Room staff

OPERATIONS
SAED EQUIPMENT USE AND MAINTENANCE
VOL. IV, CH. 16-4

- b. Once the SAED unit is used it must remain on the patient until they are received by the ER staff, unless a Paramedic unit which applies their own monitoring equipment relieves the EMT-D.
- c. The SAED unit may be turned off as the Patient Record data remains stored in one of the units two memory slots until electrodes are connected to a third patient. Data is not deleted by turning off the SAED unit.
- d. Complete the EMT-D Patient Report #EMS-26 (Appendix A).
- e. Download the SAED Event Summary stored in the unit's memory into the Tour Commander's Computer.
 - (1) Make sure the SAED unit has been turned off for at least 60 seconds.
 - (2) Plug the computer cable into the SAED.
 - (3) Take the mouse and point it on "SAED 500" and double click on "SAED 500".
 - (4) Using the mouse click on "Download" tab then "Download from Defibrillator" then make sure "Current Record – Complete" is checked.
 - (5) The Patient Record data will now download onto the computer.
 - (6) Using the mouse click on "Patient Record Data" tab, then fill in with known information. The Case # must be entered in the Incident # space.
 - (7) Using the mouse click on the "Save" tab, then click on "Save to Hard Disk" placing the case number in the file name box, click on "Save". The data is now saved on the hard drive.
 - (8) Using the mouse click on the "Print" tab, check off "All Reports" then click on "OK"
 - (9) Using the mouse click on the "Checklist" tab, click on "Exit Program", then click on "Yes" and the program will shut down.
 - (10) Review the EMT-D Patient Report #EMS-26, the Event Log Report and the Summary Report.
 - (11) Fax both reports to Hackensack University Medical Center at 489-0195.

OPERATIONS
SAED EQUIPMENT USE AND MAINTENANCE
VOL. IV, CH. 16-4

- (12) Submit the EMT-D Patient Report #EMS-26, the Event Log Report, the Summary Report and the fax receipt, to the Tour Commander for filing in the Records Bureau.

Note: If the patient is transported to Hackensack University Medical Center, the ER computer should be used to print up the Event Summary for the hospital. The above downloading procedure must still be completed for the Tour Commander's computer.

8. The officer will obtain a replacement Redi Pak Quik-Combo Pad (#3008497-661) leads from storage closet in HQ, before placing the SAED back in-service and available for calls.

D. Maintenance

1. The Physio-Control Lifepak 500 SAED case, display, crevices and accessories should be cleaned when necessary with only a damp sponge or cloth containing either rubbing alcohol (isopropyl) or Peroxide solutions.
2. The Physio-Control Lifepak 500 SAED performs automatic tests at 0300 hours and maintains a test log. If the SAED detects a problem during an automatic test that requires immediate service, it activates an intermittent audible alarm.
3. The service indicator message (a red monkey wrench) will appear above the LCD if the SAED detects a problem that requires service. If the service indicator is on but not flashing the SAED can still be used.
4. If the SAED detects a problem that requires immediate service, the service indicator (a red monkey wrench) flashes and the "*Call for Service*" message appears. Turn the SAED off and on. If the "*Call for Service*" message disappears the unit can be used. If the "*Call for Service*" reappears, the unit will not be used. In the event that this occurs during a call, request that another unit be dispatched.
5. Any problems are to be reported to the Tour Commander.
 - a. If the problem can not be corrected, then the officer shall take the unit out of service, tag the unit as such. The Tour Commander shall notify the Administrative Division Commander of the status of the unit.
6. The non-rechargeable battery has a shelf life of 5 years or a minimum of 240 shocks. The Redi Pak Quik-Combo Paks have a two-year shelf life. The manufacturer may be contacted at (800) 442-1142:

Parts extension	2369 then 8
Service extension	2917

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 6/6/07	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME # I
VOLUME TITLE: ADMINISTRATION	# PAGES: 3					CHAPTER #23
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: MAJOR INCIDENT NOTIFICATIONS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To provide for uniform notification procedures of major incidents to the proper Police Department and Borough officials.

DEFINITIONS:

Major Incident:

Any incident, that by benefit of its nature, affects a substantial number of people within the borough, or would be considered newsworthy by the media, or is worthy of a substantial response by the Borough of Fort Lee's various emergency services. Examples of major incidents include, but are not limited to:

Seriously gridlocked traffic within the borough;

A major crime having been detected or committed within the borough;

Any natural or man made event of a disastrous nature;

Fatal motor vehicle collisions or struck pedestrian fatalities;

Working structural fires;

Power failures of any substantial scope and duration;

Flooding of any substantial scope and duration;

An evacuation of residences or commercial structures on any scale;

Any other incident requiring substantial or multiple responses on the part of the borough's emergency services as indicated above.

Borough Official(s):

For the purpose of this policy, Borough Officials shall be defined as:

The Mayor;

The Borough Administrator;

Any other borough official, appointed or elected, to be notified upon request of the above officials.

Police Officials:

The standard Police Department chain of command, up to and including the Chief.

PROCEDURES:

1. Upon the detection of, or report to this department of any event or condition that can broadly be defined as major under the definitions above, the assigned officer, detective, or supervisor will initiate through his/her supervisor and up the police chain of command a notification of the incident and a very basic description of its nature.
2. The first line supervisor will assess the situation, take appropriate action as a supervisor to secure the appropriate response to the incident, then determine whether the incident qualifies as major under the definitions herein. He/She will do so using resources such as information gathered, the field officer's assessment, and the borough's technology resources such as the street camera system in formulating his/her decision.
3. If appropriate, notification as described above will be made to all ranks up the chain of command to the highest ranking officer on duty, up to the Chief if he is on duty.
4. If the Chief or Deputy Chief is not on duty, the ranking officer will decide whether further notification is necessary up the chain of command to the Chief or Deputy Chief. This officer will also make a recommendation to the Chief or Deputy Chief as to whether the Mayor or Borough Administrator should be notified of the incident.
5. The Chief, or in his absence, the highest ranking officer shall upon deciding that the incident qualifies as major will direct the desk officer or any other capable and available officer to make notification to the Mayor and Borough Administrator of the incident, providing basic information to them about its scope and nature. The notifying officer shall also make any additional notifications to

specified borough officials upon request from the Mayor or Borough Administrator.

6. All involved supervisors shall make note in their daily activity reports that these notifications took place, including who made them and to what officials they were made.

**TRAFFIC
VIDEO CAMERA IN POLICE VEHICLE
VOL. IX, CH. 24**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE:	REVISION DATE:	PAG E #:	SECTION:	APPROVED	VOLUME IX
	04-08-99	5/11/99	2	II	5/11/99	
VOLUME TITLE: TRAFFIC	# PAGES: 7	3/11/04	2	II, D,2 &5	3-11-04	
		11/9/07 01-31-08	All 7 6 4 7 4	All IV,c,5 III, A II,D,3 VI.A,1a II,E-F	11/9/07 1/31/08	
PROSECUTOR REVIEW POLICY	REFERENCE: V9C24					CHAPTER 24
SUBJECT: VIDEO CAMERA IN POLICE VEHICLE						
						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						
CHIEF THOMAS O. RIPOLI						
						EVALUATION DATE:
ATTORNEY GENERAL, PROSECUTOR'S OFFICE REFERENCE						

PURPOSE:

It is the purpose of this policy to provide officers with guidelines for the use of digital mobile video and audio recording equipment. Throughout this policy they will be referred to as “MVR”.

POLICY:

The use and maintenance of video recordings can be invaluable to law enforcement for evidential purposes. Proper safeguards need to be in effect which will ensure the non-discriminating use as well as the proper preservation of evidence which may be obtained through use of the technology.

MVR equipped vehicles shall not be jump started without disconnecting the yellow tagged MVR fuse (next to the Stinger fuse panel) to prevent possible damage to the MVR equipment by a power surge.

DEFINITIONS:

Nite-Watch Camera- the camera unit attached to the vehicle windshield or motorcycle engine guard.

Flashback Digital Video Recorder (DVR) - the vehicle mounted data storage device and flashcard.

Monitor Console- the screen unit mounted to the vehicle.

**TRAFFIC
VIDEO CAMERA IN POLICE VEHICLE
VOL. IX, CH. 24**

USB Key Fob- a USB (thumb drive) device issued to each officer which is used by the MVR system to properly identify the officer creating the video file. The Key Fob is considered issued equipment, and is required to be carried during working hours. Officers should take steps to avoid losing the device.

Voice Link Plus (VLP) Microphone- referred to as body mic. A second body microphone (gray) will normally be assigned to patrol vehicles which two officers are regularly assigned to at the same time.

In-Car Microphone- the microphone permanently installed in the patrol vehicle.

Pre-event recording – when the digital video recorder is on, it is constantly capturing images and putting them in temporary memory. When a trigger is received, the unit starts recording to the compact flash card, but it can also grab images captured before the trigger (from temporary memory) and store them.

PROCEDURE:

- I.** Mobile video/audio equipment has been demonstrated to be of value in the prosecution of traffic and other related offenses. This department has adopted the use of mobile video/audio equipment in order to accomplish the following objectives:
 - A. Accurate documentation of events, actions, conditions and statements made during arrests and critical incidents which will enhance officer reports, collection of evidence and testimony in court.
 - B. The enhancement of this agency's ability to document probable cause for arrest, arrest procedures, officer/suspect interaction, and evidence for investigative purposes, as well as officer evaluation and training.
 - C. To enhance the ability to defend against accusations made against the department or officers.

- II.** When using mobile video/audio equipment, the following procedures will be in effect:
 - A. Equipment installed in a patrol vehicle is the responsibility of the officer assigned to that vehicle and will be maintained according to that manufacturers recommendations.
 - B. The equipment will automatically power up 30 seconds after the ignition is turned on. The patrol vehicle MVRs will automatically power down, when the pre-set time has past, after the ignition is turned off. The motorcycle MVR will power down immediately upon the ignition being shut off. (MC officers should allow the MVR time to upload upon returning to HQ at the end of their shift.
 - C. Prior to starting each shift or as soon as possible prior to normal patrol duties, the officer assigned shall ensure that the equipment is operating properly by signing into the vehicles MVR using their issued Key Fob as directed during the training course. The Key Fob will identify the officer as the owner (creator) of the video recordings. The officers using patrol vehicles should sign out of the vehicles MVR at the end of their shift to prevent videos created under their name by officers on the next shift. The gray microphones assigned to patrol vehicles must be returned to the docking station at the end of each tour.

**TRAFFIC
VIDEO CAMERA IN POLICE VEHICLE
VOL. IX, CH. 24**

Officers will verify and note on the Vehicle Inspection Report that the gray microphone is present in the patrol vehicle. Any missing / damaged equipment or problems should be brought to the attention of the supervisor as soon as possible.

1. The officer will start the vehicle.
2. The officer sign into the MVR by:
 - a. Inserting their issued Key Fob into the USB cable located by the radio console.
 - b. Press the “T” Trace button once. The Login in screen will be displayed.
 - c. Press the “>>” Fast Forward button once, this will move the blue highlight to OK. The “<<” Rewind button will move the blue highlight to the left.
 - d. Press the “R” Record button once.
 - e. Your badge number will appear on the monitor. You are now signed into the MVR and are to remove your Key Fob.
3. The officer will then sync their issued body mic with the MVR by placing it in the microphone docking station. The officer should ensure that it is properly synced with the MVR by testing the Mic-Activation Switch.
 - a. If a second officer is assigned to the vehicle (12x8 shift, FTO, etc.) the passenger will use the vehicle’s gray body mic. The second officer should ensure that it is properly synced with the MVR by testing the Mic-Activation Switch.
4. The officer will sign out of the MVR by:
 - a. The officer will verify that the MVR unit is NOT in Record Mode.
 - b. Press the “T” Trace button once. The Login in screen will be displayed.
 - c. Press the “>>” Fast Forward button once, this will move the blue highlight to OK. The “<<” Rewind button will move the blue highlight to the left.
 - d. Press the “R” Record button once.
 - e. Your name will no longer appear on the monitor. You are now signed out of the MVR.

NOTE: The term “Owner” does not imply or bestow any additional rights or privacy to an employee regarding a video file created by this department and its equipment of an employee during working conditions.

- D. The unit will automatically record when:

**TRAFFIC
VIDEO CAMERA IN POLICE VEHICLE
VOL. IX, CH. 24**

1. The vehicle's emergency warning devices (lights and/or siren) are in operation.
2. The vehicle exceeds the system's designated speed.
3. The vehicle is involved in a collision.
 - a. The accident recording system is NOT functional for the motorcycles (the leaning of the motorcycles triggers the function).
4. The Record button is manually pressed on the Monitor Console or Mic-Activation button is manually pressed on the microphone.

Manual deactivation should occur during non-enforcement activities such as protecting accident scenes from other vehicular traffic, traffic construction details. The intent and purpose to deactivate should be noted into the microphone prior to deactivation.

- E. Officers should ensure that the equipment is operating in a way that will allow for the recording of traffic stops and other enforcement action. In so doing, the camera should be positioned to record the event(s). Deactivation does not occur until the enforcement action is complete. The active audio transmitter may be used in order to provide narration with the video recording to explain the reason for current or planned enforcement action.

1. Every call that an officer is either dispatched on , or that is self initiated by the officer will be recorded. The only exceptions will be prolonged calls such as traffic posts, DOA's etc. When in doubt, ask a supervisor.

- F. When placing a suspect in the rear of a patrol vehicle, he/she should be advised on record, that they are being recorded in the vehicle, officers should be certain that they understand this also.

1. When officers are in the vehicle with a suspect, there is no need to advise them that they are being recorded.

- G. Officers shall not erase, reuse, or in any other manner, alter the video/audio recordings or equipment.

NOTE: The motorcycle MVR / camera may be temporarily disconnected from the motorcycle during training sessions / special assignments with the approval and under the direction of a Motorcycle Unit Supervisor. The camera will be reconnected prior to the motorcycle being place back in service for duty.

- H. All video files which contain recordings made from the use of a video camera system mounted in a police vehicle shall be logged in and preserved for a minimum period of twenty (28) months. Archived DVDs may be purged from storage upon approval of the Chief. The video files data information (metadata) should be saved in the Video Management System Software for the same time period that the archived DVDs are maintained in storage.

**TRAFFIC
VIDEO CAMERA IN POLICE VEHICLE
VOL. IX, CH. 24**

1. Access to video files may be further restricted or denied to any member(s) of the department, including the officer creating the video as approved or directed by the Chief of Police.
- I. These video files shall be logged in and preserved in accordance with each agency's policy and procedure governing the retention and preservation of evidence.
- J. If a file memorializes an incident that led to an arrest, the issuance of a summons for serious motor vehicle violations or a citizen complaint against a police officer, that fact shall be noted in the officer's report and that file shall be preserved in accordance with the policy and procedure governing the retention and preservation of evidence.
 1. Video files will be retained on-line in the Video Management System as long as the system memory will allow. The files will be automatically be archived by the Video Management System on a daily basis depending on the numbers of files created. The archived DVDs will be maintained following the department policy and procedures for evidence handling.
 2. If an officer determines that they need to review a video file that is in archive storage, they will make an email request to the Evidence Unit and their immediate supervisor.
 3. Administrative Division Commander is responsible for the entire Digital Video System through the Vehicle Maintenance Coordinator (vehicle equipment), MVR Supervisor (Video Titling), Computer Division (Network System) and Evidence Unit (Video Archiving & Exporting)
- K. Video file DVDs shall be provided in discovery to defendants and their attorneys in accordance with R. 3:13-3 and R. 7:4-2.
 2. When the Evidence Unit makes a DVD for an attorney, defendant or involved person, the Evidence Unit will make an additional copy which will be added to the Evidence Report for the incident.
 3. The updated Evidence Report will be forwarded to the Records Bureau so it can be added to the case jacket.
 4. The Records Bureau will forward a copy of the Evidence Report to any party that has submitted a discovery notice and to the prosecuting agency.

III REPORTING and DISCOVERY

Officers will note in all incident, arrest, and other related reports, when video/audio recordings were made during an incident in question.

- A. **Video files will not be released to any other agency or individual without their written request, and permission from the Chief of Police or his designee. Attorneys, defendants or involved citizens requesting information regarding the contents of a video file will be afforded the opportunity to view the file at police headquarters**

**TRAFFIC
VIDEO CAMERA IN POLICE VEHICLE
VOL. IX, CH. 24**

during normal business hours after a written request has been made to the Chief of Police and only after permission has been granted by the Chief of Police or his designee.

IV VIEWING VIDEO FILES & ACCESSING THE VIDEO MANAGEMENT SOFTWARE

- A. Officer can review their video files from the in-car monitor prior to the file being uploaded at HQ by the wireless transfer equipment (access points). After a file has been uploaded it can be reviewed by logging into the Video Management System software via a desktop computer in HQ. The officer's issued network logon & password will provide access.
- B. Officers can only access video files they own (created). Officers can not access video files mistakenly created under a previous officer's sign-in.
 - 1. If an officer creates a video file under a previous officer's sign in, they shall email their immediate supervisor and the supervisor responsible for the MVR system explaining the circumstances and the steps to be taken to prevent a reoccurrence.
 - 2. The MVR supervisor will then enter the system and change the file owner to the correct officer.
- C. Officers involved in an incident which is documented in a report (arrest situation, enforcement action resulting in a criminal summons, warrant, ordinance violation or for a serious MV violation, or a citizen complaint) shall:
 - 1. Create a Case in the Video Management System entering the date in the field provided and the case number in the Display Name field as instructed during the training course or supplemental instructions.
 - 2. The officer will print out the Chain of Custody report and submit the report as evidence by listing the document on the Evidence Report. A DVD will not be made, exported, by the officer creating the Case.
 - 3. If the video file is needed for Court then the Evidence Unit will make (export) a DVD of the appropriate video file(s) and they will add the DVD to the evidence for the particular criminal case.
 - 4. An officer may request that a video file be exported to a DVD by submitting an email to the Evidence Unit. The DVD will then be added to the Evidence Report of the criminal case by the evidence detective.
 - 5. **All DWI arrest recordings are to be saved to DVD as soon as possible, even if the dexterity tests are not captured on the recording. The above procedures should be followed in all DWI Arrests.**
- D. The original DVD will remain in possession of the evidence unit, any files produced for evidence or review will be duplicate files

**TRAFFIC
VIDEO CAMERA IN POLICE VEHICLE
VOL. IX, CH. 24**

V SUPERVISORS PROCEDURES:

- A. When Supervisors are told by an officer, that they need to view another officer's video file relating to their incident the supervisor should provide them with access by locating and opening the video through the supervisor's login to the Video Management System.
 - 1. If the video is relevant to the officer's incident they should request via an email to the MVR Supervisor and Evidence Unit that the additional officer's video file be added to the Created Case in the Video Management System.
- B. Supervisors are to ensure that officers under their command properly utilize the MVR system.
- C. Supervisors are to periodically review video files of officers under their command to ensure compliance with this policy.

VI. VEHICLE MAINTENANCE

- A. If a MVR equipped vehicle needs to be jump started the following steps must be taken to prevent possible damage to the MVR equipment by a power surge:
 - 1. The person jump starting the vehicle will disconnect (separate) the yellow tagged MVR in-line fuse (next to the Stinger fuse panel).
 - a. The motorcycle SHOULD NOT be jump-started unless the main fuse is disconnected located in the bottom level of the Radio Equipment Box.
 - 2. The vehicle may then be jump started following normal procedures.
 - 3. The person jump starting the vehicle will re-connect the separated MVR in-line fuse (next to the Stinger fuse panel).
 - 4. The officer should then verify that the power to the MVR is functioning properly.

**INVESTIGATIONS
COMMUNICATING WITH THE HEARING IMPAIRED
VOL. VIII, Ch. 14**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 3/17/2000	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME VIII
VOLUME TITLE: INVESTIGATIONS	# PAGES: 11					CHAPTER 14
ACCREDITATION STANDARD(S):	REFERENCE: V8C14					
SUBJECT: COMMUNICATING WITH THE HEARING IMPAIRED						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE: NJSA 34:1-69, ADA 42 U.S.C. 12131--12134						

PURPOSE:

To institute guidelines for establishing effective communication methods when members of the deaf community are in contact with the Fort Lee Police Department.

POLICY:

It is the policy of the Borough of Fort Lee Police Department to secure the rights of hearing-impaired persons who, because of impairment of hearing or speech, are unable to readily understand or communicate spoken language and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them.

In such circumstances the hearing-impaired individual will be furnished with the appropriate auxiliary aids and services to ensure effective communications.

Auxiliary aids and services may include qualified interpreters, assisted listening devices, telecommunications devices for the deaf (TDD), written materials, note pads, and other effective methods of making aurally delivered materials available to individuals with hearing impairments. The auxiliary aid requirement is flexible as long as the result is effective communication for the hearing-impaired individual.

When an auxiliary aid or service is required to ensure effective communications, the Borough of Fort Lee Police Department must provide an opportunity for individuals with hearing impairments to request the auxiliary aids and services. Primary consideration should be given to the choice expressed by a

**INVESTIGATIONS
COMMUNICATING WITH THE HEARING IMPAIRED
VOL. VIII, Ch. 14**

victim or witness. "Primary Consideration" means that the Borough of Fort Lee Police Department should honor the individual's choice. The selection should be evaluated to ensure the integrity of a statement obtained from a defendant. Care should be taken to ensure that individual's selection does not result in a fundamental alteration in the service, program, or activity or place an undue financial or administrative burden on the department. If another equally effective means of communication is available it may be utilized.

This policy primarily addresses situations where a police officer, after consulting with the individual with a hearing impairment, determines that the service of a qualified interpreter are necessary to ensure effective communications.

A supervisor should approve all requests for a qualified interpreter or service.

DEFINITIONS:

- I. Hearing-Impaired / Deaf - As used in this policy, means those persons in whom the sense of hearing is nonfunctional for ordinary purposes of life. It includes those who were born deaf and those individuals whose sense of hearing became nonfunctional through illness, accident, etc. In addition it should also include individuals with speech handicaps that require alternative methods of communication in place of oral communications. For this policy the terms should be synonymous
- II. American Sign Language - Is also referred to as ASL and sometimes Amesian. ALS is a visual / gestural language utilized in the Deaf Community in which finger and hand movements represent specific words.
- III. Finger Spelling – is a visual / gestural method spelling out a word one letter at a time.
- IV. Qualified Interpreter – means an interpreter certified by the National Registry of Interpreters for the Deaf, Inc. (RID) and listed by the State Division of the Deaf in the Dept. of Labor or the New Jersey Registry of Interpreters for the Deaf. RID is the professional organization and certifying body of sign language and oral interpreters in the United States.
- V. Certified Interpreter - is a trained individual who has been awarded a credential by passing an examination offered by the National Registry of Interpreters for the Deaf, Inc. (RID).

PROCEDURE:

I. SPECIAL CONSIDERATIONS FOR THE DEAF COMMUNITY

- A. Officers should be aware that:
 - 1. Deafness is considered an invisible handicap, as it can not be seen.

**INVESTIGATIONS
COMMUNICATING WITH THE HEARING IMPAIRED
VOL. VIII, Ch. 14**

2. They may not know at first contact that the person is hearing impaired. The person may inform the officer by writing, "I am deaf" or by pointing to their ear and mouth while shaking their head.
 3. Hearing-impaired people have individual personalities and methods of dealing with their handicap.
 4. Interpreters may function as the ears and voice for a deaf person.
 5. Written communication depends on persons reading level. This method may be slow and cumbersome.
- B. Officers should be aware that hearing-impaired individuals might not be able to communicate when their hands are cuffed. The individual may not understand the need for handcuffing and may panic because their ability to communicate has been taken away. Handcuffing should be done according to established policy, but compassion should be used.
- C. Hearing-impaired individuals may use touch to initiate communication. Officers should try not to misinterpret this communication skill as an aggressive act. This does not mean that a hearing-impaired individual can not injure or assault another person.
- D. The following steps should help officers communicate with hearing-impaired individuals:
1. Identify the signs and symptoms: Individuals may point to their ear or mouth, reach for a pad and pencil and write a note or display a Medical Alert tag.
 2. Start Writing: Once you believe that a person is hearing impaired, offer them a pencil and pad. Officer safety should be maintained.
 3. Don't Be Fooled by Lipreaders: The best method of communication is through a qualified interpreter. Help a lipreader by
 - a. Looking directly at them.
 - b. Speak slowly and clearly.
 - c. Do not over exaggerate your words.
 - d. Keep sentences or questions short.

Note: Lip reading is only about 25% effective.

**INVESTIGATIONS
COMMUNICATING WITH THE HEARING IMPAIRED
VOL. VIII, Ch. 14**

4. Know the Law: American With Disabilities Act of 1990 (ADA)
 - a. The Americans with Disabilities Act prohibits discrimination against individuals with disabilities by all places of public accommodation.
 - b. Hearing-impaired individuals have the same rights as other individuals.
 - c. Hearing-impaired individuals must be provided with equal access to services.
 - d. Hearing-impaired individuals have a right to have an interpreter present or to have access to telecommunications devices for the deaf (TDD).
5. Ask for Help: There are numerous agencies and groups available to assist officers when dealing with hearing-impaired individuals.
6. The method of communication should be determined by the individual not the department because the individual knows what method works best for them.
7. Get the deaf person's attention before speaking; use a light touch on the shoulder or a wave.
8. Beware of false impressions such as nodding head.
9. Openly ask the deaf person what is the best method to communicate.
10. Be flexible in use of language and terminology.
11. Be direct, don't underestimate the hearing-impaired persons intelligence.
12. Convey your desire to communicate.
13. Watch your facial expressions, they tell a great deal. Use facial expressions to supplement your communication.
14. Maintain eye contact.
15. Double-check impressions for understanding, be sure of accuracy.
16. Allow time for effective communications to be established.
17. If communications falters, try another way of saying it.

**INVESTIGATIONS
COMMUNICATING WITH THE HEARING IMPAIRED
VOL. VIII, Ch. 14**

18. Look directly at the person when speaking at all times.
19. Be patient, friendly and casual (if possible).
20. **Do Not** pretend to understand the deaf person when you can't.
21. **Do Not** exaggerate your lip movements.
22. **Do Not** put any objects in your mouth or cover it with your hand when speaking.
23. **Do Not** repeat the same word if the deaf person has trouble understanding you. Change to another word that is more meaningful to them.
24. **Do Not** speak to a deaf person with your back to a light, window or mirror as it interferes with their observation of you.

II. COMMUNICATIONS WITH A SUSPECT PRIOR TO ARREST

- A. An individual with a hearing impairment may be arrested on probable cause in the same manner that a hearing person would. For example, if an officer responds to an aggravated assault call and, upon arriving at the scene, observes the victim bleeding and the individual with a hearing impairment holding a weapon in their hand, and is told by either a witness or the victim that the hearing-impaired individual struck the victim with the weapon, then the officer obviously has sufficient probable cause to make an arrest without taking any statement from the suspect.
- B. A qualified interpreter may still be required if an officer is unable to convey to the arrestee the nature of the criminal charges by communicating on a note pad or by using another means of communication. If the arrestee does not decline the opportunity to communicate through an interpreter, the arrestee should be transported to HQ and secured in the holding cell. The arresting officer or the transporting officer should convey the information through the interpreter when the interpreter arrives.
- C. If it is established that an interpreter is needed, the officer should notify a supervisor. The supervisor should respond to the location and evaluate the situation. If needed, the supervisor should authorize the contact of a qualified interpreter or service.

III. INTERVIEWING A SUSPECT TO ESTABLISH PROBABLE CAUSE

- A. If a police officer needs to interview a hearing-impaired suspect to determine if there is probable cause to make an arrest, a qualified interpreter must be provided if the written communication is ineffective. When the services of a qualified interpreter are required to provide effective communication, but the officer cannot wait until a qualified interpreter arrives, the following procedures apply:

**INVESTIGATIONS
COMMUNICATING WITH THE HEARING IMPAIRED
VOL. VIII, Ch. 14**

1. If the investigation does not involve a serious offense, the officer should postpone the interview and possible arrest until a qualified interpreter is present. If the qualified interpreter is unable to respond, the officer should document this fact and continue with the investigation as completely as possible and file the appropriate report.
 2. If the investigation involves a serious offense, the officer should contact the appropriate supervisor and advise the supervisor of the situation. The supervisor will determine if a detective will be called and how to obtain the services of a qualified interpreter. If the supervisor determines that a detective will not be responding, then the officer should document their actions continue with the investigation as completely as possible and file the appropriate report.
- B. If it is established that an interpreter is needed, the officer should notify a supervisor. The supervisor should respond to the location and evaluate the situation. If needed, the supervisor should contact a qualified interpreter or service.

IV. INTERROGATING AN ARRESTEE

- A. When a hearing-impaired person is arrested for an alleged violation of a criminal law, a qualified interpreter shall be appointed prior to reading of Miranda warnings interrogating or taking a statement from the hearing-impaired person in compliance with the law (NJSA 34:1-69.10c(1)).
- B. An officer seeking to interrogate a hearing-impaired arrestee must obtain the services of a qualified interpreter prior to any interrogation whenever an interpreter is needed for effective communication. The officer may proceed with a written interrogation, without an interpreter if:
1. Exigent circumstances do not permit a delay in the interrogation of the arrestee.
 2. If an interpreter cannot be located or cannot be located within a reasonable period of time (which should occur very infrequently).
 3. If the arrestee specifically declines the opportunity to communicate through an interpreter and if written communication between the officer and the arrestee was then effective in conveying an understanding of the Miranda warnings and.
 - a. Any statement, written or oral, made by a hearing-impaired person in reply to a question from a law enforcement officer may be inadmissible unless it was obtained in compliance with the law as determined by the court system.
- C. If written communication becomes ineffective because:
1. The factual pattern is complex;

**INVESTIGATIONS
COMMUNICATING WITH THE HEARING IMPAIRED
VOL. VIII, Ch. 14**

2. The arrestee is having difficulty communicating without an interpreter or
3. The arrestee chooses to discontinue the interrogation;

Then officer must discontinue the interrogation and wait until a qualified interpreter is present before continuing the interrogation. In most instances a qualified interpreter should be available and the interrogation should not be delayed.

- D. If an interpreter is used, the interrogation may be video taped to protect the admissibility of the statements made through the interpreter.

V. COMMUNICATING WITH A NON-CRIMINAL VIOLATOR

- A. When dealing with a hearing-impaired individual during motor vehicle violations the officer should deal with the individual in the same manner as a hearing person and the individual does not need to be provided with a qualified interpreter. For example, if the suspect with a hearing impairment is caught on radar speeding, the officer does not have to provide an interpreter to the violator in compliance with the law (NJSA 34:1-69.10).
- B. When stopping a hearing-impaired individual for a possible Borough Ordinance violation the officer should deal with the individual in the same manner as a hearing person. If the officer is unable to convey the nature of the non-criminal infraction to the individual via a note pad or another means of communication, then the officer should use their discretion whether to call a supervisor and request a qualified interpreter or issue a warning rather than a citation.

VI. INTERVIEWING A VICTIM OR WITNESS

- A. If an officer is able to communicate effectively by writing questions on a note pad and having the hearing-impaired victim or witness write their responses, then the officer may proceed with the interview using a note pad. However, if an investigating officer is unable to communicate effectively with a victim or critical witness by using a note pad or some other means of communication, other than a qualified interpreter (i.e. friend, family TTY, etc.), then the investigating officer must provide the victim with a qualified interpreter.
- B. If the investigating officer cannot wait until a qualified interpreter arrives, the following procedures apply:
 1. If the investigation does not involve a serious offense, then:
 - a. The officer can attempt to have the victim's relative or friend provide assistance. The officer may request that a supervisor approve the need for a qualified interpreter. The interpreter may be dispatched to the victim's or critical witness's location and if the interpreter's arrival will be delayed then request that the Tour Commander be notified upon the interpreter's

**INVESTIGATIONS
COMMUNICATING WITH THE HEARING IMPAIRED
VOL. VIII, Ch. 14**

arrival. The Tour Commander should then notify the investigating officer that the interpreter arrived.

- (1) If a qualified interpreter is unable to respond, the officer should document their actions and the investigation in a report.
- b. The officer can ask the victim or witness to come voluntarily to the police station when a qualified interpreter is available. At that time the investigating officer can return to the police station to complete the investigation. If a qualified interpreter is unable to respond, the officer should document their actions and the investigation in a report.
2. If the investigation involves a serious offense and if the victim or witness with a hearing impairment is critical to establishing probable cause for an arrest or for completing the investigation, then the investigating officer should contact their supervisor and advise the supervisor of the situation. The supervisor will determine if a detective will be called and how to obtain the services of a qualified interpreter. If the supervisor determines that a detective will not be responding, and if neither option (a) nor (b) above is available, then the officer may leave the victim(s) or witness(es) at the scene if appropriate. The investigating officer should document their actions and the investigation in a report.

VI. HEARING-IMPAIRED COMPLAINANTS OR OTHER CONTACTS

- A. Hearing-impaired individuals are entitled to a qualified interpreter or auxiliary aids when effective communications can not be established.
- B. Other contacts would also include hearing-impaired parents of a juvenile in contact with the department, crime victims or other individuals seeking assistance from the department.

VII. PROCEDURES FOR REQUESTING AND UTILIZING AN INTERPRETER

- A. All requests for an interpreter should be approved by a supervisor before contacting an outside agency or service.
- B. A request for an interpreter should be made through the New Jersey Division of Deaf or the New Jersey Registry of Interpreters for the Deaf, during normal business hours, or through a referral service, during non-business hours.
 1. The request should be made for a Qualified Interpreter whose skills correspond to the needs of the hearing-impaired individual.
 2. Proof of qualifications should also be requested, copied and attached to the reports.

**INVESTIGATIONS
COMMUNICATING WITH THE HEARING IMPAIRED
VOL. VIII, Ch. 14**

- C. The following information should be provided at the time of the request:
1. Date and time that an interpreter is needed.
 2. Nature and purpose of the matter: arrest, obtain statement, victim assistance, etc.
 3. Approximate duration of the interpretation, if known.
 4. Location and directions.
 5. Age of the person involved.
 6. The person's nationality (to determine if ASL is appropriate).
 7. The person's sign language skill, if known.
 8. The person's physical condition including intoxicated or under the influence of CDS.
 9. Number of people involved.
 10. If video recording equipment will be utilized to document the interview / statement.
 11. Payment process by borough voucher.
- D. Interpreters Oath (NJSA 34:1-69.14)
1. Every appointed interpreter before entering upon his duties, shall take an oath that he will make a true interpretation in an understandable manner to the person for whom he is appointed and that he will repeat the statements of the person in the English language to the best of his skill and judgement.
 2. The Tour Commander or supervisor in charge of the operation should have the interpreter complete the Interpreter's Oath Form before begging the interpretation.
- E. Confidentiality and Privilege (NJSA 34:1-69.17)
1. Any information that the interpreter gathers from the hearing-impaired person pertaining to any proceeding then pending shall at all times remain confidential and privileged on an equal basis with the attorney-client privilege.

**INVESTIGATIONS
COMMUNICATING WITH THE HEARING IMPAIRED
VOL. VIII, Ch. 14**

- F. The hearing-impaired person should:
 - 1. Have a full view of and be spatially situated with the interpreter to assure proper communication.
 - 2. Be un-handcuffed to allow effective communications with the interpreter.
 - 3. Remain in a secured area of headquarters. Additional officers may be required to stand-by to maintain security.
 - 4. Not be left alone with the interpreter.
- G. If the appointing authority's choice of a qualified interpreter does not meet the needs or wishes of the hearing-impaired person, the appointing authority shall appoint another qualified interpreter.
- H. Different kinds of interpreters:
 - 1. American Sign Language
 - 2. Signed English
 - 3. Sign languages from foreign countries

Note: Not all hearing-impaired individuals know or use sign language as a method of communication.
- I. Family and friends should not be utilized, unless no other alternatives are available, because they may be emotionally or personally involved in the incident. It also presents confidentiality problems.

VIII. COMPLETING THE REPORT

- A. All identifying information and qualifications on the interpreter should be included in the report.
- B. All written questions and responses between and among police officers and hearing-impaired persons must be treated as evidence and handled accordingly.
 - 1. A copy of the written questions and responses should be forwarded with the police report, and the originals must be placed into evidence.

**INVESTIGATIONS
COMMUNICATING WITH THE HEARING IMPAIRED
VOL. VIII, Ch. 14**

VIII. PAYMENT FOR INTERPRETER

- A. The supervisor that authorized the use of a qualified interpreter should have the interpreter sign a Borough of Fort Lee voucher. The voucher should be attached with the reports and submitted for payment.

IX. RESOURCES

- A. New Jersey Relay Service (800) 852-7897
- B. New Jersey Division of Deaf and Hard of Hearing (800) 792-8339
- C. National Information Center on Deafness (202) 651-5059
- D. New Jersey Association of the Deaf (908) 840-6511
- E. American Sign Language Interpreter Referral Service (800) 275-7551
- F. Deaf Services Inc. (856) 228-1900
- G. The Communication Connection Inc. (610) 272-4948
- H. Deaf-Hearing Communication Centre (610) 534-5025
- I. Sign Language Resources Inc. (914) 566-7951
- J. New Jersey Division of the Deaf Sign Language Interpreters List, as provided by their office.

**INVESTIGATIONS
COMMUNICATING WITH THE HEARING IMPAIRED
VOL. VIII, Ch. 14**

**Fort Lee Police Department
Interpreters Oath**

Case #: _____

I, _____ (name) do swear that as an appointed interpreter, I will make a true interpretation in an understandable manner to the person for whom I am appointed and that I will repeat the statements of the person in the English language to the best of my skill and judgement.

I also recognize that all information that I, as an interpreter, gather from the person for whom I have been appointed pertaining to any proceeding shall at all times remain confidential.

Date: _____

Interpreter's Signature: _____

Supervisor's Signature: _____

DEPARTMENT RULES AND REGULATIONS / POLICIES AND PROCEDURES

BOROUGH OF FORT LEE	EFFECTIVE DATE	REVISION DATE	PAGE #	SECTION	APPROVED	VOLUME
POLICE DEPARTMENT	12-17-2001					VI
VOLUME TITLE: GENERAL	# PAGES 2					CHAPTER 4
PROSECUTOR DIRECTIVE	REFERENCE V1,CH4					Distribution ALL
SUBJECT: ANNUAL REPORTING REQUIREMENTS						EVALUATION DATE
ISSUING AUTHORITY: <hr/> CHIEF THOMAS R. TESSARO	Special Instructions					
DEPARTMENT REVISIONS						
PROSECUTOR'S OFFICE REVISIONS						
REFERENCE						

PURPOSE:

The purpose of this policy is to adhere to the New Jersey Attorney General's directives and set dates for the submission of the required reports.

POLICY:

The New Jersey Attorney General has mandated that all law enforcement agencies submit an annual report to their respective Prosecutor's Office in the following areas:

Internal Affairs Summary

Firearms Qualifications

Police Vehicular Pursuits

Domestic Violence

As Chief Law Enforcement Officer, the Bergen County Prosecutor's Office has issued directives to the Law Enforcement Agencies within the County. Due to changes in the law, court interpretations, etc., these directives may need to be changed, rescinded or altered. It is imperative that the directives be kept current in each Law Enforcement Agency and any changes noted.

**GENERAL
ANNUAL REPORTING REQUIREMENTS
VOL., VI CH. 4**

PROCEDURE:

At the end of a calendar year, the Chief of Police will have the following summary reports prepared:

Internal Affairs Summary Report (Vol. I, CH9)

Firearms Qualification Report (Vol. IV, CH2)

Police Vehicular Pursuit Report (Vol. V, CH6 App A)

Domestic Violence Review Report (Vol. III, CH1)

These individual policies can be reviewed for the proper type of report to be submitted.

These reports will be completed and submitted to the Bergen County Prosecutor's Office no later than January 15th of the following year.

Additionally, each Bergen County Law Enforcement Agency shall submit a certification by the Executive Officer of the agency that all revised prosecutorial directives have been received, appropriately placed in the Directive Manual and that all their personnel have been trained in the revision. This certification shall accompany the previously mentioned reports.

**AUTHORITY
CRIMINAL COMPLAINTS
VOL. VII, CH. 19**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-06-2002	REVISION DATE: 06-10- 2003	PAGE #: 4	SECTION: III	APPROVED	VOLUME # VII
VOLUME TITLE: AUTHORITY	# PAGES: 8					CHAPTER 19
ACCREDITATION STANDARD(S):	REFERENCE: V7C19					
SUBJECT: CRIMINAL COMPLAINTS						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

POLICY:

In order to provide officers with direction when issuing complaints for non-indictable and indictable offenses, procedures have been established that allow for the proper issuance of complaint/summons or complaint/warrants.

PROCEDURE:

I. COMPLAINT WARRANT

A. A complaint warrant shall be issued for the following:

1. The accused is charged with murder, kidnapping, aggravated manslaughter, robbery, aggravated sexual assault, sexual assault, aggravated sexual contact, criminal sexual contact, aggravated assault, aggravated arson, arson, burglary and crimes involving possession or use of a firearms, and all violations of Chapter 35 of Title 2C that constitute first or second degree crimes and conspiracies or attempts at the foregoing crimes.
 - a. The accused has previously failed to respond to a summons.
 - b. There is reason to believe the accused is a danger to himself or others.

**AUTHORITY
CRIMINAL COMPLAINTS
VOL. VII, CH. 19**

- c. There are one or more outstanding warrants for the accused.
 - d. The whereabouts of the accused are unknown and arrest warrant is needed to subject him to jurisdiction of the court.
 - e. There is reason to believe the accused will not appear in response to the summons and this is demonstrable to the court.
- B. Police officers are authorized to sign warrant complaints.
- C. The following individuals can issue Complaint Warrants:
- 1. Municipal Judge
 - 2. Court Clerk or Deputy Court Clerk
- D. Unless otherwise outlined in Section “A”, a complaint summons shall be issued for all other crimes, disorderly and petty disorderly offenses.
- E. Probable Cause Statements
- 1. A probable cause statement is not required when an arrest warrant is sought following a warrantless arrest. A probable cause statement is required when a police officer is applying for an arrest warrant which is then to be executed. In other words, if you already have a suspect in custody, a simple statement such as, “on view arrest”, is enough. If you must go out and get the suspect, then probable cause is needed.
 - 2. Officers may use an affidavit to offer probable cause to support the issuance of an arrest warrant. Although a probable cause statement can also be placed on the face of the complaint.
 - 3. A person other than a police officer who wishes to offer probable cause for the issuance of an arrest warrant must utilize this affidavit or one similar. The affidavit must be signed by a person legally authorized to administer oaths.
 - 4. Probable cause must be evaluated by a Judge. A court clerk may sign an arrest warrant upon being advised by a Judge that he has determined probable cause to exist.
 - 5. The original of the probable cause affidavit should be filed with the complaint. At least one copy should be retained by the police. One copy should be sent to the Bergen County Prosecutor’s Office, along with the police reports. If the affidavit contains discoverable material, it need not be given to the defendant. The defendant need not receive a copy of the probable cause affidavit at the time of the defendant’s arrest if the affidavit contains sensitive information.
 - 6. Following processing after an arrest with a warrant, the defendant must be

**AUTHORITY
CRIMINAL COMPLAINTS
VOL. VII, CH. 19**

taken before the court that issued the warrant to be advised of his/her rights and have bail set during arraignment .

Impact crimes will be handled with established procedures currently in effect.

If a warrant complaint is filed following a warrantless arrest, the person shall be taken before a Judge to be advised of his/her rights and have bail set during arraignment.

7. A Superior Court Judge shall be contacted through Prosecutor's channels for the purpose of setting bail only if the individual is charged with one of the following: murder, aggravated manslaughter, manslaughter, kidnapping, aggravated sexual assault, sexual assault, aggravated criminal sexual contact. Questions concerning arrest procedures should be directed to the duty prosecutor, after hours, through the Bergen County Communications Center; and have the on duty detective check with the on call assistant Prosecutor.

II. COMPLAINT SUMMONS

- A. Officers shall not arrest for a violation of a petty disorderly or a disorderly persons offense unless the offense occurs in the officer's presence.
- B. A civilian may sign a Complaint Summons against another civilian for an offense that occurred in their presence.
 1. A probable cause hearing will be assigned to determine probable cause to issue the summons.
- C. The only exception to the requirement for the offense occurring in the officer's presence are Domestic Violence incidents and Shoplifting. In both cases, a police officer is authorized to arrest an individual without the violation occurring in the officer's presence.
 1. Domestic violence offenses that would normally have been put on a summons, should be put on a warrant, and the defendant then must be arraigned by a judge.
- D. When a person is arrested, a Complaint Summons must be prepared and served before the person arrested is released from custody.
 1. If a summons is issued, the person may be detained only as long as is necessary to complete post-arrest identification and processing procedures. The defendant shall then be released to await the court appearance date indicated on the summons.
 2. Preset bails should be assigned for Shoplifting and CDS offenses.
- E. Before a Complaint Summons will be prepared and served for a violation(s) of disorderly or petty disorderly offenses, the following must be completed:
 1. Where the complainant is the arresting police officer, the officer in charge is authorized to issue and sign a complaint summons .

**AUTHORITY
CRIMINAL COMPLAINTS
VOL. VII, CH. 19**

F. Citizen Signing of Complaint Summons

1. Where the complainant is a citizen, the officer in charge is only authorized to administer the oath and witness the complainant's signature.
2. The Judge, court clerk or deputy court clerk are authorized to issue complaint summonses on citizen complaints, after making a probable cause determination
3. An officer is not authorized to issue a complaint summons signed by a citizen.
 - a.. Offenses that warrant contacting the Judge, court clerk or deputy court clerk after hours:
 - (1). Domestic Violence Offense (citizen's complaint)
 - b. All other offenses will be reviewed for probable cause and issuance on the following day by the Judge, court clerk or deputy court clerk.

The only exception to this would be for Shoplifting offenses, where the officer in charge will issue the defendant the copy of the complaint, and a preset bail will be assigned.

III. MUNICIPAL ORDINANCE VIOLATIONS

Each supervisor will maintain a Boro Ordinance violation book with their other supplies and equipment. Books will be signed for in the court office in the same manner as Motor Vehicle summonses. Violations covered by State Statute may not be issued on a Boro Ordinance complaint.

- A. Police officers are not authorized to arrest for a violation of a local ordinance, nor can they conduct a search of the property or the person that is issued a Municipal Ordinance Summons.
 1. The only exception would be if the officer had reasonable suspicion that his/her safety was in jeopardy.
- B. When a violation of a Municipal Ordinance occurs in the presence of the officer, the Officer will request a supervisor to respond, the supervisor will provide the officer with the ordinance book and the officer may then issue a Municipal Ordinance Summons.
 1. The officer that observed the violation shall complete the Municipal Ordinance Complaint Summons.
 - a. The officer shall indicate the race of the offender with the sex in the space allotted for "Sex".

**AUTHORITY
CRIMINAL COMPLAINTS
VOL. VII, CH. 19**

2. The officer that observed the violation shall date and sign the complaint on the line marked signature of complaining witness, under the certification on the right side.
 - a. Officer must then check box below this area marked law enforcement use only.
 3. The officer may then issue the summons by signing the bottom and dating it.
 - a. There is no administering of oath when the officer signs the certification side of the summons.
 - b. The Boro ordinance summons is issued at the scene.
 4. The officer must then complete and investigation report on the issuance of the Boro Ordinance complaint.
 - a. No other reports need to be generated unless the narrative can not be fit on the investigation report, a motor vehicle is involved or involved in a collision.
 - b. Before the end of his/her tour of duty the summons and report should be turned in to the tour commander for review.
 - c. The summons should then be disseminated as follows:
 - (1) Blue copy to the court.
 - (2) White copy to case jacket or Records Division
 - (3) Pink copy to police officer.
 - (4) Green copy remains in summons book.
 - (5) Hard copy to defendant (Delivered to defendant at the scene by issuing officer).
- C. Citizen signing of Boro Ordinance Complaint.
1. Follow the same procedure as outlined in Section II, subsection "E" of this policy.

IV. COMPLAINT PREPARATION

- A. Indictable and disorderly persons' offenses, even if they relate to the same incident, should be typed on separate CDR forms. A list of indictable offences and disorderly persons' offenses is attached hereto.
 1. Municipal court judges may not set bail on the following:

**AUTHORITY
CRIMINAL COMPLAINTS
VOL. VII, CH. 19**

Murder

Kidnapping

Manslaughter

Aggravated Manslaughter

Aggravated Sexual Assault

Sexual Assault

Aggravated Criminal Sexual Contact

Persons arrested in any extradition proceeding

Bail should not be set on summonses, unless for CDS related offenses or Shoplifting

Officers preparing complaint summonses or warrants are to refer to the N.J. Code of Criminal Justice Charging Manual.

INDICTABLE OFFENSES

2C:5-1 CRIMINAL ATTEMPT

2C:5-2 CONSPIRACY

2C:12-1b AGGRAVATED ASSAULT

2C:12-3 TERRORISTIC THREATS

2C:13-1 KIDNAPPING

2C:13-2 CRIMINAL RESTRAINT

2C:13-4 INTERFERENCE W/CUSTODY

2C:13-5 CRIMINAL COERCION

2C:15-1 (ARMED) ROBBERY

2C:17-1 ARSON

2C:17-3 CRIMINAL MISCHIEF (OVER \$500.00)

2C:18-2 BURGLARY

**AUTHORITY
CRIMINAL COMPLAINTS
VOL. VII, CH. 19**

2C:18-3a	CRIMINAL TRESPASS (IN A DWELLING)
2C:20-3	THEFT (\$200.00 OR OVER)
2C:20-4	THEFT BY DECEPTION (\$200.00 OR OVER)
2C:20-5	EXTORTION (ANY AMOUNT)
2C:20-6	THEFT OF PROPERTY LOST, MISLAID OR DELIVERED BY MISTAKE (\$200.00 +)
2C:20-7	RECEIVING/POSSESSION STOLEN PROPERTY (\$200.00 +)
2C:20-8	THEFT OF SERVICE (\$200.00 +)
2C:20-9	THEFT BY FAILURE TO MAKE REQUIRED DISPOSITION OF PROPERTY (\$200.00 +)
2C:21-1	FORGERY AND RELATED OFFENSES
2C:21-5	BAD CHECK (\$200.00 +)
2C:21-6	CREDIT CARD OFFENSES
2C:28-4a	FALSELY INCRIMINATING ANOTHER
2C:29-2a	RESISTING ARREST (USES/THREATENS PHYSICAL FORCE)
2C:29-3	HINDERING APPREHENSION
2C:29-5	ESCAPE
2C:33-3	FALSE PUBLIC ALARM
2C:39-	ALL WEAPONS OFFENSES

DISORDERLY PERSONS OFFENSES

2C:5-5	POSSESSION BURGLAR TOOLS
2C:12-1a*	SIMPLE ASSAULT
2C:13-3	FALSE IMPRISONMENT
2C:17-3*	CRIMINAL MISCHIEF (\$500.00 OR UNDER)
2C:18-3*	CRIMINAL TRESPASS (IN A NON-DWELLING)

**AUTHORITY
CRIMINAL COMPLAINTS
VOL. VII, CH. 19**

- 2C:20-3* THEFT (UNDER \$200.00)
- 2C:20-4* THEFT BY DECEPTION (UNDER \$200.00)
2C:20-6* THEFT OF PROPERTY LOST, MISLAID OR DELIVERED BY
MISTAKE (UNDER \$200.00)
- 2C:20-7* RECEIVING STOLEN PROPERTY (UNDER \$200.00)
- 2C:20-8 THEFT OF SERVICES (UNDER \$200.00)
- 2C:20-9* THEFT BY FAILURE TO MAKE REQUIRED DISPOSITION OF
PROPERTY (UNDER \$200.00)
- 2C:20-10 UNLAWFUL TAKING OF MEANS OF CONVEYANCE/JOYRIDING
- 2C:20-11 SHOPLIFTING
- 2C:21-5* BAD CHECK (UNDER \$200.00)
- 2C:28-4b* FICTITIOUS REPORT
- 2C:29-1 OBSTRUCTING ADMINISTRATION OF LAW
- 2C:29-2* RESISTING ARREST (NO PHYSICAL FORCE):ELUDING/FLEEING
- 2C:29-3* HINDERING APPREHENSION (ASK!)

CDS OFFENSES - INDICTABLE

- 2C:35-5 DISTRIBUTION/POSSESSION WITH INTENT TO
DISTRIBUTE CDS/ANALOG
- 2C:35-7 DISTRIBUTION ON SCHOOL PROPERTY (1,000 FT. RADIUS)
- 2C:35-10(a) (1) POSSESSION CDS (SCHEDULE I, II, III AND IV)
- 2C:35-10(a) (3) POSSESSION MARIJUANA (OVER 50 GRAMS);
HASHISH (OVER 5 GRAMS)
- 2C:35-13 OBTAINING CDS BY FRAUD: MISREPRESENTATION;
FORGERY; DECEPTION

CDS DISORDERLY

- 2C:35-10(a) (2) POSSESSION OF CDS (SCHEDULE V)
- 2C:35-10(a) (4) POSSESSION MARIJUANA (UNDER 50 GRAMS);
HASHISH (UNDER 5 GRAMS)

**AUTHORITY
CRIMINAL COMPLAINTS
VOL. VII, CH. 19**

2C:35-10(b) UNDER THE INFLUENCE/USE OF CDS

2C:36-2 POSSESSION OF DRUG PARAPHERNALIA

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 05/27/08	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 10					CHAPTER 9-1
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: DISCIPLINARY SYSTEM						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

I. BACKGROUND

Discipline is the responsibility of each individual and a well-disciplined police department is one that voluntarily and ungrudgingly conforms to all standards of conduct. The Fort Lee Police Department employs a structured disciplinary system to be followed in cases of alleged or suspected violations of departmental Rules and Regulations, Standard Operating Procedures, policies, ordinances, or any applicable state or federal statutes by members.

One of the tasks of a supervisor is the administration of discipline. Discipline may be positive or negative. It may involve a range of responses including encouragement, training, counseling, or the imposition of punitive sanctions. Discipline has as its immediate purpose the channeling of individual effort into effective and productive action.

The exercise of positive discipline requires foresight and planning rather than mere reaction. Positive discipline requires an assessment of actual performance and performance capabilities, which when combined with proper training, recognition, and positive rewards, may result in effective contributions to the organization.

II. POLICY

It shall be the policy of this Department to utilize positive disciplinary procedures to minimize the necessity of negative, punitive disciplinary actions. The primary methods to be used in positive

ADMINISTRATION
DISCIPLINARY SYSTEM
VOL I, CH 9-1

discipline may include supervisory coaching, training, tangible and intangible rewards, and supervisory counseling. This policy explains the disciplinary system, the procedures for Internal Affairs Investigations as listed in Volume I, Chapter 9 shall be followed for IAD investigations.

III. **ACTION**

A. TRAINING AS A FUNCTION OF DISCIPLINE

Discipline is partly training or experience that corrects, molds, strengthens, or perfects. Such discipline allows for a professionally oriented police department. Training should take place as follows;

- In recruit academy;
- Recruit field training;
- In-service training;
- Advanced training; and
- Remedial training.

The training program is designed to reinforce desirable behavior patterns and call attention to noticeable actions, which are deemed to be desirable. A well-disciplined department is a well-trained department.

The supervisor, by his actions, sets the example for employees to follow. A good example is necessary if positive discipline is to work. Principal responsibility for maintaining the appropriate level of discipline lies with the first-line supervisor.

Employees' acts, which are committed because he/she either misunderstood procedures or was never made aware of the correct action, are indicators of training needs. These needs may be corrected by remedial training programs. Remedial training is personalized training to correct a specific deficiency which is usually identified either by testing, evaluations during training, by a supervisor evaluating an employee during routine job performance, or by acts requiring disciplinary actions.

Internal Affairs Investigations should analyze information to determine training needs in identifying undesirable behavior trends of those individuals in need of retraining. Training may be used as part of the Department's disciplinary system by itself or along with other disciplinary actions determined by the Chief of Police. An employee may be assigned to remedial training upon recommendation to the Chief of Police during a disciplinary investigation or by the Chief of Police as a positive measure to correct a deficiency.

In a non-disciplinary action, an employee may be assigned to remedial training if his supervisor recommends the process to correct a lack of skill, knowledge, or abilities to perform their assigned tasks. Any recommendations are to be in the form of a report

ADMINISTRATION
DISCIPLINARY SYSTEM
VOL I, CH 9-1

forwarded through the chain-of-command to the Chief of Police. Appropriate comments are to be added at each level of the chain.

B. COUNSELING AS A FUNCTION OF DISCIPLINE

Counseling is assisting an employee in the process of problem solving and it may be corrective or preventive in nature. It may focus on the necessity for a person to change his present behavior or work methods. It may focus on the necessity for a person to behave differently in preparation for responsibilities and challenges that lie ahead. It may focus on a disciplinary problem, which may be handled in a positive manner by itself, or with other disciplinary measures. The following criteria exist for counseling and either the employee or his supervisor may initiate the process;

1. The employee has an existing problem or is experiencing difficulty understanding or adjusting to matters, which are;
 - Job related;
 - Policies and procedures;
 - Interpersonal relationships with coworkers; or
 - Personal matters affecting his work.

The process may also be initiated by an Internal Affairs Investigation complaint or inquiry concerning a disciplinary matter, by recommending counseling for the employee to the Chief of Police, or as ordered by the Chief of Police, as a positive measure to correct a deficiency.

C. PROGRESSIVE PUNITIVE DISCIPLINE

1. Oral Reprimand

An oral reprimand is the first step in the progressive discipline system, unless circumstances of the case justify a higher level of discipline, in which case this can be bypassed. They are intended to be the least intrusive form of discipline. To be effective, however, oral reprimands must be timely. Otherwise, the member may believe future infractions will be tolerated. The oral reprimand will be removed from the officer's file after six (6) months if no further disciplinary action of the same type is necessary.

2. Written Reprimand

A written reprimand is the next step in the progressive discipline system. This type of reprimand would become a permanent addition to the officer's file and should be utilized when the circumstances dictate a higher level of discipline than an oral

ADMINISTRATION
DISCIPLINARY SYSTEM
VOL I, CH 9-1

reprimand. Several written reprimands may indicate that further action is required by the officer's supervisor or some other type of intervention.

3. **Suspensions or Forfeiture of Paid Leave**

Suspensions are serious interventions and occur when a member fails to respond positively to lesser forms of discipline. Suspensions can also be the first step in progressive discipline if the act, and/or the result of the act, is serious enough that a written warning or reprimand would not promote the intent or spirit of the purpose and need for disciplinary action. Members should have a hearing, if they desire, when suspensions occur. Title 40 of the New Jersey Statutes will govern procedural issues or suspensions.

4. **Demotions as a Form of Discipline**

Demotion as a form of discipline is intended to be punitive and can occur concurrently with a suspension when a supervisor is involved. This is perhaps the most serious form of disciplinary action for a supervisor and the last effort for the office to try and save the member's position.

Department of personnel procedures will be followed for moving forward with any demotions.

5. **Termination**

All Department members are subject to termination for the following general conditions:

- Reductions in work force brought about by economic considerations such as lack of work
- Consistent performance failure(s) or a single performance failure that results in serious consequences to the office's public credibility or ability to do business in an effective and efficient manner, with or without fault
- Decisions of the administration as permitted and retained by law

Termination for reductions in work force results from many factors, including reduced operating budgets and events that increase current operational expenses. These events may include excessive overtime costs, damage awards, unplanned management costs, and poor member performance, among others. In such cases, it is management's intent to make termination decisions based on the effective, efficient and safe continued operations of this office. Seniority is the determining factor if all other factors between members are similar, as in compliance with contractual agreements, for example.

ADMINISTRATION
DISCIPLINARY SYSTEM
VOL I, CH 9-1

Termination for performance failure (through acts of omission or commission while on or off duty) can occur with or without fault on the member's part. While no attempt is being made here to list all situations that may result in such removals, the following examples illustrate the kinds of failures that lead to this cause for termination:

- a. **Termination with fault:** Examples include insubordination, threatening a supervisor, fighting and assaults or provoking a fight or assault, forbidden harassment, endangering another, drug or alcohol abuse, theft, and false reporting or witnessing. In cases of termination with fault, management attempts to establish, through substantial evidence, that the member had culpability—in other words, that the member acted purposefully, knowingly, recklessly or negligently.
- b. **Termination without fault:** Examples include chronic substantial impairment of the employment relationship, and situations where performance is not reasonably expected to improve or where problems are not expected to be resolved in a reasonable time.

Chronic problems include such things as being excessively absent from duty, failure to consistently accomplish expected levels of performance results on assigned tasks, having to be constantly told what to do or supervised.

Examples of substantial impairment of the employment relationship include unreasonable disruption to normal operations of the organization, endangering the organization's mission, actions or inactions that contribute to an unnecessary risk to the public image, and creating conflicts of interest.

Situations where performance is not reasonably expected to improve include past failures to respond positively to progressive discipline; habitual violations of directives; work effort requiring excessive supervision after reasonable training has occurred to prepare the member for the duties and responsibilities of the position; the member's failure to learn the informal aspects of the job not covered by formal training but that are reasonable to expect of a competent member who has gained knowledge and experience from the normal work environment; and the member's failure to accept the organization's business purpose, mission, code of conduct, or oath of office.

Failures to comply with directives are normally handled through an investigative process. These investigations are conducted to determine the appropriateness of discipline and administrative sanctions. Important considerations in decisions to discipline include maintaining and advancing the organization's effectiveness, efficiency and safe operations. These considerations are combined with the demonstrated performance conduct, proficiency and behavior of the member.

ADMINISTRATION
DISCIPLINARY SYSTEM
VOL I, CH 9-1

c. **Notice of Termination**

If a member's performance requires an investigation, the member may be placed on paid administrative leave pending outcome of the investigation. Depending on the findings, the member may then be terminated. If this occurs, members are provided with information that includes:

- The reasons for the termination
- The effective date of termination
- Whom to contact regarding status of fringe and retirement benefits
- A statement that the content of the member's record relating to the termination will be made available to the member according to state public law

This department does not intend to illegally discriminate against current members, potential members or member groups on the basis of gender, ethnic background, race, religion, color, age or physical handicap in any disciplinary or termination proceedings.

This section informs members that this policy does not intend to illegally discriminate against any member or group of members.

Disciplinary action may be administered in a progressive fashion utilizing the principle of "equity." Equity means that management reviews each member's performance deficiency and considers the following circumstances to help determine the amount and degree of administrative action:

- (1) The seriousness of the deficiency or offense;
- (2) Management's expectation that the type and level of administrative action will facilitate or deter the conduct, work proficiencies or behaviors of others;
- (3) The member's overall conduct, work productivity, time between other violations (if other offenses occurred) and behavior record;
- (4) Management's expectation based on the member's overt behavior, that the type and level of administrative action will improve the member's future performance. (In other words, does the member respond positively to discipline?); and
- (5) The member's seniority.

D. DISCIPLINARY INVESTIGATIONS AND REPORTING

The immediate supervisor has the responsibility to investigate incidents of employee misconduct or disciplinary incidents. The immediate supervisor shall immediately conduct an investigation of the incident and report in writing the results of such investigation to the Internal Affairs Officer. The report should contain all the necessary facts of the case, supporting documents, statements, a conclusion of fact, and a recommendation regarding disciplinary action. After review and comment by the Internal Affairs Officer, the Chief of Police will make the final determination. This procedure is meant to assure the prompt and thorough investigation of complaints to clear the innocent, establish the guilt of wrongdoers, and facilitate fair, suitable and consistent disciplinary action.

A "conclusion of fact" for each allegation of employee misconduct will be clearly stated and will identify the following concerns when applicable:

1. Proper conduct;
2. Improper conduct;
3. Policy failure;
4. Insufficient evidence; and
5. Unfounded complaint.

The following are classifications of the outcomes of each allegation of employee misconduct which are described in greater detail in Vol I, Ch 9, Internal Affairs policy.

1. **Unfounded** - if the allegation is false;
2. **Exonerated**- if the alleged act occurred, but the action was lawful and proper;
3. **Not Sustained** - if there is insufficient evidence to either prove or disprove the allegation;
4. **Sustained** - if the allegation is supported by sufficient evidence and the action violates either criminal law or Departmental "Rules and Regulations";

E. CONCLUSION OF A DISCIPLINARY INVESTIGATION

If it is apparent that an employee is guilty of a violation and punitive disciplinary action is appropriate, discipline will be administered as follows:

1. **Counseling** - if the employee misconduct is minor, consisting of only a minor procedural mistake or inappropriate judgment, employees as a general rule will be counseled or given appropriate remedial training. Counseling will be completed by

ADMINISTRATION
DISCIPLINARY SYSTEM
VOL I, CH 9-1

the officer's immediate supervisor, at the supervisor's initiative, and will be documented as an "Oral Warning".

2. **Oral Reprimand**

An oral reprimand is the first step in the progressive discipline system, unless circumstances of the case justify a higher level of discipline, in which case this can be bypassed. They are intended to be the least intrusive form of discipline. To be effective, however, oral reprimands must be timely. Otherwise, the member may believe future infractions will be tolerated. The oral reprimand will be removed from the officer's file after six (6) months if no further disciplinary action of the same type is necessary.

3. **Written Reprimand - if the employee misconduct is serious or is part of a continuing pattern of behavior involving repeated minor misconduct or mistakes, employees as a general rule will be reprimanded in the form of a "Written Reprimand" as approved by the Chief of Police.** Written reprimands will contain charges (what standards of conduct have been violated) and specifications (description of the conduct that constituted the violation). All supervisors in the chain-of command of the employee will be made aware of the reprimand and it will be filed in the employee's personnel file.

4. **Recommendations for Suspension Resulting in Loss of Pay or Accrued Leave or Demotion** - if the employee misconduct is very serious or is part of a continuing pattern of behavior involving repeated serious misconduct, employees may be recommended for suspension. The Chief of Police has the authority to implement a suspension without loss of pay until the employee can appear before the Borough Council. Any suspension without pay must be made by the Mayor's office.

If the employee guilty of misconduct is a supervisor and the offense is such that it significantly impedes the officer's ability to continue functioning at that officer's current rank, the supervisor could be recommended for demotion to the next lower rank. Recommendations for demotion must be approved by the Mayor and Council. Recommendations for suspension or demotion will include charges and specifications for the particular offense. Suspensions/demotions will become a part of an employee's personnel file.

5. **Recommendation for Termination** - if the employee misconduct is so serious that continued employment is no longer appropriate or is part of a continuing pattern of behavior involving repeated serious or very serious misconduct, employees will as a general rule be recommended for termination. Recommendations for termination will contain charges and specifications for the particular offense. Terminations must be made by the Mayor and will become part of the individual's final employment record with the Police Department.

ADMINISTRATION
DISCIPLINARY SYSTEM
VOL I, CH 9-1

F. **ACCEPTED DISCIPLINE and APPEALS**

1. If the complaint is sustained and it is determined that formal charges should be made, the law enforcement executive will direct either internal affairs or the appropriate commanding officer to prepare, sign, and serve charges upon the subject officer or employee. The individual assigned shall prepare the formal notice of charges and hearing on the charging form. The preliminary notice of disciplinary action must be served on a permanent employee or an employee serving a working test period in the classified service against whom one of the following types of disciplinary action is contemplated.
 - (a) Suspension or fine of more than five days at one time;
 - (b) Suspensions or fines more than three times or for an aggregate of more than fifteen days in one calendar year;
 - (c) Disciplinary demotion from a title in which the employee has permanent status or to which the employee has received a regular appointment;
 - (d) Removal;
 - (e) Resignation not in good standing. A copy of this preliminary notice must be sent to the Department of Personnel. Subsequent to the day of hearing by the appointing authority. This form will also be served upon the officer charged in accordance with N.J.S.A. 40A:14-147.

The notice of charges and hearing shall direct that the officer may:

- 1) Enter a plea of guilty to the charges;
- 2) Enter a plea of not guilty to the charges; or
- 3) Waive his or her right to a hearing. If the officer enters a plea of guilty or waives his or her right to a hearing, the law enforcement executive shall permit the officer to present mitigating factors prior to assessing a penalty. Conclusions of fact and the penalty imposed will be noted in the officer's personnel file after he has been given an opportunity to read and sign it. Internal affairs will cause the penalty to be carried out and complete all required forms.

If the subject officer enters a plea of not guilty and requests a hearing, the law enforcement executive will set the date for the hearing as provided by statute and arrange for the hearing of the charges. Internal affairs shall be responsible for or assist the assigned supervisor or prosecutor in the preparation of the department's prosecution of the charges.

ADMINISTRATION
DISCIPLINARY SYSTEM
VOL I, CH 9-1

The hearing date shall not be less than 10 days nor more than 30 days from the date of the service of the charge form.

This includes proper notification of all witnesses and preparing all documentary and physical evidence for presentation at the hearing.

The hearing shall be held before the Borough of Fort Lee Mayor and Council, or a hearing officer appointed by the Mayor and Council.

A final notice of disciplinary action will be completed following the outcome of the hearing.

2. APPEAL PROCEDURE:

You have a right to appeal disciplinary actions:

- (a) Suspension or fine of more than five days at one time;
- (b) Suspensions or fines more than three times or for an aggregate of more than fifteen days in one calendar year;
- (c) Disciplinary demotion;
- (d) Removal;
- (e) Resignation, not in good standing. Your letter of appeal must be filed with the Merit System Board within 20 days of receipt of this form. Appeals must be sent to:

**Merit System Board,
Front & Montgomery Streets,
CN 312, Trenton, NJ. 08625.**

Appeals must be sent directly to the Merit System Board. Do not give your appeal to your Personnel Office for forwarding to the Merit System Board.

NOTICE: Your health insurance coverage may be affected by this action; check with your Personnel office.

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE:	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME III
VOLUME TITLE: AUTHORITY	# PAGES: 15					CHAPTER 1.1
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: DOMESTIC VIOLENCE INVOLVING A LAW ENFORCEMENT OFFICER						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O. RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

I. PURPOSE

The Fort Lee Police 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 the handling of 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, this department will work to develop and implement appropriate, case-specific remedies to the situation.

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

This policy for handling of domestic violence incidents involving law enforcement officers does not supersede the *Attorney General's Guidelines on Police Response*. This Policy was prepared by this department under the model proposed by the Division of Criminal Justice.

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 September 1, 2000, hereinafter *Attorney General Weapons Seizures Directives*]. These guidelines and directives remain in full force and effect and must be followed by officers from this department when responding to a domestic violence call involving a law enforcement officer. Failure of any officer or supervisor to comply with any provision of this policy 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 a psychological examination of all viable candidates to be performed by an experienced and licensed psychiatrist/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, and 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 on their own initiative to prevent a problem from escalating to the level of criminal conduct.

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

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) Citizen 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.

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

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 the 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 a 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 also 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].

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

- c. Contact and inform the purported victim of the concerns regarding the officer's behavior; that the officer has been ordered to undergo a psychological evaluation; that the evaluator will be contacting the reported victim; that the 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 Departmental Policy and Procedures.
- 4. Officers who are the subject of any domestic violence restraining order or protective order proceeding, whether or not the order is

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

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 and 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 Internal Affairs Officer.
4. The Department will make all such IR's available to the victim without cost. *N.J.S.A. 47:1A-1.1*.
5. The Department will make all such IR's 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.

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

- 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.

- 1. Communications officers/dispatchers will assign a high priority to all domestic violence calls, including those that involve or appear to involve law enforcement personnel from any agency.
- 2. Communications officers/dispatchers will immediately notify the Tour Commander and Road Supervisor of any domestic violence call received that involves, or appears to involve, law enforcement personnel from any agency.

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

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 from 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 Road Supervisor to report to the scene, regardless of the involved officer's jurisdiction.
2. The responding officers will follow standard police response procedures as set forth in the *Attorney General's Guidelines on Police Response Procedures in Domestic Violence Cases*.

D. On-Scene Supervisor Response

1. The Road Supervisor will immediately report to the scene of all law enforcement officer domestic violence incidents regardless of the involved officer's jurisdiction.
2. The Road Supervisor will immediately notify the Bergen 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 Road 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 Road Supervisor will ensure that an arrest is made in cases where mandatory arrest is required. In cases where probable cause exists to arrest although not a mandatory arrest, the Road Supervisor will follow directions from the Bergen County Prosecutor's Office.
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.

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

- b. Ensure that an arrest warrant is sought if a mandatory arrest or advised to do so by the Bergen County Prosecutor's Office, 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. The arresting of 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 and this policy. In determining which party is the primary aggressor where both persons 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 Road Supervisor will ensure the victim is informed of the following:
 - a. Victims' 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 following the incident.
 - d. The availability of confidential transportation to a location that can provide improved victim safety.

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

- 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 Road Supervisor or Tour Commander will explain in a written report why these actions were not taken, and the report shall be forwarded to the Internal Affairs Unit.
10. The Road Supervisor or Tour Commander 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, Law Enforcement Chief Executive, ranking supervisor or an officer of the Internal Affairs Unit 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 Internal Affairs Unit.

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 Weapons Seizure Directives*.
2. When responding to a domestic violence incident involving a law enforcement officer from another county, the Chief of Police or his designee 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 or a Law Enforcement Chief Executive.
4. In responding to domestic violence incidents where the victim is a law enforcement officer, standard domestic

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

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 investigation 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 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 Procedures in Domestic Violence Cases* and in the *Attorney General's Weapons Seizure Directives*.
7. All weapons are to be seized. The Chief of Police or his designee shall notify the federal or out of state 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. A review of department confidentiality guidelines.
 - b. A direct order prohibiting discussion of the incident outside of 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 applicable state and federal firearms laws and determine whether the officer violated department policy by failing to report the temporary or final restraining order.

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

3. Arrest warrants charging law enforcement officers with domestic violence and protective orders issued at a later time should all 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 Guidelines 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 or Law Enforcement Chief Executive of the primary investigative department or his/her designee will immediately contact the designated Principal Law Enforcement Contact person and advise that officer of the domestic violence incident and request that he/she perform the duties listed in Section VIII. A.(6) 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 his or her 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 and 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.

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

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 Department will immediately notify the Prosecutor's Office of the issuance of a restraining order against the officer.
7. The Chief of Police or Law Enforcement Chief Executive or his/her designee will immediately contact the designated Principal Law Enforcement Contact person to perform the duties listed in Section VIII. A.(6) 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-bys.
 - (2) Dismounted patrols.
 - (3) Welfare checks.
 2. Assist in arranging for the transportation of the victim to a safe place when necessary.

AUTHORITY
DOMESTIC VIOLENCE L.E.O.
VOL, III, CH 1.1

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 Principal 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

Departments must conduct an administrative investigation of an alleged incident of domestic violence committed by an officer in the department in accordance with *the Attorney General's Internal Affairs Policy and Procedures Manual*.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 6/6/2006	REVISION DATE: 02-27-2009	PAGE #: 3	SECTION: I.C.5	APPROVED 03-02-2009	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 24					
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ISSUING AUTHORITY: CHIEF THOMAS O. RIPOLI						
						EVALUATION DATE:
ATTORNEY GENERAL, PROSECUTOR'S OFFICE REFERENCE						

POLICY:

The purposes of a performance evaluation system serve both the organization and the individual employee, and they are as follows:

- Validating administrative decisions
- Developing employee capabilities
- Fostering fair and impartial personnel decisions
- Maintaining and improving performance
- Providing a medium for personnel counseling
- Facilitating proper decisions regarding probationary employees
- Providing an objective and fair means for measurement and recognition of individual performance
- Identifying training needs

This performance evaluation system is for all personnel and for this policy may be referred to as an employee.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16
DEFINITIONS:**

Performance Evaluation is the process of communicating work expectations, evaluating employee performance and encouraging performance improvements. For the purpose of this policy, it will be known as the Evaluation System.

Employee- Sworn and non-sworn member of the Fort Lee Police Department

Supervisor- a member of the department with the rank of Sergeant or higher.

Shift Supervisor- a supervisor as assigned by the Chief

Division Commander- a supervisor as assigned by the Chief of Police.

I. ORGANIZATION

A. Evaluation Designators

1. **UNACCEPTABLE:** The employee fails to meet the minimum standard performance requirements. The officer requires close supervision in this area. Corrective action is required. Additional training may be needed to increase the capacity to perform at a minimally acceptable level.
2. **ACCEPTABLE:** The employee fully meets the standard requirements of an assigned position and the performance has been entirely satisfactory. The officer is able to perform in this category in a confident and professional manner. The officer requires only limited supervision.
3. **OUTSTANDING:** The employee's performance is far above acceptable standards. Performance is of high quality and is achieved on a consistent basis. The employee's performance is far above the acceptable standard. The employee displays initiative. Sets an example for other employees

B. Overall Assessment:

Considering the ratings of all performance sections and competencies, then circle the definition that best describes the employee's overall performance during the specific evaluation period.

C. Performance Evaluation Forms (Appendix #1)

1. The Performance Evaluation forms will be completed on a biennial basis.
2. The Evaluation Designators are to be used to qualify the employee's performance. If an employee's performance is best described by a combination of the below three listed standards then the closest Evaluation Designator is to be used for the section rating. Comments are to be added in the space provided as required.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

3. The evaluation period begins on the first day of the shift bids (April & October).
 - a. All evaluations should be submitted by the 15th day of August or February of the rating period.
4. The evaluation shall be based only on the performance during that rating period. Including the officer's progress in improving job performance from the previous evaluation.
5. Civilian employees will be evaluated using the procedures in the Borough Employee hand book, page 64-65, section G. For evaluation form for civilian employees see Appendix 2.

D. Supervisor Responsibilities

1. Supervisors shall evaluate each employee under his/her direct command.
2. Supervisors should meet with their immediate supervisor (Shift Supervisor, Captain, Division Commander) and substantiate the evaluation prior to meeting with his/her employee in order to:
 - a. Identify & explain the employee's strengths and areas for development.
 - b. Elicit employee's agreement with the analysis and their responsibilities
 - c. Recommend a plan for improvement as needed, to include a specific in-service or conduct roll call training to correct & improve the deficient work performance noted.
 - d. Establish a system to monitor and improve performance
3. The supervisors are to rate the employee for the performance in the position held during the rating period.
4. Upon review and approval, the Shift Supervisor, Captain or Division Commander is to complete the Administrative Review box with their name, badge # and date.
5. Upon meeting with the employee, the supervisor is to sign in the space provided.
6. Upon meeting with the employee, the supervisor is have the employee sign the evaluation form in the space provided indicating that they had an opportunity to read the form and discuss the evaluation with the rater. The employee may submit rebuttal, which will be attached to the Evaluation Form.

E. Training: Performance Coaching

1. All supervisors should be trained in an in-service training course as specified by the Chief of Police.
 - a. Department Policy

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

- b. Evaluation Process
- c. Evaluation Forms and Application

II. PROCESS

- A. Each employee shall be rated by their immediate supervisor.
- B. Supervisors / Commanders are to evaluate employees under their direct command supervisors on their job performance including the quality of their evaluations of subordinates.
- C. The results of performance evaluations are be used in any of the following areas:
 - 1. Suitability for unit assignments, special detail assignments
 - 2. Training Needs Assessments
 - 3. Ability to assume additional responsibilities
 - 4. Effectiveness in current position
 - 5. Promotion
- D. Contested Evaluations
 - 1. Any employee that wishes to contest their evaluation will notify the rater in written form within five (5) days after the evaluation has been discussed with the supervisor and the employee being rated.
 - 2. The supervisor will then notify their immediate supervisor so they may schedule a meeting with the employee being rated, the rating supervisor and the supervisor's immediate supervisor.
 - 3. The results of the meeting are to be documented in a written narrative report by the rating supervisor and forwarded through the chain of command to the Division Commander for review and decision.
 - 4. The employee will be advised of the decision and presented with the Evaluation Form to read, review and sign. The employee may submit rebuttal, which will be attached to the Evaluation Form.
 - 5. Any further disputed evaluations are to be forwarded to the Chief of Police for final action.
 - 6. The employee will be advised in writing of the Chief's decision.
- E. Evaluation Retention Period

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

1. Performance evaluations shall be retained in the employee's personnel file for their entire term of employment.
- F. The evaluation process should be reviewed on an annual basis or as directed by the Chief of Police.

III. UTILIZATION

- A. Probationary sworn employees (trainees) are evaluated as part of the Field Training Program (See V6C7).
- B. If a probationary sworn employee is released from the Field Training Program during an evaluation period then the supervisor is to rate the employees for the period of time that they are assigned to that supervisor.
- C. All employees should be advised of the following, during a consulting session with their rater, at the beginning of each rating period concerning:

1. Tasks of the position occupied
2. Level of performance expected
3. Evaluation rating criteria

This session is to be documented in the supervisor's Daily Activity Email.

- D. Performance Notice (Incident Report)
1. A written notice of performance should be documented on an Incident Report. The evaluating supervisor may review these notice(s) to aid and guide them when completing the Performance Evaluation.
 2. If the employee is under the command of another supervisor then they are to be advised of the Incident.
- E. Supervisors are required to substantiate all acute designators, the unacceptable or outstanding ratings in the comments section. A narrative report may also be utilized if needed. Comments should be added on ALL designators.
- F. A copy of the Performance Evaluation may be retained by the employee.
- G. Officer Activity Reports should be reviewed in CAD / RMS and may be printed out and retained by the supervisor for future use when preparing the evaluation.
- H. Shift Supervisors should review the shift activity in CAD/ RMS which may be printed out and retained by the Shift Supervisor for future use when preparing the evaluation on the supervisor or reviewing evaluations of officers.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

IV. STANDARD EVALUATION GUIDE

- A. The following guide should be used as examples of employee's performance when completing the Evaluation Form.

FORT LEE
POLICE DEPARTMENT

STANDARD EVALUATION GUIDELINES

SECTION I: JOB KNOWLEDGE

LAWS OF ARREST, SEARCH AND SEIZURE/CRIMINAL PROCEDURE

CRITERIA: Evaluates detective's / officer's knowledge of criminal procedures, including laws of arrest. Search/seizure and the officer's application of those procedures in field situations. Evaluates detective's ability to process criminal warrants/summons. Evaluates the officer's ability to prepare case jackets and courtroom testimony.

- A. **UNACCEPTABLE:** Violates procedural requirements. Attempts to conduct illegal searches. Fails to search when appropriate, attempts to seize evidence illegally, attempts to arrest unlawfully. Is unfamiliar with criminal warrant/summons processing. Is not well prepared to testify in court proceedings. Fails to have required witnesses.
- B. **ACCEPTABLE:** Follows required procedure in commonly encountered situations. Conducts proper searches and seizes evidence legally. Arrests are made within legal guidelines. Knows criminal warrant/summons processing. Is well prepared to testify in court. Reviews the case and has required witnesses in court.
- C. **OUTSTANDING:** Follows required procedure in all cases, accurately applying law relative to searching, seizing evidence and affecting arrests. Can initiate and issue criminal warrants/summons. Consistently provides accurate and complete testimony in courtroom proceedings. All required witnesses are prepared and available to testify.

DEPARTMENTAL POLICIES/PROCEDURES/INSTRUCTIONS

CRITERIA: Evaluates the officer's knowledge of departmental procedures and ability to apply this knowledge under field conditions. Evaluates the officer's ability to carry out verbal and written instruction.

- A. **UNACCEPTABLE:** Fails to display knowledge of department policies/ procedures and/or violates them. The officer does not comply or reply to verbal or written instruction or requests.
- B. **ACCEPTABLE:** Familiar with most commonly applied department policies/procedures and complies with them. Carries out written or verbal instruction without direct supervision.
- C. **OUTSTANDING:** Has an excellent working knowledge of departmental policies/procedures and applies them appropriately to the given situation. Responds to all written or verbal instruction without supervision.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

USE OF REFERENCE MANUALS AND RESOURCES

CRITERIA: Evaluates how the officer / detective utilizes reference aids necessary for job accomplishment. Patrol – name / address directories, Detectives- intelligence information received/disseminates, cooperation with other jurisdictions, review of county/state updates.

- A. **UNACCEPTABLE:** Unable to locate manuals or resource materials necessary to complete a given task and answer a question. Compromises expeditious accomplishment of task(s) due to lack of familiarity with manuals or resources.
- B. **ACCEPTABLE:** Able to locate the proper manuals and/or resources necessary for expeditious completion of a given task or respond to a question.
- C. **OUTSTANDING:** Consistently able to locate the proper manual or resources to handle any task/question in an expeditious and accurate manner thereby expediting the proper response.

MANAGEMENT OF RESPONSIBILITIES

CRITERIA: Evaluates the officer's ability to properly manage specific areas of assigned responsibility. This includes: creating and maintaining appropriate written documentation, effectiveness and impact of individual programs, meeting departmental goals and objectives and the ability to follow through and revise programs when required. Maintains the skill level through training and experience to accomplish assignments.

- A. **UNACCEPTABLE:** The officer fails to devote enough time and effort to complete required tasks. The officer is unfamiliar with the full responsibilities of the assignment and areas are left incomplete. Fails to create or maintain required written documentation. Fails to complete assignments or update material. Officer fails to possess skill/training level to accomplish projects.
- B. **ACCEPTABLE:** The officer properly manages his time to complete assigned projects. Documentation is thorough and complete. The officer designs projects to accomplish the goals and objectives of the department. The officer maintains or acquires specific knowledge to manage effective programs.
- C. **OUTSTANDING:** The officer consistently manages areas of responsibility in an efficient, effective manner. Creates and organizes detailed thorough documentation in order to accomplish tasks. Routinely updates and revises programs without supervision. Suggests and follows through on innovative projects to accomplish goals.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

SECTION II: JOB PERFORMANCE

FIELD PERFORMANCE

CRITERIA: Evaluates the officer's ability to perform law enforcement activities under stressful/normal conditions and take proper action.

- A. **UNACCEPTABLE:** Becomes emotional, is panic-stricken. Cannot function, holds back, loses temper or displays cowardice. Over/under reacts. Becomes confused and disoriented when confronted with even a routine task. Does not/cannot complete task. Takes wrong course of action. Avoids taking action.
- B. **ACCEPTABLE:** Exhibits calm and self-control in most situations, determines course of action and takes it. Does not allow the situation to further deteriorate. Properly assesses routine situations.
- C. **OUTSTANDING:** Maintains calm and self-control in even the most extreme conditions. Quickly restores control and takes command. Determines best course of action without assistance. Properly assesses unusual, complex and routine situations. Determines appropriate course of action and takes same without assistance.

SELF-INITIATED FIELD ACTIVITY

CRITERIA: Evaluates the officer's interest and ability to initiate law enforcement related activity. Observes and effects appropriate response. Maintains summary sheets and information given at briefing and uses that information as "probable cause".

- A. **UNACCEPTABLE:** Does not see or avoids activity. Does not follow-up on situations. Rationalizes suspicious circumstances. Does not have broad orientation to the job.
- B. **ACCEPTABLE:** Recognizes and identifies law enforcement related activities. Has a broad orientation to the job including low and high priority activity. Displays inquisitiveness.
- C. **OUTSTANDING:** Seldom misses observable activity. Maintains knowledge of low/high productivity areas. Makes good quality arrests and/or proper dispositions from observed activity. "Thinks on his/her own feet."

PRODUCTIVITY

CRITERIA: Evaluates the quantity of an officer's work. The following categories of activity will be measured: motor vehicle summonses, motor vehicle warnings, criminal arrests, juvenile arrests / contacts, borough ordinance violations and DWI arrests. Evaluates the quantity of a detective's work. In addition to the possible activity they will be measured

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

on cases closed and other responsibilities. Evaluates the amount of work produced, based on established standards.

- A. **UNACCEPTABLE:** Not acceptable by departmental standards. The detective fails to manage cases properly, using proper disposition of cases. Officer fails to maintain an acceptable level of productivity.
- B. **ACCEPTABLE:** Productivity is acceptable by departmental standards. The detective has managed cases properly with proper disposition of cases. Officer has maintained an acceptable level of productivity.
- C. **OUTSTANDING:** Superior by departmental standards. The officer consistently maintains productivity. The detective properly disposes of cases in an efficient manner. The detective accepts additional cases and responsibilities. Productivity above departmental standards.

**REPORT WRITING: GRAMMAR/SPELLING/ NEATNESS GRAMMAR/SPELLING/ NEATNESS
APPROPRIATE TIME USED**

CRITERIA: Evaluates officer's ability to properly utilize departmental forms appropriate to accomplish the task and prepare reports that accurately reflect the situation in a detailed, organized manner. Evaluates the officer's ability to use proper English; to follow proper rules of grammar; accurately spell and write legible reports. Evaluates the officer's efficiency relative to the amount of time taken to write a report and to submit it within approved time frame. Evaluates the officer's efficiency relative to the amount of time taken to write the report(s).

- A. **UNACCEPTABLE:** Is unaware that a form must be completed and/or is unable to complete the proper form for the given situation. Forms are submitted incomplete, inaccurate or improperly used. Leaves out pertinent information. Reports are illegible. Reports contain an excessive number of misspelled words. Sentence structure or word usage is improper or incomplete. Requires an excessive amount of time to complete a report. Does not properly organize and manage time to allow for the completion of reports. Submits reports late. Does not properly utilize incomplete report process.
- B. **ACCEPTABLE:** Is familiar with commonly used forms and understands their use. Completes them with acceptable accuracy and thoroughness. Reports are legible and grammar is at an acceptable level. Proper spelling is utilized and errors are rare. Completes reports within a reasonable amount of time. Reports are not turned in late and incomplete report forms are properly utilized.
- C. **OUTSTANDING:** Consistently makes accurate form selection and rapidly completes detailed forms without assistance. Displays a high degree of accuracy. Provides a concise, but sufficient detailed account of information reported/investigated. Reports are always neat and legible and contain no spelling or grammar errors. Completes reports

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

consistently in a timely manner. Properly organizes his/her shift so that all paperwork is completed prior to the end of the shift. Completes accurate and detailed incomplete report forms. Consistently follows through on all incomplete reports.

POLICE COMMUNICATIONS / RADIO COMPREHENSION

CRITERIA: Evaluates the officer's ability to use the law enforcement radio network in accordance with departmental policy and procedure. Evaluates the officer's ability to pay attention to radio communications traffic and to understand the information transmitted. Evaluates the officer's ability to effectively communicate with the telecommunications operator and other officers.

- A. **UNACCEPTABLE:** Violate policy concerning the use of the radio. Does not follow procedures or follows wrong procedure. Does not understand, use proper codes or use clear channel language when required. Repeatedly misses own call sign. Is unaware of calls in other patrol areas. Requires the telecommunications operator to repeat radio transmissions or does not accurately comprehend transmission. Does not preplan radio transmissions. Officer over or under modulates, cuts off message. Speaks too fast or too slowly.
- B. **ACCEPTABLE:** Follows policy and accepted procedures. Has good working knowledge of selected codes and language. Receives and acknowledges radio transmissions. Properly monitors calls in other patrol areas. Talks clearly and concisely. Makes a notation of radio communications.
- C. **OUTSTANDING:** Always follows proper procedures, adheres to policy. Applies knowledge with ease when using the radio. Is aware of own radio traffic and in surrounding patrol areas. Utilizes previously transmitted information to advantage. Transmits clearly and calmly even in the most stressful situations. Transmissions are well thought out and do not have to be repeated. Is aware of own radio traffic and traffic in the surrounding patrol areas. Is aware of traffic in other parts of the jurisdiction and uses previously transmitted information to advantage.

INITIATIVE / MOTIVATION

CRITERIA: Evaluates the officer's activity to suggest, develop and follow through new ideas to improve the operation of the department. Evaluates the officer's desire to seek self-improvement through additional training or job assignments.

- A. **UNACCEPTABLE:** Demonstrates little desire for self-improvement. Officer routinely complains about the operations of the department but does not suggest or develop ideas for change. Officer avoids or rejects additional training or job assignments.
- B. **ACCEPTABLE:** The officer demonstrates the desire to seek self-improvement. Will suggest ideas and assist in the development of new procedures. Volunteers for additional training and job assignments.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

- C. **OUTSTANDING:** The officer suggests new ideas and follows through in their development. The officer actively seeks out additional training and job assignments.

INVESTIGATIVE SKILL (On-Scene)

CRITERIA: Evaluates the officer's ability to conduct a proper on-scene investigation including appropriate interviewing techniques and crime scene security procedures.

- A. **UNACCEPTABLE:** Does not conduct a basic investigation or conducts investigation improperly. Unable to accurately diagnose offense committed, does not elicit or record available information. Does not establish appropriate rapport with subject and/or does not control interview of subjects. Fails to give Miranda Warnings. Makes frequent mistakes when identifying, collecting or logging evidence. Lacks skill in collection and preservation of evidence. Does not protect the crime scene. Fails to discern readily available evidence.
- B. **ACCEPTABLE:** Follows proper on-scene investigatory procedure in all but the most difficult or unusual cases. Is generally accurate in diagnosis of nature of offense committed. Uses proper questioning techniques. Elicits most available information and properly documents. Establishes proper rapport with most victims/witnesses. Controls the interview of most suspects and administers proper Miranda Warnings. Collects, tags, logs evidence properly. Connects evidence with suspect when apparent. Properly protects crime scene for processing.
- C. **OUTSTANDING:** Always follows proper on-scene investigatory procedure and always accurate in diagnosis of offense committed. Always uses proper questioning techniques. Elicits available information and properly documents. Controls the interview of even the most difficult suspects. Connects evidence with suspect even when not apparent. Demonstrates ability to secure the crime scene, affect a comprehensive crime scene search when appropriate. Properly collect, tag and log evidence.

CRIME SCENE SECURITY

CRITERIA: Evaluates the officer's ability to gain control and maintain security of a crime scene through verbal commands and physical barriers. Evaluates the officer's ability to request additional resources.

- A. **UNACCEPTABLE:** Does not systematically coordinate efforts of the crime scene security. Does not properly secure scene against contamination. Does not assume charge over scene.
- B. **ACCEPTABLE:** Speaks with authority in a calm voice. Obtains and maintains control through the use of proper delegation of tasks and crime scene management. Properly secures the scene against contamination with the aid of barrier tape or vehicles.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

- C. **OUTSTANDING:** Completely controls the scene with authority and confidence. Excellent knowledge and ability in the area of crime scene protocols. Anticipates scene problems and reacts accordingly by proper preservation of evidence, or controlling a crowd situation with proper scene security techniques.

DRIVING SKILL: STRESS/NON-STRESS CONDITIONS

CRITERIA: Evaluates the officer's skill in vehicle operation under normal and emergency response.

- A. **UNACCEPTABLE:** Frequently violates traffic laws. Involved in collision(s). Uses emergency equipment unnecessarily or improperly. Drives too fast or too slow for the situation. Loses control of the vehicle on corners and fails to properly slow for intersections. Displays poor manipulative skills in vehicle operation. Repeatedly fails to wear seatbelt. Consistently uses the laptop computer to communicate or talks on cellular phone while driving.
- B. **ACCEPTABLE:** Maintains control of the vehicle. Evaluates driving situations and reacts properly (i.e., proper speed for conditions). Obeys traffic laws; very prudently operates vehicle when necessary to violate traffic laws without placing others at risk. Drives defensively - alert to surrounding activity. Wears seatbelt. Pulls to the side of the road to use a cellular phone or use the laptop computer to communicate.
- C. **OUTSTANDING:** Displays high degree of reflex ability and driving competence. Maintains excellent control of the vehicle even while performing other tasks/functions (e.g., operating radio, making handwritten notes, log entries, etc.). Anticipates driving situations in advance and acts accordingly. Practices defensive driving techniques. Responds very well to the degree of stress. Always drives in a defensive and courteous manner.

COLLISION INVESTIGATION SKILL

CRITERIA: Evaluates officer's ability to properly manage a collision scene by safely securing the scene to prevent further injury/collisions, summon the appropriate assistance, conduct a proper investigation, and take enforcement action when necessary.

- A. **UNACCEPTABLE:** Fails to safely manage collision scene; is unsure of steps of "safe collision scene" processing. Fails to summon appropriate assistance (emergency medical response, additional law enforcement units, tow trucks, etc.). Unable to determine correct violation citation; is uncertain of proper motor vehicle code(s) and unsure/confused at what appropriate enforcement action to take. Creates poor diagram(s) of collision scene.
- B. **ACCEPTABLE:** Safely manages collision scene. Establishes proper charges, diagrams completely/accurately and correctly. Reports are neat. Summons appropriate assistance when necessary.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

- C. **OUTSTANDING:** Completes neat, accurate collision reports in a timely manner. Knows appropriate charges even in complex situations. Capable of handling major collision scenes correctly.

PATROL OPERATION SKILL

CRITERIA: Evaluates the officer's ability to provide a full range of field patrol services, including public assistance, protection of the rights/ dignity of people, reducing opportunities for antisocial and criminal activity and deterring crime whenever possible.

- A. **UNACCEPTABLE:** Fails to thoroughly check residential and commercial areas for possible criminal activity, does not effect field investigations of suspicious persons and completes I.R. cards. Does not know high crime "target" areas/locations and how to effect location-oriented patrol. Does not recognize known offenders and locations frequented by them. Does not know appropriate community referral agencies/service providers. Does not assist a person in need.
- B. **ACCEPTABLE:** Uses non-assigned patrol time to check residential/ commercial areas for possible criminal activity. Recognizes "out-of-the-ordinary" activity and takes appropriate follow-up action. Has a good working knowledge of community referral agencies and service providers and does not hesitate to assist persons in need.
- C. **OUTSTANDING:** Aggressively checks residential/commercial areas for possible activity and takes appropriate action. Spontaneously effects location/perpetrator oriented patrol activities.

SECTION III: WORK CONDUCT

APPEARANCE AND CARE OF EQUIPMENT

CRITERIA: Evaluates the officer's overall physical appearance. This includes his entire uniform including leather gear and shoes. Evaluates the effort demonstrated to maintain his/her personal appearance to create a professional image. Evaluates the level of care, maintenance and accountability given to assigned equipment. This would include the unmarked or marked police patrol vehicle, emergency equipment and all weapons.

- A. **UNACCEPTABLE:** The officer presents a poor appearance due to wrinkled, dirty or poorly fitted clothing or uniform. Assigned equipment is missing or carelessly handled, resulting in an inoperative condition. Fails to conduct routine vehicle maintenance checks.
- B. **ACCEPTABLE:** The officer presents a totally satisfactory appearance. All assigned equipment is accounted for and maintained in good operating condition.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

- C. **OUTSTANDING:** The officer consistently maintains a professional appearance. This officer demonstrates extra effort in this area. The officer demonstrates sincere concern and care for all assigned equipment.

ATTITUDE AND CONDUCT

CRITERIA: Evaluates how the officer views his career in terms of personal motivation goals and acceptance of the responsibilities of the job. The officer's performance follows established policy and procedure and rules of conduct. Evaluates the officer's performance towards the accomplishment of goals set by the department.

- A. **UNACCEPTABLE:** The officer views his career in terms as only a job. Uses job to boost ego, abuses authority and demonstrates little dedication to the principles of the profession. Violates established policy procedure and rules of conduct.
- B. **ACCEPTABLE:** Demonstrates an active interest in their career and in law enforcement responsibilities. Provides proper level of service to persons in need of law enforcement services. Performance is geared to accomplish goals of the department. Performance conforms to established policy and procedure and rules of conduct.
- C. **OUTSTANDING:** Actively solicits assistance from others to increase knowledge and skills. Demonstrates concern for the fair and equitable enforcement of the law; exhibits high ideals in terms of professional responsibilities. Consistently follows established policy and procedure and rules of conduct. Demonstrates effort to accomplish the goals set by the department.

TREATMENT / RELATIONSHIP COWORKERS

CRITERIA: Evaluates how the officer interacts with coworkers in terms of interpersonal communication skills, the ability to actively listen to other employees and capacity to process different points of view. Accept and give and constructive criticism. The officer's respect and acceptance of others as individuals.

- A. **UNACCEPTABLE:** The officer usually does most of the talking and does not listen, is easily distracted during a conversation, tries to change the subject to avoid it. The officer comments or gives their opinion regardless of surroundings. When provided with unfavorable feedback they get angry or very defensive. Criticisms or make inappropriate comments with other people in the area. Violates established policy procedure and rules of conduct.
- B. **ACCEPTABLE:** The officer talks and actively listens with others. Makes eye contact when communicating, uses courtesy words and proper body language. Allows comfortable personal space when talking. The officer end conversations in an appropriate manner. The officer is courteous to fellow employees. The officer is aware of their surroundings and handles discussions and issues in an appropriate private manner. Receptive to constructive criticism does not get angry or very defensive. Complies with established policy procedure and rules of conduct.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

- D. **OUTSTANDING:** The officer demonstrates to others how to talk and actively listen while communicating. Makes eye contact when communicating, uses courtesy words and proper body language. Always allows comfortable personal space when talking. The officer ends conversations in an appropriate manner. The officer personally extends themselves to assist another employee. The officer is aware of their surroundings and handles discussions and issues in an appropriate private manner. Receptive to constructive criticism does not get angry or very defensive. Complies with established policy procedure and rules of conduct.

SECTION IV: COOPERATION

COMMAND PRESENCE / COOPERATION

- CRITERIA:** Evaluates the officer's ability to effectively direct and influence others. The officer can make decisions on the spot after evaluating all available information without having to rely on direct supervisory input. The officer competently conducts his shift in an effective manner and relates well with junior officers providing a positive role model.
- A. **UNACCEPTABLE:** The officer is unable to effectively direct and control junior officers. The officer has difficulty making decisions or makes decisions without properly evaluating the situation. The officer requires continual supervisory input and directions.
- B. **ACCEPTABLE:** The officer when called upon can provide the direction and organizational skills required to handle a variety of situations. Requires minimal supervisory input to handle his/her responsibilities.
- C. **OUTSTANDING:** The officer is recognized by junior officers and their supervisor as an effective leader. The officer consistently controls and directs the performance of others to successfully accomplish tasks.

SECTION V: SAFETY

OFFICER SAFETY

- CRITERIA:** Evaluates the officer's ability to perform law enforcement tasks without injuring self or other or exposing self/others to unnecessary danger/risk.
- A. **UNACCEPTABLE:** Officer fails to follow accepted safety procedures or to exercise officer safety principles, i.e.:
1. Exposes weapons to suspect (shotgun, handgun, PR-24, etc.).
 2. Fails to keep gun hand free during enforcement situations.
 3. Stands in front of violator car door.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

4. Fails to approach vehicle/building with approved precautionary measures when required.
5. Fails to control the suspect's movements.
6. Does not keep the suspect/violator in sight.
7. Fails to use illumination when necessary or uses it improperly.
8. Fails to advise telecommunications operator when leaving police vehicle or when out on portable radio or using pager.
9. Fails to maintain adequate physical condition. Has difficulty dealing with strenuous physical activity.
10. Fails to utilize or maintain personal safety equipment.
11. Does not anticipate potentially dangerous situations.
12. Is careless with gun or other weapons.
13. Demonstrates unfamiliarity/lack of training with gun or other weapons.
14. Stands in front of door while knocking or dealing with potentially hazardous situations.
15. Stands too close to passing traffic, creates hazard to suspect/violator.
16. Demonstrates unfamiliarity/lack of training with gun or other weapons.
17. Stands in front of door while knocking in potentially hazardous situations.
18. Makes improper choice of weapon and when to use it.
19. Fails to provide cover/backup for other law enforcement personnel.
20. Fails to search police vehicle prior to start of duty and after prisoner transportation.
21. Stands between contact officer, backup personnel and suspect/violator.
22. Fails to secure weapon during processing of suspect.
23. Fails to conduct frisk-pat down searches when warranted.
24. Confronts subjects while seated in the vehicle.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

- 25. Fails to utilize handcuffs when appropriate.
- 26. Fails to search suspects after arrest.
- B. **ACCEPTABLE:** Follows accepted safety procedures with suspects, suspicious persons and prisoners. Understands and applies.
- C. **OUTSTANDING:** Always is safety conscious. Anticipates compromising and/or dangerous situations and prepares for them accordingly. Keeps partner informed and determines the best position for self and others. Is alert to changing situations and prevents opportunities for danger from developing.

SITUATION MANAGEMENT - VERBAL/PHYSICAL SKILLS

- CRITERIA:** Evaluates the officer's ability to gain and maintain control of situations through verbal command and instruction. Evaluates the officer's ability to use the proper level of force and body positioning for the given situation.
- A. **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. Uses too little or too much force for the given situation. Is physically unable to perform the task. Does not use proper restraints when required. Fails to control the movement of others through proper body positioning.
 - B. **ACCEPTABLE:** Speaks with authority in a calm voice. Proper selection of words and knowledge of when and how to use them. Obtains and maintains control through the use of the proper amounts of techniques and force application (without excessive force) and body positioning reactive to the movements of others.
 - C. **OUTSTANDING:** 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 tone, voice and word selection. Excellent knowledge and ability in the use of restraints and selects the right amount of force for the given situation. Anticipates movements of others and reacts accordingly by controlling the movements of others.

SECTION VI: COMMUNITY RELATIONSHIP & INTERACTION

RELATIONSHIPS: PUBLIC

- CRITERIA:** Evaluates the officer's ability to interact with citizens (including suspects/arrestees) in an appropriate manner without regard to race, sex, age, national origin, religion or physical/mental ability. The officer is aware of cultural diversities and sensitive to the needs of the community. The officer is able to handle verbal abuse without losing control of the situation. Courtesy, professionalism and respect are practiced during performance of routine duties. Evaluates the officer's ability to exchange and share information with other units and individuals. The officer works well

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

in a team effort to accomplish the goals of the department. Evaluates the manner in which the officer accepts supervisory feedback and criticism and how that feedback is used to further the learning process to improve performance skills.

- A. **UNACCEPTABLE:** Officer is abrupt, belligerent, overbearing, arrogant or uncommunicative. Overlooks or avoids "service" aspect of the job. Officer is introverted, insensitive or uncaring. Officer displays poor non-verbal skills. Officer rationalizes mistakes, denies that errors were made, is argumentative, refuses to or does not attempt to make corrections. Considers criticism as a personal attack.
- B. **ACCEPTABLE:** The officer is courteous, friendly and empathetic. Communicates in a professional, unbiased manner. Officer is service oriented. Good non-verbal skills. The officer accepts criticism in a positive manner and applies it to improve performance and further learning.
- C. **OUTSTANDING:** The officer is very much at ease with citizen contacts. Quickly establishes rapport and leaves people with feeling that the officer was interested in serving them. The officer is objective in all contacts. Excellent "non-verbal" skills. Actively solicits criticism & feedback in order to further learning and improve performance. Does not argue or blame others for errors.

SECTION VII: JUDGEMENT

PROBLEM SOLVING/DECISION MAKING

CRITERIA: Evaluates the officer's performance in terms of ability to perceive, form valid conclusions, arrive at sound judgments and make proper decisions.

- A. **UNACCEPTABLE:** Acts without prior thought, planning or good reason. Is indecisive, naive. Is unable to reason through a problem and come to a conclusion. Cannot recall previous solutions and apply them in like situations. Relies on others.
- B. **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.
- C. **OUTSTANDING:** Able to reason through even 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 current situations.

SECTION VIII: RELIABILITY

ATTENDANCE, ABSENTEEISM, PUNCTUALITY

CRITERIA: Evaluates the officer's attendance, absenteeism and ability to arrive punctually for shifts, meetings and assignments.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

- A. **UNACCEPTABLE:** Attendance and or punctuality is poor, creating a negative impact of fellow workers or unit. Repeatedly arrives late to work, is tardy or fails to make proper notifications as required. Absenteeism is significant or has a pattern. Has been classified as a sick time abuser as established by SOP.
- B. **ACCEPTABLE:** Has good attendance and is punctual for assignments. No unexcused absences or a pattern of absenteeism. Normally arrives on time. Tardiness is held to a minimum and with good cause. Makes proper notifications as required. Uses normal amount of unexcused sick time.
- C. **OUTSTANDING:** In addition to scheduled work shifts, the employee accomplishes additional tasks through additional effort and hours as needed. Virtually perfect attendance record, rarely calls in sick. Regularly arrives early for shift.

SECTION IX: DETECTIVE INVESTIGATIVE RESPONSIBILITIES

USE OF REFERENCE MANUALS AND RESOURCES See Section I

INTERVIEW & INTEROGATION

CRITERIA: Evaluates the detective's ability to gain and maintain control of an interview and interrogation through verbal command and instruction. Evaluates the detective's ability to obtain or extract information in a legal manner.

- A. **UNACCEPTABLE:** Speaks too softly or timidly, speaks too loudly, confuses or angers people by what is said and/or how it is said. Repeatedly fails to use proper interview or interrogation techniques.
- B. **ACCEPTABLE:** Speaks with authority in a calm voice. Uses proper selection of interview or interrogation techniques. Obtains and documents useful information.
- C. **OUTSTANDING:** Frequently speaks with authority in a calm voice. Properly select the appropriate interview or interrogation techniques. Routinely obtains and documents useful information. Restores order in even the most trying situations through use of tone, voice and word selection. Has excellent knowledge and ability as an interrogator. Assists other detectives in proper preparation for interviews.

CRIME SCENE

CRITERIA: Evaluates the detective's ability to gain, assume or maintain control of crime scenes through verbal command and instruction. Evaluates the detective's ability to coordinate efforts between various responding units or agencies.

- A. **UNACCEPTABLE:** Does not systematically coordinate efforts of the crime scene search. Does not properly secure scene against contamination. Does not assume charge over scene.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

- B. **ACCEPTABLE:** Speaks with authority in a calm voice. Obtains and maintains control through the use of proper delegation of tasks and crime scene management. Coordinates efforts so that all tasks are completed without duplication. Properly secures the scene against contamination.
- C. **OUTSTANDING:** Completely controls the scene with authority and confidence. Excellent knowledge and ability in the area of crime scene techniques. Anticipates scene problems and reacts accordingly by proper collection of evidence, staffing a staging area (i.e., media officer), or controlling a crowd situation with proper scene security techniques.

CRIME ANALYSIS & CASE DEVELOPMENT

- CRITERIA:** Evaluates the detective's ability to organize facts from various crimes and develop a connection or pattern. Properly develop an investigation into a prosecutable case.
- A. **UNACCEPTABLE:** Repeatedly fails to properly investigate criminal cases assigned. Fails to recognize crime patterns with known actor's modus operandi. Repeatedly fails to take the appropriate action as required or directed.
 - B. **ACCEPTABLE:** Properly investigates criminal cases assigned. Takes the appropriate action as required with little or no direction. Recognizes crime patterns with known actor's modus operandi. Develops investigations to their logical conclusion.
 - C. **OUTSTANDING:** Assists other detectives in properly investigate criminal cases. Repeatedly take the appropriate action as required. Routinely obtains and documents useful information from other sources. Has excellent job knowledge and ability. Assists other detectives in evaluating their investigations.

SECTION X: SUPERVISOR RESPONSIBILITIES

PERSONNEL TRAINING:

- CRITERIA:** Evaluates the quality of instruction provided by the supervisor. This includes Roll Call Training, Review of Policy Changes, Review of Special Orders or Memoranda, Formal In-Service Training Classes and Individual Informal Training Sessions. Evaluates the supervisor's knowledge of the subject matter, ability to prepare lesson plans and properly instruct subordinates. Evaluates the supervisor's ability to create a good learning environment and to motivate comprehension and compliance. Completes required training documentation.
- A. **UNACCEPTABLE:** Fails to conduct assigned training sessions. Has poor knowledge of subject matter. Fails to submit complete training documentation. Fails to adequately prepare for training or exhibits insincerity during training.

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

- B. **ACCEPTABLE:** Conducts all training as required. Documentation is completed and submitted as required. Demonstrates effort to provide quality instruction by properly reviewing material prior to the training. Develops lesson plans when required. Encourages participation by subordinates.
- C. **OUTSTANDING:** Consistently provides accurate, thorough training that encourages comprehension and compliance. Recommends and develops original training programs. Demonstrates proficiency in subject matter and training techniques. The trainer evaluates the success of the training session through verbal or written feedback. Completes all aspects of training with little or no supervision.

SHIFT PLANNING

- CRITERIA:** Evaluates the supervisor's ability to carry out the daily responsibilities of his/her shift. This includes the proper and efficient assignment of officers, vehicles and equipment, review of all incident cards, vehicle cards and reports generated by officers, inspection services, review of shift assignments and staffing. Evaluates the sergeant's ability to direct, control and anticipate situations.
- A. **UNACCEPTABLE:** Paperwork is consistently not reviewed as required. Passes off work to another supervisor. Fails to conduct and follow through on inspection services. Assignments are not carried out during the shift. Has difficulty organizing a response to a changing or unanticipated situation. Fails to comply with responsibilities of a supervisor as outlined in established policy and procedure.
 - B. **ACCEPTABLE:** Reviews all officers generated paperwork and returns for correction when required. Properly assigns officers and equipment in order to complete a task. Can adapt plans and organize a response to a changing situation. Complies with responsibilities of a supervisor as outlined in established policy and procedure.
 - C. **OUTSTANDING:** Consistently reviews all required paperwork and follows through to see that corrections have been made. Officers and equipment are managed effectively to accomplish all tasks. Anticipates changing situations and organizes response(s) accordingly. All daily responsibilities are routinely carried out. Little or no supervision is required in order to manage the shift operation. Conducts inspections of personnel and equipment and follows up on deficient area(s) with employee.

LEADERSHIP ABILITY /SUPERVISORY SKILLS

- CRITERIA:** Evaluates the supervisor's ability to effectively direct, control and influence others. The supervisor can make decisions on the spot after evaluating all available information without having to rely on direct supervisory input. The supervisor competently conducts his shift in an efficient manner and relates well with assigned officers providing a positive role model. Evaluates the supervisor's ability to administer the disciplinary process and encourages compliance with rules and regulations. The

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

supervisor conducts impartial and thorough evaluations. Evaluates the supervisor's ability to conduct thorough and impartial investigations of employee misconduct.

- A. **UNACCEPTABLE:** The supervisor is unable to effectively direct and control assigned officers. The supervisor has difficulty making decisions or makes decisions without properly evaluating the situation. The supervisor requires continual command input and directions. Submits incomplete or inaccurate subordinate evaluations without researching or maintaining supportive documentation. Fails to initiate or manage disciplinary action when required.
- B. **ACCEPTABLE:** The supervisor when called upon can provide the direction and organizational skills required to handle a variety of situations. Requires minimal command input to handle his/her responsibilities. Effectively directs others to accomplish tasks or goals. The supervisor encourages compliance with rules and regulations. Provides both positive and negative reinforcement when required. Completes thorough evaluations based upon personal observation and supportive documentation. All disciplinary action is handled impartially and fairly.
- C. **OUTSTANDING:** The supervisor is recognized by assigned officers and his supervisor as an effective leader. The supervisor consistently controls and directs the performance of others to successfully accomplish tasks. Consistently completes detailed, thorough evaluations based upon impartial documentation. Makes decisions that are consistently based upon sound procedure. Provides both positive and negative discipline to effectively control and direct subordinates.

DELEGATION SKILLS:

CRITERIA: Evaluates the supervisor's ability to effectively establish plans, set priorities, and delegate tasks and responsibilities appropriately. The ability to effectively organize and manage human, physical and financial resources, organizes activities, manage time and multitask to achieve goals.

- A. **UNACCEPTABLE:** The supervisor is unable to effectively assign to others specific tasks and the requisite authority to complete those tasks in a timely manner. Fails to understand the important advantages of a successful delegation and is unable to plan activities so as to maximize the effective use of manpower.
- B. **ACCEPTABLE:** The supervisor communicates clearly and specifically the objectives of the delegated tasks with a target date for completion. Provides the employee with the authority and means to do the job and follows up the delegated task with supervision. Gives the employee feedback on performance and encourages good work with recognition and reward.
- C. **OUTSTANDING:** The supervisor displays a level of trust and confidence in the development of his employees through the delegation process. Consistently analyses daily, weekly and monthly tasks and prepares assignments based upon skills, capabilities

**ADMINISTRATION
EVALUATION PROCESS
VOL I CH 16**

and employee experience and preference. Expresses and conveys the desire to enhance employee's job knowledge and potential career development.

PROBLEM SOLVING:

CRITERIA: Evaluates the supervisor's ability to effectively identify and define police related problems, determine the root causes, respond with a solution plan to either eliminate or reduce its severity, and assess the results with countermeasures for reoccurrence.

- A. **UNACCEPTABLE:** The supervisor is unable to effectively initiate solutions to problems and avoids the responsibility and challenge of problem solving with in appropriate strategies and inaction. Unable to forecast potential problems and fails to recognize the consequences.
- B. **ACCEPTABLE:** The supervisor carefully considers all facts and information when formulating solutions to problems. Finds the right answers to the tough questions and uses all organizational resources when problem solving. Shows good response to all emergency calls with a good sense of street and patrol knowledge for resolution.
- C. **OUTSTANDING:** The supervisor excels at the important organization function of problem solving. Has the ability to be proactive and has the ability to turn difficult problems into opportunities and effective solutions. Demonstrates excellent creativity and technical knowledge when confronted with the most difficult tasks.

DECISION MAKING:

CRITERIA: Evaluates the supervisor's ability to effectively and consistently make sound decisions in administrative and operational matters. The ability to reach sound conclusions and recommendations based upon the analysis of pertinent information and facts at the time of commitment. Taking calculated risks in uncertain situations in order to achieve innovative decisions and to address problems.

- A. **UNACCEPTABLE:** The supervisor cannot be relied upon to make sound decisions and is unable to commit to a definition course of action. Does not communicate instructions at a scene with confidence and has made improper hasty decisions that could escalate a problem. Unable to reach sound independent problem solving decisions.
- B. **ACCEPTABLE:** The supervisor can be relied upon to make sound decisions and is decisive in handling difficult problems. Willing to make difficult and often unpopular decisions for the good of the mission while seeking staff input when feasible for the decision making process.
- C. **OUTSTANDING:** The supervisor exercises a wide range of decision making skills while carefully evaluating alternative risks. Demonstrates leadership and vision in foreseeing the consequences of decisions and their impact upon the organization. Encourages decision making at the lowest possible level and support convictions with confidence and strong reasoning.

BOROUGH OF FORT LEE EMPLOYEE HANDBOOK

- Other good and sufficient cause, including misfeasance, nonfeasance or malfeasance.

The Borough of Fort Lee shall discipline or discharge in accordance with Department of Personnel regulations or for non-classified employees, in accordance with law or applicable contract. All discharges will be in accordance with Federal and State laws (including the New Jersey Civil Service Act) as well as applicable collective bargaining agreements.

E. LAYOFF AND RECALL

The Borough of Fort Lee may institute layoff actions for economy, efficiency or other related reasons, but will first consider voluntary alternatives.

Seniority and lateral, demotional or special reemployment rights for employees in Career Service titles will be determined by the New Jersey Department of Personnel.

F. EMPLOYEE EVALUATION

All employees may be evaluated on an annual basis by their supervisor or Department Head. The written evaluation and appraisal form will measure progress and encourage self-improvement. The evaluation will also record additional duties performed, educational courses completed as well as a plan to correct any weak point using the Employee Counseling Form. After completing the evaluation, the supervisor or Department Head will review the results with the employee and return the form(s) with the signed acknowledgement to the Borough Administrator. After review by the Borough Administrator, the form(s) will be included in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Borough Administrator.

G. EMPLOYEE EVALUATION PROCEDURE

An employee evaluation will be conducted annually. The completed appraisal form will become part of the employee's permanent record. The performance discussion will consist of the following:

REVIEW: The supervisor or Department Head will review prior evaluations to identify trends;

ADVANCE NOTIFICATION: Employees must be notified in advance of the meeting and should be given a copy of the blank evaluation form;

CONFIRM EXPECTATIONS: The supervisor or Department Head will discuss each performance area with a review of the expectations. The employee will also confirm his/her understanding of the job requirements;

RATING: The employee will be given a rating in each performance area based upon set standards. The Supervisor or Department Head will refer to documentation;

BOROUGH OF FORT LEE EMPLOYEE HANDBOOK

DISCUSS PAST AND FUTURE OBJECTIVES: The supervisor or Department Head will discuss the past performance as well as the future performance and development of the employee. A Counseling Action Plan form will be completed if any item is rated "Needs Improvement" or "Does not Meet Minimum Standards." Specific performance objectives will be established for the next review period along with plans for achieving those objectives.

SUMMARY: The supervisor or Department Head will summarize all ratings into an overall rating for the review period.

1. *Outstanding Performance* means performance far exceed standard for this job.
2. *Highly Effective Performance* means performance far exceed standard for this job
3. *Good Competent Performance* means performance meets standard for this job.
4. *Needs Improvements* means performance in performance needs slight improvement to met standard for this job.
5. *Unsatisfactory* means performance needs much improvement to continue in this job.

The Employee may submit a written, dated and signed response to the evaluation within ten (10) days of receipt by the employee.

Upon completion of the employee evaluation, the supervisor or Department Head will return the form(s) with the signed acknowledgment to the Borough Administrator. After review by the Borough Administrator, the form(s) will be included in the employee's official personnel file. As part of the evaluation, employees have the right to request a conference with the Borough Administrator.

H. EMPLOYEE DISCIPLINE POLICY

CONDUCT SUBJECT TO DISCIPLINE: Except as law may supplement or provide to the contrary, an employee may be subject to disciplinary action, corrective action and/or termination for all of the following reasons:

- Neglect of duty.
- Insubordination.
- Refusal to perform an assigned task (unless imminent danger or harm exists if task performed) or deliberate delay of work effort.
- Poor performance.

Performance Evaluation
Borough of Fort Lee

Evaluated By: _____
Supervisor/Manager

Employee Name: _____

Evaluation Period: From _____ To _____

General Instructions

1. When completing this form, consider the entire period covered and not just recent events or isolated incidents.
2. Delegating, Developing People or Leadership, and Staffing (#'s 11-13) are only rated for those employees who supervise others.
3. Review this evaluation with the employee after it is completed.
4. Make a copy of the evaluation before sending it to the Borough Administrator.

Place the number in the box which describes the performance of the individual being evaluated.

Outstanding Performance: Far Exceeds Standard For This Job	Highly Effective Performance: Exceeds Standard For This Job	Good Competent Performa Meets Standard For This Job	Needs Improvement: Needs Slight Improvement To Meet Standard For This Job	Unsatisfactory: Needs Much Improvement To Continue In This Job
<input type="checkbox"/> 5	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1

- | | |
|--|--------------------------|
| 1. QUALITY OF WORK - Accuracy and thoroughness of work. | <input type="checkbox"/> |
| 2. QUANTITY OF WORK - Volume of work produced or accomplished. | <input type="checkbox"/> |
| 3. JOB KNOWLEDGE - Demonstrated knowledge of requirements, methods, techniques and skills involved in doing the job, and in applying these to improved productivity. | <input type="checkbox"/> |
| 4. INITIATIVE - Ability to take positive action independently. | <input type="checkbox"/> |
| 5. JUDGMENT - Ability to form an opinion, arrive at a conclusion and make the appropriate decision. | <input type="checkbox"/> |
| 6. ABILITY TO COMMUNICATE - Effectiveness in using oral and written communications and in keeping employees, associates, supervisors, and others informed. | <input type="checkbox"/> |

7. ABILITY TO WORK UNDER PRESSURE - Ability to meet tight deadlines and adapt to changes.

8. INTERPERSONAL SKILLS - Effectiveness in relating in an appropriate and productive manner to associates, supervisors and others.

9. DEPENDABILITY - Reliability in assuming and carrying out the commitments and obligations of the position.

10. PLANNING EFFECTIVENESS - Ability to anticipate needs, set goals and standards and measure results.

The following categories are to be used in evaluating supervisory employees:

11. DELEGATING - Effectiveness in delegating work and assigning responsibility and establishing appropriate controls.

12. DEVELOPING PEOPLE OR LEADERSHIP - Ability to select, train, and evaluate personnel, set standards of performance, and provide motivation to grow in their capacity to handle increasingly difficult work and greater responsibility.

13. STAFFING - Ability to maintain proper staffing levels and levels and flexibility to meet the variable demand of our business.

OBJECTIVES MET FROM LAST REVIEW

YES NO N/A

OBJECTIVES FOR NEXT REVIEW

Identify the objectives within the scope of this job. Minimum of three objectives are required.

OVERALL PERFORMANCE

Place an "X" in the appropriate box. Overall performance rating must fall within one of the five categories.

Outstanding
Performance:
Far Exceeds
Standard For
This Job

Highly
Effective
Performance:
Exceeds
Standard For
This Job

Good Competent Performa
Meets
Standard For
This Job

Needs Improvement:
Needs Slight Improvement
To Meet Standard
For This Job

Unsatisfactory:
Needs Much
Improvement To
Continue In This Job

ANY ADDITIONAL COMMENTS

I have been evaluated on my performance by my immediate supervisor. *

Employee's Signature

Date

I have evaluated this employee and have completed a performance discussion.

Department Head's Signature

Date

AUTHORIZING SIGNATURES:

Date

Borough Administrator's Signature

Date

* Signature above indicates only that the employee received this evaluation, and does not signify agreement with its contents.

THE EMPLOYEE HAS THE RIGHT TO SUBMIT A WRITTEN, DATED, AND SIGNED RESPONSE TO THIS EVALUATION WITHIN 10 DAYS OF RECEIPT BY THE EMPLOYEE.

Fort Lee Police Department Performance Appraisal

Employee Name: _____ Supervisor: _____

Job Title: _____ Assignment: _____

Date: _____ Last Review Date: _____ Time in Position (Years): _____

Comments and / or examples are required for ratings of 1 & 3. Use the comments section to note goals being appraised & to provide future goals.

Overall Rating (circle one)

1= Unacceptable

Fails to achieve an acceptable rating in one or sections listed on the evaluation form.

2= Acceptable

Consistent meets and may exceed acceptable standards in all evaluated sections.

3= Outstanding

Significantly exceeds in most sections and more listed competencies with outstanding rating scores.

TRAINING/JOB KNOWLEDGE: Consider- Understanding & management of responsibilities, seeks out training to improve skills, shares knowledge with others, arrest, search & seizure procedures, MV statute use, department SOPs & case law, use of reference resources.

1. No desire to improve skills, lets certification expire, insufficient knowledge and understanding of the job, often requires additional instruction
2. Fully understands job responsibilities, maintains needed certification, has the proper skills for the position.
3. Is highly competent in the job, serves as a go to person when unusual and unique situations arise, takes the initiative, can lead others through unusual or unique situations.

Comments: _____

PERFORMANCE: Consider – Field performance, patrol operations, driving skills, handling of department equipment, initiative, productivity (proactive, reactive, arrests, MV summonses), activity, control crime or collision scenes, on-scene investigative skills, report writing, communication skills, police radio comprehension & communications

1. Frequently damages property and department equipment, work not up to standards or capability, needs better grasp of what is expected, not proficient.
2. Completely performs job responsibilities, meets all standards, productivity as expected and requires minimal correction of errors,
3. Productivity usually well above standards and rarely requires revision, can be viewed as a role model for new employees, takes initiative, rarely needs revision.

Comments: _____

WORK CONDUCT: Consider- Appearance, attitude, interest in position and organization, treatment of coworkers, disciplinary actions.

1. Poor appearance, frequently receives complaints from the public and coworkers, no interest in the organization, disciplinary problems, needs to project a positive outlook and pleasant manner.
2. No current disciplinary problems, highly trusted by supervisor, always conforms to dress code and appearance is good, positive outlook & pleasant manner, quality work, has pride in performance and appearance.
3. Consistently receives positive feedback from the community and coworkers, enthusiastic, self motivated and influences others in a positive manner, exceptional appearance.

Comments: _____

COOPERATION: Consider- Interaction with coworkers, leadership, ability to work with others as a team in a cooperative and productive manner, command presence, incidents involving grievances with the organization.

1. Seldom works well with others, difficult to work with, does not promote teamwork, files unsubstantiated grievances, , does not readily accept additional assignments, disgruntled and complains to others, lack of tact and consideration for others.
2. Fully cooperates with coworkers, accepts new ideas and assignments, helps others, willing to go the extra mile when needed.
3. Consistently goes out of his/her way to help others, learns other job responsibilities to aid in coverage, fosters a sense of team work, sensitive to others point of view, always promotes organizational goals.

Comments: _____

SAFETY: Consider- Situation management, firearm and other equipment safety during arrests and MV stops, approaching suspects, personal safety during MV stop, calls in all activity, anticipates dangerous situations, backs up other officers, searching techniques, pat down and handcuffing techniques, vehicle operation.

1. Fails to follow proper safety procedures or proper tactics, repeatedly reprimanded or corrected for safety procedure infractions, misuses equipment and vehicles.
2. Operates vehicles and performs tasks within applicable safety standards, reports all safety hazards.
3. Pays special attention to unsafe working conditions, uses proper safety procedures during arrests and MV stops, operates vehicles in a safe manner, suggests safety improvements, points out safer procedures for others to use.

Comments: _____

COMMUNITY RELATIONSHIP & INTERACTION: Consider- Responsiveness to public needs and requests, interactions with citizens, arrestees, suspects in an appropriate manner without regard to race, sex age, national origin, religion or physical and mental disabilities, courtesy practiced during performance of routine duties.

1. Responds inappropriately to questions, requests and situations, does not respond tactfully and completely.
2. Exhibits courtesy, respect, professionalism and tact, answers questions and refers to the appropriate party.
3. Provides extra attention by explaining procedures whenever possible, deals effectively with citizenry, responds to questions with enthusiasm and a sense of commitment, always follows through by providing or obtaining complete information.

Comments:

JUDGMENT: Consider- Officers ability to make their own decisions, the quality of the decision made and the requirement for supervision for every day responsibilities, problem solving.

1. Constantly uses poor judgment in making decisions, requires close and direct supervision, afraid to make / take responsibility for decisions, needs to better identify and communicate problems.
2. Exemplifies good sense of judgment, not afraid to make decisions when provided information, learns from mistakes.
3. Consistently understands instruction the first time, actively seeks information before making decisions, anticipates potential problems, takes full responsibility for mistakes, takes initiative to obtain information.

Comments:

RELIABILITY / ATTENDANCE: Consider- Absenteeism and punctuality at work, court and meetings.

1. Frequently arrives to work late Pattern of absenteeism Classified sick time abuser. Uses nearly all allotted sick time yearly.(Unexcused)
2. Is punctual Takes an average amount of sick time.(Excused)
3. Regularly arrives before shift begins Uses sick time sparingly. Rarely absent.

Comments:

DETECTIVE INVESTIGATIVE RESPONSIBILITIES: Investigating criminal activity, interviewing & interrogating, identifying MO, analyze crime patterns, develop information & informants, problem solving, decision-making, share knowledge, prepare cases for trial, use reference manuals & resources, crime scene skills.

1. Repeatedly fails to carry out investigations, solve criminal cases, unfamiliar with criminals / MOs / associates, poor reports, interviews / interrogations, fails to gather clues & evidence, unprepared for court, poor testimony
2. Fully proficient carries out investigations, solves criminal cases, familiar with criminals / MOs / associates, reports, interview / interrogations, gathers clues & evidence prepared for court, testifies.
3. Goes out of his/her way to help other officer, constantly treats all people fairly, develops highly effective work plans, assumes responsibility for problems. always supports employees, anticipates changes in work load and develops plans to meet changing needs, makes proper decisions in serious/critical situations.

Comments:

SUPERVISOR RESPONSIBILITIES: Consider- Management of responsibilities, shift planning, resource management, organizing, problem solving, leadership and supervisory skills, decision-making ability, delegation, personnel training.

1. Repeatedly fails as a supervisor, lack of leadership, planning and organizational skills, squad does not achieve objectives, does not treat subordinates fairly, does not train subordinates, having trouble making transition from coworker to supervisor.
2. Fully proficient and complete leader, delegates when needed, solves problems and makes decisions, is in complete control of his/her squad and sets proper example for subordinates.
3. Goes out of his/her way to help subordinates, constantly treats all employees fairly, develops highly effective work plans, assumes responsibility for problems, takes initiative to develop and train subordinates, always supports employees, anticipates changes in work load and develops plans to meet changing needs, makes proper decisions in serious/critical situations.

Comments:

I have reviewed the appraisal and discussed its contents with my supervisor.

Date: _____

Employee signature: _____

Supervisor signature: _____

Administrative Review:

Signature: _____

Date: _____

INTERNAL AFFAIRS COMPLAINT REPORT

IR#	UCR	INTERNAL AFFAIRS #	PROSECUTOR'S CASE #
NAME OF COMPLAINANT		ALIAS	
ADDRESS			
CITY	STATE	ZIP CODE	PHONE
SSN	AGE	SEX	DOB
EMPLOYER/SCHOOL		RACE	
ADDRESS		PHONE	
ADDRESS	CITY	STATE	ZIP CODE
INCIDENT			
COMPLAINT TYPE			
PROCEDURAL <input type="checkbox"/> USE OF FORCE <input type="checkbox"/> DEMEANOR <input type="checkbox"/> OTHER <input type="checkbox"/>			
COMPLAINT AGAINST:		BADGE #	
1.			
2.		BADGE #	
DATE/TIME OCCURRED	LOCATION	SECTOR	
DATE/TIME REPORTED	HOW REPORTED		
	IN PERSON <input type="checkbox"/> MAIL <input type="checkbox"/> PHONE <input type="checkbox"/> OTHER <input type="checkbox"/>		
DETAILS (GIVE DESCRIPTION OF ANY INJURIES, TREATMENT LOCATION, DATE, AND DOCTOR IF APPLICABLE)			
FALSE POLICE REPORTS TO A LAW ENFORCEMENT AGENCY			
Anyone who makes a fictitious report to a law enforcement agency of an offense or incident knowing it did not occur, is a Disorderly Person and can be charged under 2C:28-4b1 of the New Jersey Criminal Justice Code.			
SIGNATURE OF COMPLAINANT			DATE
REPORT RECEIVED BY			DATE/TIME /
INTERNAL AFFAIRS USE			
FORWARDED TO:			DATE
INTERNAL AFFAIRS OFFICER SIGNATURE		BADGE #	DATE/TIME /

VOL. I, CH. 9
APPENDIX C

BOROUGH OF FORT LEE POLICE DEPARTMENT
INTERNAL AFFAIRS INVESTIGATION DISPOSITION RECOMMENDATIONS

Date: _____ FILE # _____

Recommended Disposition:

- Unfounded
- Exonerated, Proper Conduct & Policy
- Not Sustained
- Exonerated, Proper Conduct, Policy Failure
- Sustained

Violation _____

Penalty Recommended: _____

ALL REVIEWERS MUST SIGN AND ENTER DATE

Reviewed by: _____
Forwarded To: _____
Date: _____
Comments: _____

Reviewed by: _____
Forwarded To: _____
Date: _____
Comments: _____

Reviewed by: _____
Forwarded To: _____
Date: _____
Comments: _____

CHIEF OF POLICE FINAL DISPOSITION:

Date: _____

COMMENTS: _____

**VOL. I, Ch. 9
APPENDIX R**

**WITNESS/SUBJECT OFFICER
ACKNOWLEDGMENT FORM**

Internal Affairs #

I have been advised by _____ that I am being interviewed in this matter as a witness officer and not as a subject officer.

If at any time my status changes to a subject officer, the interview will stop until I have been advised of my rights (Pre-Advisement Form), unless my involvement is criminal in nature at which time the Bergen County Prosecutor's Office shall be notified.

(Officer's Signature)

(Date)

(Witness)

(Date)

CITIZEN COMPLAINT INFORMATION FORM

- The members of the Borough of Fort Lee Police Department are committed to providing law enforcement services that are fair, effective and impartially applied. It is in the best interest of everyone that your complaint about the performance of an individual officer is resolved fairly and promptly. The police department has formal procedures for investigating your complaint. These procedures ensure fairness and protect the rights of both citizens and police officers.
- Your complaint will be sent to a superior officer or a specially trained internal affairs officer who will conduct a thorough and objective investigation.
- You might be asked to help in the investigation by giving a detailed statement about what happened or providing other important information.
- All complaints against police officers are thoroughly investigated. You will be advised in writing of the outcome of the investigation.
- If our investigation shows that a crime might have been committed, the county prosecutor will be notified. You might be asked to testify in court.
- If our investigation results in an officer being charged with a violation of department rules, you might be asked to testify in a departmental hearing.
- If our investigation shows that the complaint is unfounded or that the officer acted properly, the matter will be closed.

It is unlawful to provide information in this matter, which you do not believe to be true.

This department may seek to prosecute anyone providing false information.

You may call _____ with any additional information or any questions about the case.



Fort Lee Police Department

1327 16th Street

Fort Lee, New Jersey 07024

Phone: (201) 592-3700

Thomas O. Ripoli
Chief of Police

John J. Reuter Deputy
Chief of Police

Complaint Acknowledgement

File: # I.A.

Date:

Dear _____,

This will acknowledge receipt of the complaint made by you on _____, concerning the actions of a member(s) of this department occurring on _____.

An investigation will be conducted into the allegations contained in your complaint and you will be advised of the results of the investigation within approximately four weeks. In the meantime, should a question arise, you can contact this office by calling _____, Monday through Friday, between the hours of 8:00 a.m. and 4:00 p.m.

Very truly yours,

Internal Affairs Unit

cc: Chief of Police



Fort Lee Police Department

1327 16th Street

Fort Lee, New Jersey 07024

Phone: (201) 592-3700

Thomas O. Ripoli
Chief of Police

John J. Reuter Deputy
Chief of Police

Complaint Not Sustained

File: # I.A.

Date:

Dear _____,

The Internal Affairs Unit of this department has completed its investigation of your complaint concerning the conduct of Officer _____. The investigation and a review of all the information currently available to this office indicates that the officer followed the appropriate department policies and procedures and acted within performance guidelines.

If you have additional information which you believe should be considered, please contact the Internal Affairs Unit. If no additional information is received within ten days, this case will be considered closed.

We expect our personnel to be always courteous and professional in the performance of their duties. Even so, misunderstandings can and do occur. We need and welcome citizen comment on the performance of our personnel and the services we provide. Those comments are helpful to our policy and procedures evaluation process as well as in determining employee performance.

Thank you for bringing this matter to our attention.

Very truly yours,

Internal Affairs Unit



Appendix F-1
IA Complaint Notification

IA#

Date:

To:

Badge #:

You are hereby notified that an internal affairs complaint has been made against you.
This complaint contains an allegation of _____, which occurred on or about _____

You will be contacted by an investigator when you will be needed for an interview.

Signature:

Date:



Fort Lee Police Department

1327 16th Street

Fort Lee, New Jersey 07024

Phone: (201) 592-3700

Thomas O. Ripoli
Chief of Police

John J. Reuter Deputy
Chief of Police

Complaint Substantiated

File: # I.A.

Date:

Dear _____,

The Internal Affairs Unit of this department has completed its investigation of your complaint concerning the conduct of Officer _____. The investigation and a review of all the information currently available to this office indicates that the police officer did not follow the appropriate department policies and procedures. Appropriate administrative action will be taken as provided for in the rules and regulations of this agency.

Thank you for bringing this matter to our attention. We expect our personnel to be always courteous and professional in the performance of their duties. We regret that a breach of policy and procedures occurred in this case. Be assured that your complaint and the subsequent investigation will help us in delivering better police services in the future.

Very truly yours,

Internal Affairs Unit

FORT LEE POLICE DEPARTMENT
CONSENT TO SEARCH FOR INTERNAL INVESTIGATION
VOL., I, CH. 9 APPENDIX V

I, _____ do hereby authorize _____
of the _____ and any other police officer that may be
designated to assist in conducting a complete search of:

- a. My residence or other premises located at _____
_____.
- b. My motor vehicle, specifically _____
_____.
- c. Other: _____
(Locker number etc.)

I further authorize the same officers to remove any documents or property which they
consider pertinent to their investigation, provided that I am given a receipt for anything
that is removed.

I have given this permission without fear or threat, and have been advised that the
officers do not possess a search warrant, and that I have the right to refuse this consent to
search.

Signature

Date & time

Witnesses:

_____ Date & time

_____ Date & time

**BOROUGH OF FORT LEE POLICE DEPARTMENT
INTERNAL AFFAIRS**

FINAL DISPOSITION REPORT

OFFICER:

COMPLAINT NUMBER:

DATE OF VIOLATION:

VIOLATION:

DISPOSITION:

UNFOUNDED

NOT SUSTAINED

EXONERATED, PROPER CONDUCT & POLICY

EXONERATED, PROPER CONDUCT POLICY FAILURE

SUSTAINED

PENALTY / RECOMMENDATION:

DATE OF THIS REPORT:

OFFICER MAKING REPORT:

INSTRUCTIONS: This notice must be served on a permanent employee or an employee serving a test period in the classified service after a hearing of one of the following types of disciplinary action is concluded: (a) Suspension or fine or more than five days at one time; (b) Suspension or fines more than three times or for an aggregate of more than fifteen days in one calendar year; (c) Disciplinary demotion from a title in which the employee has permanent status or to which the employee has received a regular appointment; (d) Removal; (e) Resignation not in good standing. A copy of this final notice must be sent to the Department of Personnel and served on the employee by personal service or registered mail.

FROM:	JURISDICTION (Local Service)		DEPARTMENT	
	DIVISION, INSTITUTION or Agency	STATE PAYROLL NUMBER	ADDRESS	DATE
TO:	NAME OF EMPLOYEE		TITLE	SOCIAL SECURITY NUMBER
	STREET		CITY AND STATE	

1. On _____ you were served with a Preliminary Notice of Disciplinary Action (DPF31-A) and notified of the pending disciplinary action

- You requested a hearing which was held on _____
- You did not request a hearing
- You requested a hearing and did not appear at the designated time and place

The following charge(s) was dismissed _____

The following charge(s) was sustained _____

If checked charge(s) are continued on attached page.

If checked charges are continued on attached page _____

2. THE FOLLOWING DISCIPLINARY ACTION MAY BE TAKE AGAINST YOU:

- Suspension for _____ days, beginning _____ and ending _____
- Removal, effective (date) _____
- Demotion to position of _____ effective (date) _____
- Resignation, not in good standing, effective (date) _____
- Fine \$ _____ which is equal to _____ days pay (number) _____
- Other disciplinary action:(explain amount on attached page) _____

SIGNATURE _____ TITLE _____
(Appointing authority or authorized agency)

3. Method of Service (check one)	<input type="checkbox"/> PERSONAL SERVICE	NAME AND TITLE OF SERVER	DATE SERVED
	<input type="checkbox"/> CERTIFIED OR REGISTERED MAIL	Give date of receipt by employee or agent as shown on return receipt postal card and receipt number:	

4. APPEAL PROCEDURE TO THE EMPLOYEE : You have a right to appeal disciplinary actions: (a) Suspension or fine of more than five days at one time; (b) Suspensions or fines more than three times or for an aggregate of more than fifteen days in one calendar year; (c) Disciplinary demotion; (d) Removal; (e) Resignation, not in good standing. Your letter of appeal must be filed with the Merit System Board within 20 days of receipt of this form. Appeals must be sent to: **Merit System Board, Front & Montgomery Streets, CN 312, Trenton, NJ. 08625.** Appeals must be sent directly to the Merit System Board. Do not give your appeal to your Personnel Office for forwarding to the Merit System Board.
NOTICE: Your health insurance coverage may be affected by this action; check with your Personnel office.

**VOL. I, CH. 9
APPENDIX F-2**

DATE:

Internal Affairs #:

To:

This notice shall serve as advisement that you are the subject of an Internal Investigation.

NATURE OF CHARGE:

DATE OF INTERVIEW:

TIME OF INTERVIEW:

PLACE OF INTERVIEW:

Should you have any questions, please feel free to contact me.

Signature: _____ Date:

BOROUGH OF FORT LEE POLICE DEPARTMENT

NOTICE OF IMMEDIATE SUSPENSION

TO:

(Name & Rank of Officer)

DATE:

TIME:

TAKE NOTICE that you are suspended from duty effective immediately for the following reason:

- You are unfit for duty
- You are a hazard to other persons if permitted to remain on the job
- An immediate suspension is necessary to maintain safety, health, order or effective direction of public services; or
- You have been formally charged with a crime of the first, second or third degree, or a crime of the fourth degree on the job or directly related to the job.

The facts in support of the above reason are:

Supervisor Serving Suspension:

I hereby acknowledge service of the within notice this

_____ day of _____, Year _____

Signature:

**FORT LEE POLICE DEPARTMENT
PERFORMANCE NOTICE
APPENDIX D VOL.1, CH.9**

TO: _____

FROM: _____

You are herein advised that on _____ you are:

Commended

Reprimanded

Counseled

For:

Issued By

Received by

Date

Date

Signature

Signature



Fort Lee Police Department

1327 16th Street

Fort Lee, New Jersey 07024

Phone: (201) 592-3700

Thomas O. Ripoli
Chief of Police

John J. Reuter Deputy
Chief of Police

Policy Failure

File: # I.A.

Date:

Dear

The Internal Affairs Unit of this department has completed its investigation of your complaint concerning the conduct of Officer . The investigation and a review of all the information currently available to this office verify the facts of your allegation. However, the officer conducted himself in accordance to department policy and procedures. It was determined that, in this instance, the policy failed to achieve the desired results. We are conducting a full review of this policy and regret that it did not serve your needs in this instance.

Thank you for having taken the time to bring this matter to our attention.

Very truly yours,

Internal Affairs Unit

**BOROUGH OF FORT LEE POLICE DEPARTMENT
INTERNAL AFFAIRS**

PRE-INTERVIEW ADVISEMENT

STATEMENT:

1. You are being questioned as part of an official investigation of this agency into potential violations of department rules and regulations. This investigation concerns:

2. You will be asked questions specifically directed and narrowly related to the performance of your official duties and your fitness for office.
3. You have the right to refuse to answer any questions or make any statements that might incriminate you in a criminal matter.
4. If you fail to exercise this right, anything you say may be used against you in a criminal proceeding.
5. The right to refuse to answer a question on the grounds of your right against self-incrimination does **not** include the right to refuse to answer on the grounds that your answer may reveal a violation of a department policy, rule, or regulation that is not a criminal offense.
6. You may be subject to departmental discipline for refusal to give an answer that would not implicate you in a criminal offense.
7. Anything that you say may be used against you not only in any subsequent department charges, but also in any subsequent criminal proceeding.

I have read and understand the contents of the above statement on this _____ day of _____, Year _____.

Signature: _____

Witnessed by: _____

Time: _____

Location: _____

OTHERS PRESENT:

INSTRUCTIONS: This notice must be served on a permanent employee or an employee serving a test period in the classified service against whom one of the following types of disciplinary action is contemplated: (a) Suspension or fine or more than five days at one time; (b) Suspension or fines more than three times or for an aggregate of more than fifteen days in one calendar year; (c) Disciplinary demotion from a title in which the employee has permanent status or to which the employee has received a regular appointment; (d) Removal; (e) Resignation not in good standing. A copy of this preliminary notice must be sent to the Department of Personnel. Subsequent to the day of hearing by the appointing authority, the employees and the Department of Personnel must be served with form DPF-31 B, Final Notice of Disciplinary Action.

<p>1. You are hereby notified that the following charge(s) has been made against you (if necessary use additional sheets and attach)</p> <p>Charges:</p> <p><input type="checkbox"/> Check if charge(s) are continued on attached page</p>	<p>SPECIFICATIONS:</p> <p><input type="checkbox"/> Check if specifications are continued on attached page.</p>
---	---

You are hereby suspended effective
(Check box and indicate if employee is suspended pending final disposition of the matter)

2. IF YOU DESIRE A DEPARTMENTAL HEARING ON THE ABOVE CHARGE(S), NOTIFY THIS OFFICE WITHIN _____ DAYS OF RECEIPT OF THIS FORM. IF YOU REQUEST A DEPARTMENTAL HEARING IT WILL BE HELD ON _____ AT (time) _____ AT (place of hearing)
* Must be minimum of five days.

3. THE FOLLOWING DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU:

- Suspension for _____ days, beginning _____ and ending _____
- Removal, effective (date) _____
- Demotion to position of _____ effective (date) _____
- Resignation, not in good standing, effective (date) _____
- Fine \$ _____, which is equal to _____ days pay amount _____ number Other disciplinary action (explain on attached page)

SIGNATURE: _____ TITLE _____
(Appointing Authority or Authorized Agency)

NOTICE: Your health insurance coverage may be effected by this action; check with your personnel office

Method of Service (Check one)	<input type="checkbox"/> PERSONAL SERVICE	NAME AND TITLE OF SERVER	DATE SERVED
	<input type="checkbox"/> CERTIFIED OR REGISTERED MAIL	Give date of receipt by employee or agent as shown on return receipt postal card and receipt number:	

VOL. I, CH. 9
APPENDIX O

STATUTES AND RULES RECOMMENDED FOR REVIEW

The following statutes and rules should be reviewed by the Chief Executive Officer and personnel assigned to the Internal Affairs function.

- N.J.S.A. 40A:14-118 Creation of Police Force, Adopt Rules and Regulations, Chief of Police, Powers and Duties.
- N.J.S.A. 40A:14-128 Term of Office.
- N.J.S.A. 40A:14-147 Suspension & Removal of Members and Officers Written charges and hearing; 45 day rule.
- N.J.S.A. 40A:14-148 Authority of hearing officer to obtain evidence.
- N.J.S.A. 40A:14-149 Suspension of an officer pending a hearing.
- N.J.S.A. 40A:14-149.1 Suspension of an officer charged with a criminal offence.
- N.J.S.A. 40A:14-150 Judicial Review of Disciplinary Hearing (Non Department of Personnel Jurisdictions).
- N.J.S.A. 40A:14-151 Judicially Determined Illegal Suspension.
- N.J.S.A. 40A:14-155 Defense of Members or Officers in Legal Proceedings.
- N.J.S.A. 40A:14-181 Requires law enforcement agencies to establish internal affairs policies and procedures consistent with Attorney General's guidelines
- N.J.S.A. 11A:2-1 et seq. Department of Personnel, especially Article 4. Appeals.
- N.J.A.C. 4A:1-1.1 et seq. Personnel (Merit Board Adopted Rules and Procedures), especially N.J.A.C. 4A:2-2.1 through 2.12, Major Discipline.
- N.J.S.A. 11A:2-13 to 2-22 Provisions governing discipline in civil service jurisdictions; disciplinary hearings; appeals to the Merit System Board
- N.J.S.A. 11A:4-15 Working test periods in civil service jurisdictions

Department of Personnel Rules

N.J.A.C. 4A:2-2.1 to 2.12 Major discipline

N.J.A.C. 4A:2-3.1 Minor discipline

N.J.A.C. 4A:2-4.1 to 4.3 Termination of working test period

N.J.A.C. 4A:4-5.1 to 5.5 Working test periods

**VOL. I, CH. 9
APPENDIX P**

STEPS FOR DISCIPLINARY ACTION

IMMEDIATE SUSPENSION WITHOUT PAY

TO IMPLEMENT:

TIME

A. Before Suspension:

Determine whether one of the conditions for immediate suspension exists:

1. The employee is unfit for duty;
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;
4. The employee has been formally charged with a crime of the first, second or third degree, or a crime of the fourth degree on the job or directly related to the job.

B. Before Suspension:

1. To comply with "Loudermill" hearing requirements:
 - a. Advise the employee either orally or in writing of why an immediate suspension is sought and the charges and general evidence in support of the charges.
 - b. Provide the employee with sufficient opportunity to review the charges and the evidence and to respond either orally or in writing (at the discretion of the appointing authority), before a representative of the appointing authority.

C. Within Five Days:

Serve Preliminary Notice of Disciplinary Action following suspension.

D. Within five days Notice of Disciplinary Action.:

1. Employee may request a departmental hearing.
 2. Within 30 days, following service of Notice of Disciplinary Action, or longer as specified in contract., unless longer time agreed to by parties:
Hold departmental hearing,
- E. Within 20 days: following departmental hearing.
Serve Final Notice of Disciplinary Action.

IMMEDIATE SUSPENSION WITH PAY

TO IMPLEMENT:

TIME

- A. Before suspension:
1. Determine whether one of the conditions for immediate suspension has been met:
 - a. The employee is unfit for duty; or
 - b.. The employee is a hazard to any person if permitted to remain on the job;or
 - a. An immediate suspension is necessary to maintain safety, health, order or effective direction of public services; or
 - b. The employee has been formally charged with a crime of the first, second or third degree, or a crime of the fourth degree on the job or directly related to the job.
- B. Before suspension:
1. Secure authorization of department head for suspension with pay.
- C. Within 5 days following suspension:
1. Serve preliminary notice of Disciplinary Action.
- D. Within five days following service of Notice of Disciplinary Action, or longer time as specified in contract:
1. Employee may request a departmental hearing.

E. Within 30 days, Following service of Notice of Disciplinary Action, unless longer time agreed to by parties:

1. Hold departmental hearing.

E. Within 20 days, following departmental hearing,

1. Serve Final Notice of Disciplinary Action.

Suspension can be imposed upon service of Notice of Disciplinary Action.

SUSPENSION OF MORE THAN FIVE DAYS, DEMOTION OR REMOVAL

TO IMPLEMENT:

TIME

A. Before major disciplinary action:

1. Serve Preliminary Notice of Disciplinary Action.

B. Within five days following service of Notice of Disciplinary Action, or longer time as specified in contract:

1. Employee may request a departmental hearing

C. Within 30 days following service of Notice of Disciplinary Action, unless longer time agreed to by parties:

1. Hold departmental hearing

D. Within 20 days following departmental hearing,

1. Serve Final Notice of Disciplinary Action

Major disciplinary action can be imposed upon service of Notice of Disciplinary Action.

USE IMMUNITY GRANT ADVISEMENT FORM
INTERNAL AFFAIRS

STATEMENT:

1. You are being questioned as part of an official investigation of this agency into potential violations of department rules and regulations. This investigation concerns:

2. You will be asked questions specifically directed and narrowly related to the performance of your official duties and your fitness for office.
3. You have the right to refuse to answer any questions, or make any statements that might incriminate you in a criminal matter.
4. The right to refuse to answer a question on the grounds of your right against self-incrimination does **not** include the right to refuse to answer on the grounds that your answer may reveal a violation of department policy, rule, or regulation that is not a criminal offense.
5. You have invoked your right to remain silent and not to incriminate yourself.
6. You have been granted immunity from criminal prosecution in the event your answers to the narrow questions asked implicate you in a criminal offense. No answer given by you pursuant to this order, nor evidence derived from the answer, may be used against you in any criminal proceeding.
7. You must now answer questions specifically directed and narrowly related to the performance of your official duties and your fitness for office.
8. If you refuse to obey this order to answer, you may be subject to disciplinary charges for that refusal which can result in your dismissal from this agency.
9. Any statement you make may be used against you in relation to any subsequent departmental disciplinary proceeding.

I have read and understand the contents of the above statement on this _____ day of _____, Year _____.

Signature: _____

Witnessed by: _____

Time: _____

Location:

OTHERS PRESENT:

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 12-09-1999	REVISION DATE: 05-18-2009	PAGE #: 13, 15	SECTION: VIII, C XI,C Spec Inst	APPROVED 05-18-2009	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 16					CHAPTER 9
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: INTERNAL AFFAIRS / DISCIPLINARY PROCESS						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						Entire policy reviewed for change of indication of Officer and Member to Employee.
REFERENCE:						

POLICY:

It is the policy of this agency to accept and investigate all complaints of alleged employee misconduct or wrongdoing from any citizen or agency employee. Following a thorough and impartial examination of the available factual information, the case report will include a final disposition. If discipline is in order, it shall be administered according to the degree of misconduct.

It is the policy of this department that 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 any 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.

It is the policy of this agency that prevention is the primary means of reducing and controlling misconduct. To that end, it is the policy of this agency to discover and correct organizational conditions which permit the misconduct to occur. Special emphasis is placed on recruitment, selection and training of officers and supervisors, community outreach and the analysis of misconduct complaints and their outcome.

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

PROCEDURE:

I. PURPOSE

A. The purpose of the disciplinary process is to insure the following:

1. Insuring the highest professional standards for law enforcement within the agency.

Providing citizens with a fair and effective avenue for redress of their legitimate grievances against law enforcement officers.

Protecting officers from false charges of misconduct or wrongdoing and provide accused employee with due process safeguards.
4. Monitoring officer's compliance with agency rules and regulations and procedures.
5. Identifying problem areas in which increased training or direction is necessary.

II. INTERNAL AFFAIRS FUNCTION

A. The Internal Affairs Responsibility is herein established. The personnel assigned to the Internal Affairs function shall serve at the pleasure of and be directly responsible to the Chief of Police.

The goal of Internal Affairs is to insure 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.

B. The Internal Affairs Unit Supervisor shall be responsible for:

1. The management of the internal affairs function.
2. The coordination and review of all internal affairs investigations.
3. Review of all allegations of misconduct by members of this department.

C. The internal affairs officer shall be responsible for:

1. The investigation and review of all allegations of misconduct by employees of this department.

a. Misconduct is defined as:

- (1) Commission of a crime or an offense (Refer to the Bergen County Prosecutor's Office)

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

- (2) Violation of departmental rules and regulations, policy, procedures and special orders
- (3) Conduct which adversely reflects upon the employee or the department.

In addition to investigations concerning allegations of misconduct, internal affairs shall be responsible for reviewing the discharge of firearms by department personnel.

Firearms qualifications that are authorized through the Chief of Police are excluded.

2. Investigation and review of Vehicle Pursuits.
 3. The internal affairs officer shall be responsible for any other investigation as directed by the Chief of Police.
 4. The internal affairs officer may conduct an internal affairs investigation on his/her own initiative upon notice to, the supervisor of the internal affairs unit or at the direction of the Chief of Police.
 5. The Internal Affairs Officer shall have the authority to interview any member of the department and to review any records or reports of the department relative to their assignment.
 6. An annual report summarizing the types of complaints received and the dispositions of the complaints should be made available to members of the public. The names of complainants and accused officers shall not be published in this report.
 7. The internal affairs officer shall be responsible for preparing and mailing a Complaint Acknowledgment Letter to all civilian complainants.(See Appendix H)
 8. The internal affairs officer shall investigate and review Use of Force incidents.
- D. The Chief of Police shall not assign any personnel charged with representation of members of the collective bargaining unit to the internal affairs function.
- E. The Chief of Police shall maintain a comprehensive central file on all complaints received by this department whether investigated by the internal affairs officer or assigned to the officer's supervisors for investigation and disposition.
- F. The Internal Affairs Supervisor may refer investigations to the employee's supervisor for investigation.

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

III. ACCEPTING CITIZEN COMPLAINTS

- A. All department personnel are directed to accept reports of employee misconduct from citizens who wish to file a complaint regardless of the hour or day of the week. Citizens are to be encouraged to submit their complaints in person as soon after the incident as possible. If the complainant cannot file the report in person, a department representative (except in very minor complaints) shall visit the individual at his or her home, place of business or at another location in order to complete the report.
- B. Complaints might also be received from other law enforcement agencies, such as neighboring municipal police agencies, the county prosecutor or the F. B. I. In such cases, the complaint should be forwarded to the internal affairs officer for immediate handling.
- C. If a complainant has come to make a complaint about another police agency, he/she should be referred to that agency. However, if the complainant expresses fear or concerns about making the complaint directly, he should be referred to their respective county prosecutor.
- D. All department personnel are directed to accept reports of employee misconduct from anonymous sources. If the anonymous complainant is talking to an officer, the officer should encourage him/her to submit his complaint in person. In any case, the complaint will be accepted.
 - 1. In the case of an anonymous complaint, the employee accepting the complaint shall complete as much of the Internal Affairs Complaint Form as he/she can with the information provided.
- E. Complainants shall be referred to the internal affairs officer if he/she is available.
- F. If the internal affairs officer or supervisor is not immediately available, all personnel are directed to accept the Internal Affairs Complaint Form.
- G. The officer receiving the Internal Complaint will:
 - 1. Give the complainant a Citizen Complainant Information Form. (Appendix Q)
 - 2. Complete the Internal Affairs Complaint Form (Appendix B) and have the complainant sign the completed form.
 - a. An incident report number will be assigned to each complaint form given to the complainant.
- H. Specific categories of misconduct that are subject to disciplinary action defined. Any incident of inappropriate behavior may fall into one or more of the following categories:
 - 1. **CRIMINAL ACTIVITY:** Complaint regarding the involvement in illegal behavior, such as bribery, theft, perjury or narcotics violations.

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

2. **EXCESSIVE FORCE:** Complaint regarding the use or threatened use of excessive force against a person.
3. **IMPROPER or UNJUST ARREST:** Complaint that the restraint of a person's liberty was improper or unjust.
4. **IMPROPER or EXCESSIVE ENTRY:** Complaint that entry into a building or onto property was improper or that excessive force was used against property to gain entry.
5. **IMPROPER or UNJUSTIFIED SEARCH:** Complaint that the search of a person or property was improper, unjustified or otherwise in violation of established police procedures.
6. **SERIOUS DIFFERENTIAL TREATMENT or DEMEANOR:** Complaint that the taking, failing to take, or method of police action was predicated upon irrelevant factors such as race, attire, age or sex. Complaint that a department member's bearing, gestures, language or other actions were inappropriate.
7. **SERIOUS RULE INFRACTIONS:** Complaint such as disrespect toward a supervisor(s), drunkenness on duty, sleeping on duty, neglect of duty, false statements or malingering.
8. **REPEATED MINOR RULE INFRACTIONS:** Complaint such as untidiness, tardiness, faulty driving or failure to follow procedures.

IV. INITIATION OF DEPARTMENTAL COMPLAINTS

- A. Any officer that is a witness to an employee or officer's misconduct shall immediately notify the supervisor of the internal affairs unit, or an internal affairs officer.
 1. The internal affairs officer shall initiate an internal affairs investigation report and forward the matter to the subject officer's supervisor for follow-up investigation. (Appendix A)
- B. Any officer that is a witness to a civil rights violation shall cause the action to cease and immediately notify an internal affairs officer.
 1. Failure to intercede by the witnessing officer(s) may result in a federal violation charge. 18 U.S.C. 241.
- C. The internal affairs officer or investigating superior officer shall complete an internal affairs initial or supplementary investigation report. (Appendix A)
 1. An internal affairs Complaint Form (Appendix B) is not needed.

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

V. INVESTIGATION AND ADJUDICATION OF COMPLAINTS

- A. The Internal Affairs or supervising officer initiating such action shall complete an Internal Affairs Investigation Report. (Appendix A)
 - 1. If the supervising officer initiated the Internal Affairs Investigation Report, then
 - a. The report, together with any supporting documentation, shall be forwarded to the internal affairs supervisor for follow-up.
- B. The internal affairs supervisor or the Chief of Police shall direct such further investigation by the original investigating supervisor or internal affairs officer as deemed appropriate.
- C. In cases **not** involving allegations of criminal conduct, the accused officer shall be notified of the complaint once preliminary investigative data has been gathered. The internal affairs officer shall serve the suspect officer with the Internal Affairs Notification Form (Appendix F-1) unless the nature of the investigation requires secrecy.
 - 1. Before any notification is made, prior approval must be obtained from the Chief of Police.
 - 2. The notification will contain the following:
 - a. Nature of the charge
 - b. Date of interview
 - c. Time of interview
 - d. Place of interview
 - 3. Notification will be signed by the internal affairs officer in the following manner: "Ordered By" internal affairs officer (Name).
- D. The internal affairs officer or assigned supervisor, shall interview the complainant, all witnesses and then the accused officer, as well as review relevant reports, activity sheets and telecommunications operator forms and obtain necessary information and materials, such as:
 - 1. Physical Evidence
 - 2. Sworn written statements or tape recorded interviews from all witnesses.
 - 3. Sworn written statements or tape recorded interviews from all parties of specialized interest, such as doctors, employers, lawyers, teachers, legal advisors, parents, etc.

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

4. Investigative aids, such as the various reports, activity sheets, complaint cards and telecommunication operator's forms.
- E. All reports, statements and tape recordings must be submitted to the Chief of Police within ten (10) days from the date that the matter was assigned to the internal affairs officer or supervisor.
1. If an internal affairs investigation cannot be completed before the 10 day time period, approval must be obtained from the Chief of Police to extend the length of the investigation. The investigation must be completed within 30 days, with status reports every five (5) days. Additional time, past 30 days, may be granted. The authorization must be requested in writing and approved by the Chief of Police.
 2. Extended time may be granted depending upon the complexity of the matter. All charges must be filed within 45 days from the date that sufficient evidence exists to substantiate a charge, or charges, for violations of rules, regulations, policy, procedures or special orders.
- F. Where preliminary investigative data indicates the possibility of a criminal act on the part of the accused officer, the Chief of Police and the Bergen County Prosecutor's Office Internal Affairs Investigations Unit shall be notified immediately. No further action shall be taken, including the filing of charges against the officer, until directed by the Bergen County Prosecutor's Office.
1. The Chief of Police shall forward a copy of the entire investigation file to the Bergen County Prosecutor's Office Confidential Investigations Unit.
 2. The Chief of Police shall be the liaison to the Prosecutor's Office.
 3. The Prosecutor's Office will review the investigation report, and will advise the Chief as to whether criminal charges will be pursued. If the Prosecutor's decision is to close the file, written notice shall be given to the Chief of Police. If criminal charges are to be pursued, the Prosecutor's Office will supersede the local investigation.
 4. Whenever allegations of misconduct are made against a police officer holding the rank of lieutenant or above, excluding the Chief of Police, the procedures established herein shall be followed, except that the investigating officer must be one who is senior in grade to the officer being investigated. Whenever the allegations are directed against the Chief of Police, the investigation will be conducted by the Prosecutor's Office.
 5. All investigations of officers, municipal employees or public officials that are of a criminal nature shall not be closed until a letter is received from the Prosecutor's Office indicating that the investigation has been closed.

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

G. Interviewing the subject officer

1. The internal affairs officer shall schedule an interview with the officer.
 - a. One person of the officer's choosing may attend the interview session.
 - (1) In investigations of criminal allegations, it may be inappropriate for a union representative to be present. However, the officer shall be given the opportunity to consult with a union representative.
 - (2) The union representative shall not interfere with the interview and shall be present only as an observer.
 - (3) Although the Sixth Amendment Right to Counsel does not extend to internal affairs investigations, an officer shall be permitted to obtain an attorney if so desired.
2. Before questioning begins, inform the subject officer of:
 - a. The nature of the complaint.
 - b. The name of the person in charge of the investigation, and the names of all persons who will be present during questioning.
 - c. The difference between a witness and the subject of the investigation.
 - (1) Have the officer sign an Acknowledgment Form (See Appendix R, if applicable).
 - (2) Prior to the commencement of any questioning, the officer should read and sign a pre-interview advisement form (See Appendix F) .
 - (3) If, during the course of an internal investigative interview, an officer refuses to answer any questions specifically directed and narrowly related to the performance of duty and fitness for office on the grounds that he may incriminate himself, and if the department deems that in order to properly conduct its investigation it must have the answers to those specific questions, the department should then contact the county prosecutor to initiate procedures to obtain use immunity from the Attorney General for the answers to the questions. (See Appendix G)
3. Questioning sessions may be audio or video recorded.
 - a. If at any time during the questioning session the officer becomes a suspect in a criminal act, the officer shall be so informed and the questioning shall end. Promptly notify the Chief of Police, who will refer the case to the Bergen County Prosecutor's Office.

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

- b. The subject officer may be required to submit a written report or provide a written formal statement. The right against self-incrimination only applies to criminal offenses.
 - (1) The officer does not have the right to refuse to submit a report on the grounds that the report may reveal a violation of a department policy, rules or regulations that is not a criminal offense.
- c. Upon completion of all possible avenues of inquiry, the Internal Affairs Unit Supervisor shall submit all reports to the Chief of Police including the disposition Recommendation Form (See Appendix C).
 - (1) Exonerated
 - (a) The alleged incident did occur, but the actions of the officer were justified, lawful and proper.
 - (b) The officer's behavior was consistent with agency policy, but there was a policy failure.
 - (2) Substantiated
 - (a) The investigation disclosed sufficient evidence to clearly prove the allegation.
 - (3) Not Sustained
 - (a) The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation.
 - (4) Unfounded
 - (a) The investigation indicated that the acts complained of did not occur; or there is insufficient information to conduct a meaningful investigation.
- 4. The Chief of Police shall review all documentation and either approve the recommended disposition or recommend action to be taken.
- 5. Upon completion of the investigation with a finding of exonerated, not sustained, or unfounded, the internal affairs officer shall notify the subject officer of the investigation (if not previously notified) and of the recommended disposition.
- 6. If the complaint is substantiated and it is determined that formal charges should be preferred, the internal affairs officer shall prepare, sign and serve charges upon the accused officer or employee.

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

- a. The internal affairs officer shall prepare the formal charges on the Preliminary Notice of Discipline Form. (See Appendix E). Such notice shall be prepared and served upon the officer charged in accordance with N.J.S.A. 11A:2-1, et seq. A copy of this form shall also be mailed to the Department of Personnel.
 - b. A Performance Notice Form (See Appendix D) shall be used in lieu of Appendix E, for the following:
 - (1) Counseling
 - (2) Oral Reprimand
 - (3) Written Reprimand
7. The Preliminary Notice of Discipline (See Appendix E) shall direct that the officer charged must request a hearing at least 10 days before the hearing date set forth in this notice. This notice shall also advise the officer of the possible disciplinary action that may be imposed. (See Appendix E)
8. If the officer charged waives his/her right to a hearing and enters a plea of guilty, the Chief of Police shall permit the officer to present factors in mitigation prior to assessing a penalty.
- a. When all the facts are obtained, the immediate supervisor or internal affairs officer shall prepare a Supplementary Report that contains the findings and the aggravating and mitigating factors of the case including:
 - (1) Nature of the offense
 - (2) The disciplinary record of the accused officer
 - (3) The need to deter the accused officer or other officers from similar conduct
 - (4) The state of the accused officer's mind at the time of the offense
 - (5) Any mitigating factors
9. The penalty imposed will be noted in the officer's personnel file after he/she has been given an opportunity to read and sign it. The Internal Affairs officer will cause the penalty to be carried out and complete all required forms.

VI. SUSPENSION PENDING DISPOSITION OR INVESTIGATION

- A. Any superior officer may immediately suspend an officer from duty if they determine that one of the following conditions exists (See Appendix P and S):

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

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 crime of the first, second or third degree, or a crime of the fourth degree on the job or directly related to the job.
- B. The superior imposing the immediate suspension must:
1. Have the suspended officer report to the Chief of Police by 0800 hours on the next business day, along with the superior officer imposing the suspension.
 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 collective bargaining unit.
 3. Provide the employee with sufficient opportunity to review the charges and the evidence and to respond either orally or in writing.
 4. Advise his/her immediate supervisor in writing of the suspension and the facts and circumstances requiring the suspension.
- C. Within five days of the suspension, the department must complete and file formal charges against the suspended employee.
- D. Administrative Reassignment
1. In cases involving the Use of Force which results in death or serious bodily injury, the officer may be reassigned pending the outcome of the investigation, unless the officer is suspended as discussed above.
 2. This reassignment is subject to change by the Chief of Police.

VII. HEARING

- A. The hearing date shall not be less than 10 days nor more than 30 days from the date of service of the Charge Form.(See Appendix P)
- B. The internal affairs officer shall be responsible for, or assist, the 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.

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

- C. The hearing shall be held before the Borough of Fort Lee Mayor and Council, or a hearing officer appointed by the Mayor and Council.
- D. A copy of the decision or order and accompanying findings and conclusions should be delivered to the officer or employee who was the subject of the hearing and to the Chief of Police.
- E. Upon completion of the hearing, the Supervisor of the Internal Affairs Unit will complete all required forms including the entry of the disposition in the central log.
- F. If the charges were sustained, the Supervisor of the Internal Affairs Unit will cause the penalty to be carried out.
- G. All disciplinary action shall be in accordance with the Rules and Regulations of the department.
- H. If an officer's dismissal results from misconduct, a report with the following information will be provided to the officer:
 - 1. Reason for dismissal
 - 2. Effective date of dismissal
 - 3. Statement of fringe benefits status
- I. Final determination for the imposition of all discipline shall be subject to the Chief's approval.
 - 1. Decisions for Oral and Written Reprimands shall be final at the Chief's level.
 - 2. Decisions for imposition of suspensions of 5 days or less shall be final at the Chief's level.
- J. Upon final disposition of the complaint, a letter shall be sent by certified mail to the complainant by the internal affairs officer, explaining the outcome of the investigation and the reasons for the outcome decision.
- K. A Final Notice of Disciplinary Action shall be served upon the officer charged within 20 days of the hearing date. A copy of the notice will also be forwarded to the Department of Personnel.(See Appendix W)

VIII. CONFIDENTIALITY

- A. The progress of internal affairs investigations and all supporting materials are considered confidential information.
- B. Upon completing a case, the internal affairs officer will enter the disposition in the central log.

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

- C. The contents of internal investigation case files will be retained by the internal affairs officer. The files shall be clearly marked as "confidential".
- D. Only the Chief of Police or his/her designee is empowered to release publicly the details of an internal investigation or disciplinary action. The subject officer may authorize the release of copies of formal disciplinary charges and their outcome to any third party.
 - 1. The subject officer shall make the request in writing.
- E. All disciplinary hearings shall be closed to the public unless the defendant officer requests an open hearing.
- F. Personnel records are separate and distinct from internal affairs investigation records. Internal affairs investigation reports should never be placed in personnel records.
 - 1. When a complaint has a disposition of exonerated, not sustained, or unfounded, there should be no indication in the employee's personnel file that a complaint was ever made.
 - 2. In those cases where a complaint is sustained, the only items to go into the employee's personnel file will be a copy of the Disciplinary Action Synopsis Form (See Appendix T). No part of the internal affairs investigation report should be placed in the personnel file.

IX. PHYSICAL EVIDENCE

- A. 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. With respect to radio tapes, the original tape is the best evidence and should be secured at the outset of the investigation. Transcripts or copies of the original recordings can be used as investigative leads. Tapes should be monitored to reveal the totality of the circumstances.
- C. **Photographs**
 - 1. In the event of a complaint involving excessive use of force, the following photographic documentation shall be obtained when appropriate. Whenever possible, color photography should be used.
 - a. Photographs of the complainant at the time of arrest or following the alleged incident of excessive force.
 - b. Photographs of the subject officer in the event that officer was a victim.

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

- c. A recent photo of the officer in the event a photo spread will be used for identification purposes. The photo spread must be properly retained for possible evidentiary purposes.
- d. Photographs of the scene of the alleged incident, if necessary.

D. Physical Tests

- 1. Police officers who are the subjects of internal investigations 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 his physical features and other identifying characteristics of his 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. Requiring suspect to speak
 - d. Voice recordings
 - e. Participation in a suspect lineup
 - f. Handwriting samples
 - g. Hair and saliva samples
 - h. Urine analysis
- 3. Generally, a person cannot be physically forced to produce this evidence or submit to such tests, although a court order may be obtained to legally compel him to do so. Refusal to comply with the order can result in a contempt of court action, and may also result in a second disciplinary action for failure to comply with a lawful court order.

E. Polygraph

- 1. While a police officer who is the subject of an internal investigation may request a polygraph examination, an employer shall not influence, request or require an employee to take or submit to a lie detector test as a condition of employment or continued employment (N.J.S.A. 2C:40A-1).

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

2. An officer cannot be required to submit to a polygraph test on pain of dismissal. Engel v Township 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 agency assigned storage space, desks or lockers are subject to a search.
 - a. Lockers with personally owned locks shall not be searched without a warrant, or the officers consent.(See Appendix V)
 - b. Personal brief cases shall not be searched without a warrant, or the officers consent.(See Appendix V)
 - c. An officers residence or vehicle shall not be searched without a warrant or the officers consent.(SEE Appendix V)

XI. YEARLY REPORTS

- A. The Internal Affairs Officer shall complete the County Prosecutor's Yearly Internal Affairs Report. The report shall be submitted to the Chief of Police and the County Prosecutor by January 15th of the following year.
- B. The Internal Affairs Officer shall complete the department's Yearly Internal Affairs Report and submit the report to the Chief of Police by February 15th of the following year.
- C. The internal affairs officer will maintain a record of complaints in the IA Index file.

XII. NOTIFICATION

- A. Immediate notification to the Bergen County Prosecutors Office, Confidential Investigations Unit, shall take place when the following occurs:
 1. Whenever information is received:
 - a. Pertaining to allegations of criminal misconduct, a criminal activity on the part of any public employee or official acting within their official capacity.
 - b. Pertaining to any effort on the part of a private citizen to improperly influence the actions of a public official.
- B. The Bergen County Prosecutors Office will evaluate the allegations and make one of the following determinations:
 1. Bergen County Prosecutors Office will assume responsibility for the active direction of the investigation, or

**ADMINISTRATION
INTERNAL AFFAIRS
VOL. I, CH. 9**

2. Assist the reporting agency with an investigation, or
3. Direct the reporting agency to conduct an investigation.
 - a. Periodically report the progress of that investigation to the Confidential Investigations Unit.
 - b. Upon completion of the investigation, the investigative file will be forwarded to the Confidential Investigations Unit.

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 09/08/2008	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME I
VOLUME TITLE: ADMINISTRATION	# PAGES: 3					CHAPTER 27
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: SEPARATION FROM DUTY						DISTRIBUTION ALL
ISSUING AUTHORITY: _____						EVALUATION DATE:
CHIEF THOMAS O RIPOLI						
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE

To outline the responsibilities and procedures of the department and employees in instances where employees desire to separate from service either through retirement or resignation.

POLICY

Any employee may voluntarily withdraw from service at any time by tendering written notice of retirement or resignation to the Chief of Police.

I. PROCEDURES

- A. All notices of retirements or resignations shall be submitted to the Chief of Police in report form.
- B. Employees should submit notices of retirements or resignations at least fourteen calendar days before the date of separation, unless the department waives such time requirements.
- C. The division commander on duty is authorized to accept notices of retirement or resignation from any employee.
 - 1. Whenever a commander accepts a notice of retirement or resignation from an employee, the commander shall immediately cause the Chief of Police to be notified of such action.

ADMINISTRATION
SEPARATION FROM DUTY
VOL, I, CH, 27.

2. The division commander of the employee retiring or resigning shall be responsible for obtaining all items of government property issued by the department and forwarding them to administration.
- D. Commanders shall make arrangements to have a separation from service interview conducted with retiring or resigning employees assigned to their command prior to the effective date of such action.
1. The interviews shall be conducted by the appropriate captain of the retiring or resigning employee, in the presence of the Chief or Deputy Chief.
 2. The results of such interviews shall be forwarded to the Chief of Police.
- E. Use of accumulated time.
1. Supervisor in charge of the records bureau will assist the employee with their request for either the use, or compensation for accumulated time, the Chief of Police must approve the use of this time.
 2. A memorandum will then be sent to the Borough Administrator listing:
 - a. Totals of;

Shooting days, all accumulated.

Vacation days, Current year after February 1st, and passed 2 years accumulated.

Holidays, prorated up to month of separation.

Time due, all accumulated.

Personal days, balance for present year.

Shift days, Prorated 1 per month .

Garcia days, all accumulated.

Unused sick days, half of all accumulated up to 180.
 - b. Memorandum will then state “I certify that, to the best of my knowledge, this is the accrued time due to me. I further certify that, should I use any of this accrued time prior to retirement, I will notify payroll department and have the time adjusted accordingly”

ADMINISTRATION
SEPARATION FROM DUTY
VOL, I, CH, 27.

- c. The officer will then sign the memorandum and submit it to the Chief of Police for his signature, it will then be forwarded to the Borough Administrator.

PLEASE NOTE THAT THIS POLICY DEALS WITH THE INTERNAL PROCEDURES OF THE FORT LEE POLICE DEPARTMENT AND THE BOROUGH OF FORT LEE. EMPLOYEES ARE STRONGLY ENCOURAGED TO CONTACT THE NEW JERSEY DIVISION OF PENSION AND BENEFITS WELL IN ADVANCE OF THEIR INTENDED RETIREMENT DATE. THE DIVISION RECOMMENDS AT LEAST SIX MONTHS IN ADVANCE AND THAT THE EMPLOYEE ATTEND THE ONE DAY PRE-RETIREMENT SEMINAR OFFERED AT THE POLICE ACADEMY.

THE DIVISION OF PENSION AND BENEFITS CAN BE CONTACTED AT:

50 West State Street
PO Box 295
Trenton, NJ 08625-0295 OR ONLINE AT <http://www.state.nj.us/treasury/pensions/>