

2010-5. Any request by a department to use an ALPR or ALPR-generated data for a purpose or in a manner not authorized by AG Directive 2010-5 shall be made to the Attorney General or designee through the Director of the Division of Criminal Justice or designee, who shall make recommendations on whether to grant the agency's specific request for an exemption or special authorization. Such requests shall be made in writing unless the circumstances are exigent, in which event the request by the agency and approval or denial by the Attorney General or designee may be given orally, in which event the circumstances of the request and the approval or denial shall be memorialized in writing as soon thereafter as is practicable.

WALL TOWNSHIP POLICE DEPARTMENT <i>Standard Operating Procedure</i>				
CHAPTER: 5	SECTION: 2	# OF PAGES: 3		
SUBJECT: BODY ARMOR				
EFFECTIVE DATE: March 2, 2009		ACCREDITATION STANDARDS: 1.6.2	REVISION DATE	PAGE #
BY THE ORDER OF: Police Chief Robert Brice			June 16, 2011	2-3
			July 13, 2011	2-3
SUPERSEDES ORDER #:			March 21, 2016	1-3

PURPOSE: The purpose of this SOP is to establish a uniform procedure for the care and use of personal body armor.

POLICY: It is the policy of the Wall Township Police Department to maximize officer safety by providing its members with body armor for use in conjunction with prudent safety procedures and to require wearing of body armor while engaged in field activities.

The department will provide personal body armor and a personal trauma plate emergency medical pack to each police officer.

PROCEDURES

I. General

- A. The term officer shall include all sworn ranks and assignments.
- B. At a minimum, body armor [REDACTED]
[REDACTED] Minimally, the body armor [REDACTED]
- C. This department shall make maximum use of federal, state and private grant opportunities to fund the purchase of body armor.
- D. Officers shall wear only agency-approved body armor.

II. Administrative Responsibilities

- A. All officers, including Special Law Enforcement Officers, shall be issued body armor.
- B. This department will replace body armor that becomes unserviceable due to age, regular use, or damage from a job-related incident. Body armor that must be replaced due to abuse by the officer shall be paid for by the officer.
 - 1. Abuse includes, but is not limited to, immersion in water or other liquids, cutting, puncturing or breaching of the ballistic panels, or exposure to corrosive substances not as a result of an official action.
 - 2. If the vest's outer shell, or carrier, becomes unserviceable before the ballistic panels, then the responsibility for replacing the shell is the individual officer's.
- C. Depending on the circumstances, officers may be fitted at this department or sent to the vendor to be fitted for body armor. The decision is based on the number of officers being fitted and the availability of a vendor representative.
- D. Supervisors are responsible for ensuring that body armor and trauma plate emergency medical pack is worn inside the vest and maintained as required by this directive.
- E. There shall be an annual inspection of all body armor for fit, cleanliness, signs of damage, wear, or abuse. The Chief of Police or designee will ordinarily determine when the annual inspection occurs.
- F. The serviceable life of body armor is dependent upon many factors. On the average, a vest should remain serviceable for about five (5) years. Depending on the conditions and the care given, a vest may last much longer than five years, or much less than five years. Officers must be aware of the daily condition of their vest.

- G. Officers are responsible for the proper care and storage of body armor in accordance with the manufacturer's instructions and a daily inspection for signs of wear, damage, and general cleanliness.
- H. As dirt and perspiration may erode the ballistic panels, each officer shall be responsible for cleaning their body armor in accordance with the manufacturer's instructions.
- I. Officers are responsible for reporting any damage or deficiency in their body armor, in writing, to their supervisor. The supervisor should inspect the vest and recommend replacement, if warranted. Body armor will be replaced as soon as possible after a condition is reported.
- J. Officers may wear their body armor while engaging in firearms qualification and/or firearms proficiency testing.

III. Availability and Wearing of Body Armor

A.

[REDACTED]

1.

[REDACTED]

2.

[REDACTED]

B.

[REDACTED]

1.

[REDACTED]

C.

[REDACTED]

1.

[REDACTED]

2.

[REDACTED]

IV. Pre-Planned / High Risk Situations

A.

[REDACTED]

1.



WALL TOWNSHIP POLICE DEPARTMENT				
<i>Standard Operating Procedure</i>				
CHAPTER: 8	SECTION: 5	# OF PAGES: 10		
SUBJECT: BODY WORN AUDIO / VIDEO CAMERA RECORDING SYSTEMS				
EFFECTIVE DATE: June 10, 2015		ACCREDITATION STANDARDS:	REVISION DATE June 22, 2015	PAGE # Pg 6 V.A.8
BY THE ORDER OF: Police Chief Robert Brice			February, 2016	
SUPERSEDES ORDER #:				

I. PURPOSE:

The purpose of this policy is to: (1) establish guidelines for the proper and lawful operation of the body worn audio/video camera recording systems worn by local law enforcement officers within Monmouth County; (2) to assign specific responsibilities to those designated by the Chief of Police and (3) to define the media storage and retention system for the events recorded by the devices.

II. POLICY:

It is the policy of Monmouth County that local law enforcement officers shall deploy body worn cameras (hereinafter BWC) in a manner consistent with the provisions outlined in this written directive. These cameras are viewed as a valuable asset intended to assist local law enforcement officers in the prosecution of certain offenders by augmenting an officer's testimony with a video/audio record of the incident. Additionally, this equipment will aid the local law enforcement agency's administrators and the Monmouth County Prosecutor's Office in the investigation of citizen complaints. It is essential that all law enforcement agencies utilizing BWC's train personnel on the use, maintenance and storage of the BWC and the video recorded in order to preserve chain of custody for the footage, as well as ensure that all officers wearing a BWC understand this directive and all associated SOPs. This policy has been drafted in accordance with Attorney General Directive 2015-1.

III. GENERAL:

A. Administration

1. The Monmouth County Prosecutor's Office has approved the use of BWCs to accomplish several objectives. The primary objectives are as follows:

- a. BWCs allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
 - b. Audio and video recordings also enhance the agency's ability to review probable cause for arrest, officer and suspect interaction, as well as evidence for investigative purposes. These recordings also provide additional information to assist with officer evaluation and training.
 - c. BWCs may also be useful in documenting crime and collision scenes or other events that include the confiscation and documentation of evidence or contraband.
2. The Monmouth County Prosecutor's Office recognizes that video images cannot always depict the full story, nor do video images capture an entire scene and that there will be occasions when there will be technical problems with either a BWC or the retention and storage of its video. The use of BWCs do not eliminate the requirement to provide thorough written documentation of an incident. Persons reviewing BWC recordings must also take into account that the video captured by a BWC is but one piece of evidence that provides only one perspective regarding the situation that has been recorded.

B. Equipment

1. The Chief of Police or designee of the law enforcement agency is given the authority to utilize the BWC that is most conducive to their agency. However, the use of BWCs with electronically enhanced audio/visual capabilities such as infrared/night vision features are not authorized for use in Monmouth County.
2. The BWC purchased by the law enforcement agency shall be the only BWC authorized for use by members of that agency. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the local law enforcement agency.
3. The Administrative Sergeant will be assigned as the training coordinator to maintain proficiency in instructing others in the use of this equipment.
4. Law enforcement officers who are assigned BWCs must complete the agency provided training program to ensure proper use and operations. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.
5. The Chief of Police or designee shall determine which officers will be equipped with BWCs and the type of duty assignments (e.g., uniformed patrol, plainclothes detective, special/tactical operations deployment, etc.) when those officers will wear the BWC. In the case of a task force, team, or unit composed of officers from more than one law enforcement agency, the chief law enforcement officer of the agency overseeing the task force, team, or unit (e.g., the County Prosecutor in the case of a county wide task force) shall determine whether and in what circumstances officers assigned to the task force, team, or unit will wear BWCs.

6. The BWC unit shall be affixed directly over the law enforcement officer's name plate or over the uniform chest pocket. During the pilot program, participating law enforcement officers are permitted to remove their shooting pin.
7. Law enforcement officers assigned to the patrol division and who have been assigned BWCs shall wear the device as an authorized component of the uniform of the day. Each BWC has a unique serial number and has been assigned an internal tracking identification number. Law enforcement officers assigned BWCs shall use the equipment unless otherwise authorized by a supervisor.
8. Law enforcement officers on extra-duty assignments shall also deploy their assigned BWCs during the traffic or security detail. Law enforcement officers shall utilize the BWC during the detail in accordance with the requirements of this policy.
9. BWC equipment is the responsibility of the assigned law enforcement officers and shall be used with reasonable care to ensure proper functioning. Law enforcement officers shall inspect and test the BWC prior to the start of their shift and any equipment malfunctions shall be immediately brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be procured. Law enforcement officers reporting a malfunction of a BWC shall complete the appropriate agency report documenting the malfunction, unique serial number of the BWC and the supervisor shall be notified.
10. Law enforcement officers deploying a BWC shall document the device number on the appropriate agency report at the start of each shift.

C. General Public Notice

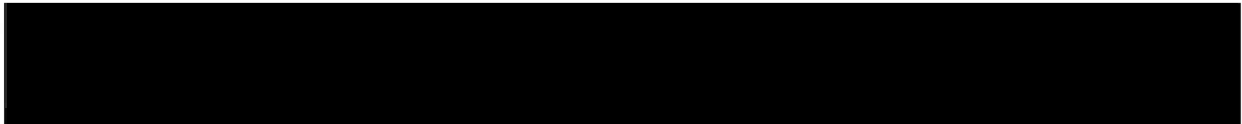
1. Every law enforcement agency that acquires/deploys BWCs shall take reasonable steps to ensure the public is informed of the agency's decision to deploy this technology. The Monmouth County Prosecutor's Office may assist local law enforcement agencies in providing such notification pursuant to this policy.

D. Violations

Any willful or repetitive violations of this written directive shall be reported directly to the County Prosecutor who shall report such violations to the Director of the Division of Criminal Justice. The County Prosecutor is authorized to take such actions as are reasonable and necessary to ensure compliance with this written directive and to prevent future violations.

IV. OPERATION:

- A. Law enforcement officers shall activate the BWC to record all calls for service to include, but not be limited to:
 1. The officer initiates an investigative detention (e.g., field interviews, motor vehicle stops, criminal suspicion stops, checkpoint or roadblock stops);
 2. The officer is conducting a motorist aid or community caretaking check;

3. The officer is interviewing a witness in the course of investigating a criminal offense;
 4. The officer is conducting a custodial interrogation of a suspect, unless the interrogation is otherwise being recorded in accordance with Rule 3:17 (electronic recordation of station house interrogations);
 5. The officer is making or attempting to make an arrest (e.g., pursuit, K9 track);
 6. The officer is conducting a protective frisk for weapons;
 7. The officer is conducting any kind of search (consensual or otherwise);
 8. The officer is engaged in a police response to any type of civil disorder in circumstances where the officer is engaged with or in the presence of civilians and the officer or any other officer on the scene may be required to employ constructive authority or force;
 9. The officer uses constructive authority or force, or reasonably believes that constructive authority or force may be used in any encounter or situation not otherwise listed in the subsection based on specific and articulable facts warranting heightened caution that are documented by narration on the recording and/or in any investigation or incident report.
 10. The officer responds to or is involved in a deadly force encounter or an officer requests emergency assistance (e.g., shots fired, officer in distress).
 11. The officer is transporting an arrestee to a police station, county jail, or other place of confinement, or a hospital or medical care or mental health facility; or
 12. The officer reasonably believes that any other officer on the scene has undertaken or is engaged in any of the forgoing police actions/activities.
- B. The use of BWCs allow for a clearly documented, first hand, and completely objective account of an incident. Therefore, law enforcement officers shall activate their BWC prior to arrival at the scene of a dispatched call for service and officers shall activate their BWC for a proactive event prior to initiation of the event or as soon as safely possible. This will allow the maximum amount of information regarding the incident to be captured.
- C. When law enforcement officers are involved in any stop, response or situation where the BWC is activated, the officer shall, if possible, "tag" the circumstances at the start of the encounter audibly so that the recordings on the BWC will be easier to locate if review of the video is necessary at a later time. For instance, a law enforcement officer coming upon the scene of a serious MVA may "tag" the recording by stating as the BWC is activated, "Officer Smith coming upon the scene of a serious MVA at the corner of Sycamore and Willow Streets."
- D. 

- E. Law enforcement officers shall immediately notify their supervisor and the Administrative Sergeant if they believe footage from the "Record-After-The-Fact" feature needs to be saved. This must be done immediately. We have a limited time to retrieve these recordings and they may be lost by continuing to record from the device.
- F. Law enforcement officers shall verbally inform individuals that they are being recorded, unless it is unsafe or infeasible to provide such notification. If an officer decides to not provide notification of BWC activation because it is unsafe or infeasible to do so, the officer shall document the reasons for that decision in his/her report and/or by narrating the reasons on the BWC recording.
- G. If a civilian inquires of a law enforcement officer whether the officer is equipped with a BWC, or inquires whether the device is activated, the officer shall answer truthfully unless the County Prosecutor or designee, has expressly authorized the officer to make a covert electronic recording.
- H. Law enforcement officers may deactivate a BWC when a civilian conversing with the officer requests that the device be turned off under circumstances where it reasonably appears that the person will not provide information or otherwise cooperate with the officer unless the request is respected. The officer shall not suggest to the person that the BWC should be deactivated; nor shall the officer ask the person whether he or she would prefer that the BWC be deactivated. Rather, the request for de-activation must be self-initiated by the civilian. The officer may explain the consequences of deactivation (e.g., evidence relevant to a criminal investigation will not be recorded).
- I. Law enforcement officers have no obligation to stop recording in response to a citizen's request if the recording is pursuant to an investigation, arrest, lawful search, or the circumstances clearly dictate that continued recording is necessary. However, law enforcement officers should evaluate the situation and consider the privacy and safety interests of the person requesting deactivation, whether the encounter is occurring in the person's residence, and the need for the information or assistance that the person will provide only if the deactivation request is honored. Such requests for deactivation include, but are not limited to:
 - 1. Citizens reporting confidential information regarding criminal activity;
 - 2. Citizens requesting to remain anonymous;
 - 3. When a person other than an arrestee, is seeking emergency medical services for him/herself or another and requests that the BWC be deactivated; or
 - 4. When authorized to do so by an Assistant Prosecutor for good and sufficient cause as determined by the Assistant Prosecutor. The officer shall narrate such circumstances for deactivation on the BWC recording (e.g., "I am now turning off my BWC as per the instruction of Assistant Prosecutor (insert name).").
- J. When a law enforcement officer deactivates a BWC pursuant to a civilian's request, the law enforcement officer shall:
 - 1. Record the conversation between the citizen and the officer concerning the request to deactivate.

2. Narrate the circumstances surrounding the deactivation (e.g., "I am now turning off my BWC as per the victim's request.") prior to the deactivation of the BWC;
 3. Report the circumstances concerning the deactivation to his/her supervisor as soon as is practicable;
 4. Document the circumstances of the deactivation in any investigation or incident report concerning the incident under investigation. It is critical that the circumstances surrounding the deactivation of the BWC be documented as the law enforcement officer will likely be subject to cross-examination regarding same;
 5. The BWC shall be reactivated as soon as it is safe and practical to do so and when the circumstances requiring deactivation no longer exist and the officer would be otherwise required to activate the BWC.
- K. If a law enforcement officer declines a request to deactivate a BWC pursuant to IV. F. the reasons for declining the request must be documented and shall be reported to the officer's supervisor as soon as it is safe and practicable to do so. In the event the officer declines a deactivation request, the officer immediately shall inform the person making the request of that decision.
- L. BWCs shall remain activated for the entire duration of the event, as required of subsection IV. A., until either the law enforcement officer or citizen has departed the scene or the event is concluded.
1. Any law enforcement officer providing assistance or back-up to an officer on an event detailed in subsection IV. A. is required to have their BWC activated until the citizen has departed the scene or their assistance is no longer needed.
 2. Law enforcement officers at the scene of an incident detailed in subsection IV. A., may deactivate the BWC for the specific purpose of briefing assisting officers or supervisors, conducting in-person or telephone notifications as required by this policy or while participating in a discussion pertaining to criminal investigation strategy and planning, provided that the strategy/planning discussion is not conducted in the immediate presence of a civilian and further provided that the BWC equipped officer is not actively engaged in the collection of physical evidence (e.g., conducting a search).
 - a. Law enforcement officers shall only deactivate the BWC when not in direct contact with the victim, suspect, witness or an individual who is being detained.
 - b. Prior to deactivating the BWC, law enforcement officers shall record their intention to deactivate along with the reason for such action and must document same in their written reports (e.g., "I am now turning off my BWC to discuss investigative strategy with my supervisor.").
 - c. In the event that citizen contact is reestablished, the BWC shall be immediately reactivated.
- M. When the BWC is activated, law enforcement officers are encouraged to provide narration where practical and appropriate in an effort to augment the value of the recording and to provide clarity for the viewer. If available, officers may also audibly "tag" or mark significant events while recording and provide details of the marked segments.

- N. BWC recordings that may raise special privacy or safety issues shall be “tagged” to include, but not limited to:
1. Captures the image of a victim of a criminal offense;
 2. Captures the image of a child;
 3. Was made in a residential premise, a school or youth facility, a healthcare facility or medical office, a substance abuse or mental health treatment facility, or a place of worship;
 4. Captures a conversation with a person whose request to deactivate the BWC was declined;
 5. Captures a special operations event or execution of an arrest and/or search warrant where confidential tactical information may have been recorded;
 6. Captures the image of an undercover officer or confidential informant; or
 7. Captures the screen of a police computer monitor that is displaying confidential personal or law enforcement sensitive information.
- O. If a law enforcement officer fails to activate the BWC, fails to record the entire event contact, or interrupts the recording, the officer shall document in the applicable incident or case report why a recording was not made, was interrupted, or was terminated.
- P. Law enforcement officers shall note in incident and case reports when BWC recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports.
- Q. Citizens shall not be allowed to review the recordings at the scene of contact. Officer complaints shall be handled in accordance with the agency's Internal Affairs directive and the Attorney General's Guidelines. All other requests to view and/or obtain footage by the public shall be handled in accordance with the agency's directives and the Open Public Records Act.
- R. Law enforcement officers utilizing the BWC shall periodically, and no later than the end of each shift, download the contents of the unit by placing the unit in the designated docking station. Each file downloaded shall contain information related to the date, BWC identifier, and assigned officer. The recordings should be labeled in accordance with agency policy to include, but not be limited to:
1. Incident #;
 2. Type of incident (e.g., MV stop, crime scene, arrest, etc.);
 3. CAD entry (if different from the Incident #).

V. RESTRICTIONS:

- A. BWCs shall be used only in conjunction with official law enforcement duties. BWCs shall not be used to record:

1. In any location within the Wall Township Police Department;
 2. Courtroom proceedings, unless responding to a call for service or incident;
 3. Communications with other police personnel without the permission of the Chief of Police or designee;
 4. Encounters with undercover officers or confidential informants;
 5. When on break or otherwise engaged in personal activities or police union business;
 6. In any location where individuals have a reasonable expectation of privacy, such as a restroom, locker room or break room;
 7. Unless the officer is actively engaged in investigating the commission of a criminal offense, or is responding to an emergency, or reasonably believes that he or she will be required to use constructive authority or force the officer shall not activate a BWC or shall deactivate a BWC that has been activated while the officer:
 - a. Is in a school or youth facility or on school or your facility property under circumstances where minor children would be in view of the BWC;
 - b. Is in a patient care area of a healthcare facility, medical office, or substance abuse treatment facility under circumstances where patients would be in view of the BWC; or
 - c. Is in a place of worship under circumstances where worshippers would be in view of the BWC.
 8. In any room where an electronic alcohol breath testing device is being utilized. If an officer is wearing a BWC, it must be removed from the officer's uniform before entering any room where an electronic alcohol breath testing device is used.
- B. Law enforcement officers shall not be required to activate the BWC when engaged in conversations with individuals with whom the officer has a privileged relationship (e.g., spouse, attorney, minister, etc.).
- C. Law enforcement officers assigned as a school resource officer shall only activate the BWC during student encounters in accordance with subsection IV. A. The BWC shall not be activated or shall be deactivated upon being advised the incident involves:
1. Student(s) meeting with the school counselors, SAC or child study team (CST) members and the SRO or other police personnel are called in for assistance. (Due to the confidential status that must be maintained by State Law);
 2. Conversations between the student, counselor, SAC or CST about any ongoing counseling services or follow-up after a crisis,
 3. The SRO being called in for information during intervention and referral service (I&RS) meetings;
 4. Conversations in regards to homeless, DCP&P and educational stability students;

5. A school counselor, SAC or CST member reporting a confidential incident to the SRO may request the BWC be deactivated in accordance with subsection IV. F.
- D. Law enforcement officers assigned to their detective bureau or criminal investigations unit shall wear a BWC as practicable when assigned as primary officer for incidents detailed in subsection IV. A., or when assigned to a traffic, security or other detail requiring a class A or B patrol uniform.
- E. Law enforcement officers assigned to the detective bureau or criminal investigations unit may utilize a BWC for the purpose of interviewing individuals as part of a criminal investigation.
- F. Law enforcement officers assigned to the detective bureau or criminal investigations unit assisting in the service of a warrant, and with markings clearly identifying themselves as police officers shall wear a BWC and activate the BWC prior to the service of the warrant, but not during circumstances prior to the warrant service that may be confidential in nature.

VI. INSPECTION AND MAINTENANCE:

- A. When not in use, BWCs shall be stored in the designated docking station. The docking station allows for the units to be charged and for the download of events to the secure storage device.
- B. Law enforcement officers shall inspect their BWCs at the commencement and conclusion of each shift to guarantee both video and audio recording readiness of the system. The inspection shall include, but not be limited to:
 1. Ensuring that the battery is fully charged,
 2. Ensuring that the device has sufficient memory to complete their tour of duty; and
 3. Ensuring the proper positioning of the BWC on the officer's uniform.
- C. When conducting the pre and post-shift inspection, the law enforcement officer shall activate the BWC and verbally state the date, time, their name, badge number and indicate whether a pre or post-shift inspection is being conducted, and that a test is being performed on the unit. The results of the inspection, including any malfunctions or deficiencies, shall be noted on the appropriate agency report.
- D. Law enforcement officers are permitted to conduct a review of the contents of a BWC to ensure accurate reporting and to assist in articulation of probable cause prior to downloading the events to the digital storage device, subject to the restrictions established in subsection VI. F.
- E. Viewing of BWC events is strictly limited to sworn law enforcement officers of that agency and the Monmouth County Prosecutor's Office. Viewing by any other person is prohibited unless authorized by the Prosecutor, Chief of Police, their designee, or consistent with a provision of this written directive.
- F. To insure the integrity of investigations of police involved shootings and other use of force incidents and to avoid possible contamination of a witness's personal recollection of events that could undermine his or her credibility as a witness, notwithstanding any other provision of this written directive, no civilian or law enforcement officer witness, including the subject/target(s) of the investigation, shall be given access to or view a BWC recording of the incident, without the express prior approval of the Assistant Prosecutor or designee.

- G. If the law enforcement officer is giving a formal statement about the use of force or if the officer is the subject of a disciplinary investigation, the officer shall, subject to the restrictions established in subsection VI. F.;
- 1. Have the option of reviewing the recordings in the presence of the officer's attorney or labor representative; and
- 2. Have the right to review recordings from other BWCs capturing the officer's image or voice during the underlying incident.

VII. CONTROL AND MANAGEMENT:

- A. Contents downloaded from BWCs will be stored on the secure agency server or other designated storage device(s). All images and sounds recorded by the BWC are the exclusive property of the agency. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
- B. Copies of an event captured on BWCs will not be released to other criminal justice agencies other than the Monmouth County Prosecutor's Office, without the express permission of the Chief of Police or their designee.
- C. BWC recordings containing information that may be of value for case prosecution or in any criminal or civil adversarial proceeding shall be safeguarded as other forms of evidence. As such:
 - 1. The secure agency server or other designated storage device shall be designated as the authorized storage location of all BWC recordings.
 - 2. The BWC software shall be designated as the activity tracking software for all BWC recordings.
 - 3. All BWC recordings covered in this subsection shall be maintained on the agency server until such time as authorized to be destroyed by statute, rule, or other directive governing the record.
 - 4. Video recordings shall not be released to any person without proper written approval.
 - 5. BWC recordings authorized for release shall be burned to portable media and shall be subject to the same security restrictions and chain of evidence safeguards and documentation in accordance with the agency's Evidence directive.
 - 6. BWC recordings will not be released to any person or agency without having a duplicate copy made and entered into secure storage.
 - 7. BWC recordings provided in discovery shall be redacted prior to release when feasible. The method of redaction shall leave no possible way of retrieving the redacted information.
 - 8. If disclosure of a BWC recording as part of the State's discovery obligation in a prosecution might present a danger to any officer or civilian, or might reveal confidential tactical information the disclosure of which might jeopardize future operations or officer safety, the County Prosecutor shall, in the exercise of sound prosecutorial discretion, take such steps as are appropriate and authorized by law and/or Court Rule to protect the information from disclosure, such as seeking a protective order from the court.

9. BWC recordings shall be released to comply with any other legal obligation to turn over the recording to a person or entity. However, any time a law enforcement agency receives a subpoena or court order, or written request pursuant to the Open Public Records Act (OPRA) or the common law right to know for a BWC recording, the County Prosecutor hereby mandates that immediate notification be made to the Monmouth County Prosecutor's Office.
 10. Effective immediately, the following procedures are to be followed by all Monmouth County law enforcement agencies:
 - a. Within one business day of receipt of a subpoena, court order, or written request for a BWC recording, and before complying with it, it shall be the responsibility of the agency's designated OPRA records custodian to provide notification to the Monmouth County Prosecutor's Office OPRA records custodian. Notice shall be made by submitting the Monmouth County Prosecutor's Office Body Worn Camera OPRA Notification Form attached to this directive and shall include the date the request was received, the deadline by which a response must be made, whether the agency intends to release or deny the request, and the justification for that decision. The agency must provide the type of police action or activity depicted in the recording, including but not limited to, whether the officer was involved in an investigative detention, an arrest, an interrogation of a suspect, a witness interview, a search, a protective frisk for weapons, or was using constructive or actual force.
 - b. In addition, the agency should indicate whether the recording is part of an ongoing criminal or internal affairs investigation or whether release of the recording potentially infringes upon victim and/or juvenile privacy rights.
 - c. This notification shall be made by emailing opra@mcponj.org. You will receive an email acknowledgement. If you receive no further communication within 72 hours, please respond to the request as you deem appropriate.
 11. Nothing in this directive relieves you of your obligation to comply with the provisions of OPRA or the common law right to know.
- D. BWC recordings not utilized for court proceedings or other agency uses shall be maintained 90 days and purged in accordance with directives set forth by the New Jersey Division of Archives and Records Management. BWC recordings shall be subject to the following additional retention periods:
1. When a BWC recording pertains to a criminal investigation or otherwise records information that may be subject to discovery in a prosecution, the recording shall be treated as evidence and shall be kept in accordance with the retention period for evidence in a criminal prosecution
 2. When a BWC records an arrest that did not result in an ongoing prosecution, or records the use of police force, the recording shall be kept until the expiration of the statute of limitations for filing a civil complaint against the officer and/or agency.
 3. When a BWC records an incident that is the subject of an internal affairs complaint, the recording shall be kept pending final resolution of the internal affairs investigation and any resulting administrative action.
- E. The law enforcement agency shall establish and implement a system that permits the agency to locate and retrieve all recordings associated with a specific incident/event, investigation, case, or

criminal charge. Accordingly, every agency deploying BWCs shall be required to develop and maintain a BWC control ledger or log, which may be computerized.

- F. The Chief of Police or their designee must specifically authorize all access to downloaded BWC files and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes. The agency's record keeping system shall document the following information to include, but not be limited to:
 - 1. The date and time of access;
 - 2. The specific BWC that was/were accessed;
 - 3. The officer or civilian employee who accessed the stored BWC recording;
 - 4. The person who approved access, where applicable, and
 - 5. The reason(s) for access specifying the purpose or purposes for access authorized pursuant to subsection VII. And specifying the relevant case/investigation number, where applicable.
- G. All recordings are maintained within the BWC system in the BWC's software and are authenticated by an internal audit program with the BWC system.
- H. BWC recordings "tagged" in accordance with subsection IV. M. shall not be accessed, viewed, copied, disseminated, or otherwise used without first obtaining the permission of the County Prosecutor or designee. The County Prosecutor may authorize the Chief of Police/CEO and one or more superior officers designated by the Chief of Police/CEO permission to access, view, copy, disseminate, or otherwise use such recordings as "tagged" pursuant to subsection IV. M.
- I. The Chief of Police authorizes the Records Manager, Evidence Custodian and Information Technology Administrator as system administrators so they can manage the BWC equipment. The system administrators shall have access to delete video/audio segments.
- J. Under no circumstances shall any law enforcement officer of the agency erase, reuse or alter the recording of any BWC system. It is a fourth degree crime to purposely and knowingly alter, destroy, conceal, remove or disable any camera or monitoring device including any videotape, film or other medium used to record sound or image that is installed in a police vehicle (N.J.S.A. 2C:28-7c).
- K. Law enforcement officers shall inform their supervisor of any recordings that may be of value for training purposes. Recordings from BWCs may be shown for training purposes upon completion of a criminal case. All such use shall be pursuant to the written authority of the Chief of Police/CEO. Law enforcement officers shall be provided with at least thirty (30) days' notice if recordings intended for use for training purposes were either made by them or captured their image or voice. All BWC recordings used for training purposes must be edited so that the identity of individuals depicted in the recordings cannot be determined by persons viewing the recordings unless the depicted individuals have consented to the recording being used for training purposes.

VIII. SUPERVISORY REVIEW:

- A. Supervisory personnel shall ensure that law enforcement officers under their command equipped with BWC devices utilize them in accordance with the policy and procedures defined therein.

- B. The Patrol Commander is responsible for the periodic and random reviewing of non-evidential BWC events in an effort to ensure the equipment is operating properly, to assess officers' performance and adherence to written directives and established professional standards, and to identify other training needs.
- C. In order to maintain fairness in the selection of videos reviewed, the designated personnel shall create a list of randomly selected individual law enforcement officers to observe.
- D. Upon completion of the periodic review, the designated personnel shall prepare a special investigations report documenting any positive or negative activities observed. This should include any recommendations for training and/or discipline resulting from the observations.
- E. The Internal Affairs Unit shall retain all special investigation reports generated in accordance with this policy and a copy will be forwarded to the Chief of Police for review.
- F. Separate from the above-mentioned periodic review of randomly selected officers, the Chief of Police or Internal Affairs Commander may review specific BWC footage if circumstances arise that requires an investigative effort to commence.

WALL TOWNSHIP POLICE DEPARTMENT				
<i>Standard Operating Procedure</i>				
CHAPTER: 8	SECTION: 5	# OF PAGES: 16		
SUBJECT: BODY WORN VIDEO/AUDIO CAMERAS (BWC)				
EFFECTIVE DATE: June 10, 2015	ACCREDITATION STANDARDS: 3.5.5	REVISION DATE	PAGE #	
BY THE ORDER OF: Police Chief Kenneth Brown		June 22, 2015 February, 2016	6	
		October 12, 2017	All	
SUPERSEDES ORDER #:				

PURPOSE The purpose of this standard operating procedure is to maintain guidelines for the use, management, storage, and release of audio-visual media recorded by body worn video/audio cameras (BWC). BWC is intended to enhance officer safety, produce effective materials for training and to produce an additional method of collecting evidence to prosecute those who violate the law.

POLICY It is the policy of the Wall Township Police Department to utilize body worn video/audio cameras (BWC) to assist agency personnel in the performance of their duties by providing an accurate and unbiased recorded account of an incident.

All personnel shall use this equipment (including accessing recordings) consistent with manufacturer's guidelines, this SOP, and those policies or guidelines issued by the New Jersey Attorney General and Monmouth County Prosecutor's Office. Failure to use this technology in accordance with this SOP and those policies or guidelines issued by the New Jersey Attorney General and Monmouth County Prosecutor's Office can result in discipline.

The use of BWCs with electronically enhanced audio/visual capabilities such as infrared/night vision features are not authorized.

The Wall Township Police Department website/webpage shall contain a clear statement that this department utilizes body worn video/audio cameras and shall include an image showing what the device looks like and how it is to be worn by uniformed officers or plainclothes detectives so that citizens will be able to determine whether an officer is equipped with the device.

Any willful or repetitive violations of this SOP shall be reported the internal affairs commander who shall report directly to the Chief of Police and Monmouth County Prosecutor's Office. The Monmouth County Prosecutor is authorized to take such actions as are reasonable and necessary to ensure compliance with this SOP and to prevent future violations.

PROCEDURES

I. DEFINITIONS

A. For purposes of this SOP, the following terms are defined:

1. Activate – means to actuate (put into operation) the recording mode/function of a BWC.
2. Body worn audio/video recorder (BWC) – is an officer worn device that makes an electronic audio/video recording of activities that take place during any law enforcement action. The term does not include any form of electronic recording device worn by a law enforcement officer while acting in an undercover capacity nor does the term include an electronic recording device when used to comply with the requirements of Court Rule R. 3:17 (electronic recording of station house custodial interrogations).
3. Constructive authority – involves the use of an officer's authority to exert control over a subject (see *SOP on Use of Force*), except that the term shall apply only to constructive authority directed against a person who is subject to an investigative detention or arrest (e.g., "...show me your hands," "...get out of the vehicle", etc.), or directed against any person if the officer has unholstered a firearm or CED (e.g., "...move out of the way", "...get down", etc.).
4. Force – has the same meanings as defined in this department's *SOP on Use of Force*.
5. Investigation of a criminal offense – means any police activity pertaining to the investigation of an indictable crime, disorderly persons offense, or petty disorderly offense, including but not limited to responding to a report of a possible criminal offense; an investigative detention based on or leading to reasonable and articulable suspicion to believe that a criminal offense has been or is being committed; an arrest for a criminal offense; an interview of a potential witness to a criminal offense; or canvassing an area, neighborhood, or premises for potential witnesses to a criminal offense.
6. School – means an elementary or secondary school (i.e., middle school or high school), public or private.
7. Tagging – is the electronic labeling of a video/audio file captured by a BWR.
8. Youth facility – means a facility where children assemble under adult supervision for educational or recreational purposes, such as day-care centers, youth camps, etc.

B. All references to BWC include the body worn devices and, where appropriate, the wireless transmitter, microphone, removable media, server, metadata and other accessories necessary to operate these systems.

II. GENERAL

- A. BWC recordings are invaluable to law enforcement for evidential purposes. BWC have demonstrated its value in the prosecution of criminal, traffic, and other related offenses and to protect officers from false claims of misconduct. Additionally, this equipment will provide valuable instructional material that can be utilized for in-service training programs.
- B. While visual and audio evidence may be captured on the recordings, the use of BWC is not intended to document all evidentiary material relevant to court or administrative proceedings, but it can serve to supplement an officer's senses and eyewitness account. There is no intent to utilize the BWC as a management tool to punish officers for minor departmental rule infractions.
 - 1. Officers shall not be subject to criticism for the proper exercise of lawful discretion in enforcement matters.
 - 2. BWC shall only be utilized for legitimate law enforcement purposes.
- C. These recordings will serve the following purposes:
 - 1. Recordings serve as protection for police officers when there are complaints about their conduct or professionalism during encounters with the public.
 - 2. The recordings can be introduced into evidence in criminal and motor vehicle prosecutions as well as in civil litigation.
 - 3. The recordings can resolve disputes concerning what occurred during particular incidents, thereby protecting both the public and the officers involved.
 - 4. When complete recall is not possible, such as when multiple events are happening simultaneously or out of an officer's line of sight, an audio/visual recording can provide an accurate record of events.
 - 5. Supervisors will be able to view the recordings and select portions to use to train officers in safety, field training, interpersonal skills, proper police procedures, and legal doctrines.
 - 6. Recordings can permit supervisors to undertake more meaningful performance evaluations.
 - 7. Recordings augment management's ability to evaluate its basic police practices and interactions between its personnel and the general public.
 - 8. Recordings enhance management's ability to train personnel in proper police procedures.
- D. The Chief of Police shall maintain a training program on the lawful and proper use of BWC equipment. The Chief of Police may designate one or more persons to coordinate and/or conduct such training.

1. Only officers who have received training in the use of BWC are permitted to use this system and must demonstrate a satisfactory degree of familiarity and efficiency in the use of this system.
 2. Proper use of a BWC is considered an essential job requirement.
- E. BWC is intended for official police department use only and are not to be used for frivolous or personal activities. Intentional misuse or abuse of the units will result in disciplinary action.
- F. Repairs to any BWC equipment shall only be performed under the direction of the IT officer or his/her designee.
- G. All recording media, images, metadata and audio are sole intellectual property of the Wall Township Police Department and will not be copied, released or disseminated in any form or manner outside the parameters of this SOP without the expressed written consent of the Chief of Police or the Monmouth County Prosecutor.
- H. Under no circumstances will any employee of the Wall Township Police Department make a personal copy of any recorded event without the expressed permission of the Chief of Police or the Monmouth County Prosecutor.
- I. Officers will use only those BWCs approved and issued by the Chief of Police. Such BWCs shall not be capable of recording images or conversations that cannot be seen or heard by the officer wearing the device without the expressed approval of the Monmouth County Prosecutor or his/her designee. Wearing any personally owned video/audio recorder is not authorized without the expressed permission of the Chief of Police, the Monmouth County Prosecutor's Office, or the New Jersey Division of Criminal Justice. Violations will be subject to disciplinary action, up to and including termination.
- J. **BWCs** shall be used only in conjunction with official law enforcement duties.
1. Officers engaged in undercover operations or surveillance activities are not required to utilize BWC.
 2. **BWC** shall be used only in conjunction with official law enforcement duties. The **BWC** shall not be used to record:
 - a. **Encounters** with undercover officers or confidential informants;
 - b. Communications with other police personnel without the advanced permission of the Chief of Police, the Monmouth County Prosecutor's Office or the New Jersey Division of Criminal Justice;
 - c. When on break or otherwise engaged in **personal** activities;
 - d. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room;
 - e. When engaged in police union business;

- f. When involved in counseling sessions, guidance sessions, personnel evaluation interviews, or other supervisor-subordinate interaction;
- g. Inside of schools, youth facilities, hospitals, medical facilities, or places of worship, unless directly related to an incident that warrants recording, see section III.A of this SOP; or
- h. While discussing criminal investigation strategies.

III. INCIDENTS TO RECORD

A. The following incidents shall be recorded to the extent possible:

- 1. All traffic stops from the time the stop is initiated until the stop is concluded, including sobriety testing;
- 2. An officer is responding to a call for service and is at or near the location to which the officer has been dispatched;
- 3. Stationary police details, such as DWI checkpoints, car/truck inspections, seatbelt use checkpoints, etc.;
- 4. Crime scenes including victim/witness interviews;
- 5. Motor vehicle pursuits;
- 6. Interviews of witnesses when conducting investigations of criminal violations (not to include undercover investigations, related surveillance activities, or stationhouse recordings of custodial interrogations/interviews);
- 7. Investigative detentions/field interviews;
- 8. Warrantless searches (all types, including frisks);
- 9. Arrests;
- 10. Arrestee/prisoner transportation;
- 11. When an officer uses constructive authority or force, or reasonably believes that constructive authority or force may be used in any encounter or situation not otherwise listed in this subsection based on specific and articulable facts warranting heightened caution (must be documented by narration on the recording and/or in any incident report);
- 12. Special events or projects, including but not limited to crowd control, unruly crowds, or any incident requiring activation of the all hazards or emergency operations plan;
- 13. Domestic violence investigations;
- 14. Strikes, picket lines, demonstrations;
- 15. The officer is conducting a motorist aid or community caretaking check

- B. Notwithstanding any other provision of this SOP, when an officer equipped with a BWC is dispatched to or otherwise goes to the scene of an incident knowing or reasonably believing that police deadly force has been or is being employed, or to a scene where an officer has requested emergency assistance (e.g., an officer in distress, shots fired, etc.), the officer shall activate his/her BWC before arriving at the scene when feasible.
- C. Notwithstanding any other provision of this SOP, an officer while at the scene of a police deadly-force event or the on-scene investigation of that event shall not deactivate his/her BWC unless instructed to do so by the assistant prosecutor supervising the investigation of the deadly force incident pursuant to *Attorney General Law Enforcement Directive 2006-5*. The assistant prosecutor or his/her designee supervising the investigation may provide such instruction telephonically.
- D. BWC shall remain activated for the entire duration of a citizen contact required in section III.A above until either the officer or citizen have departed the scene and the officer has notified communications that the event is closed.
- E. When a BWC is activated to transport an arrestee/prisoner, it shall remain activated at all times while the BWC-equipped officer is in the presence of the arrestee and until the arrestee is secured in the processing room or a cell, or until custody of the arrestee has been transferred to county jail personnel, or until the arrestee is with hospital/medical/mental health personnel and the officer is no longer in the presence of the arrestee.
- F. When wearing a BWC, officers shall notify crime victims and civilians inside of their homes or place of abode (e.g., hotel/motel rooms, boarding houses, etc.) that they are being recorded unless it is unsafe or unfeasible to provide such notification.
 - 1. If the officer decides not to provide notification of BWC activation because it is unsafe or unfeasible to do so, the officer shall document the reasons for that decision in the investigation report of the incident and/or by narrating the reasons on the BWC recording.
 - 2. The failure to verbally notify a person pursuant to this section shall not affect the admissibility of any statement or evidence.
 - 3. If an officer fails to activate the BWC, fails to record the entire event contact, or interrupts the recording, the officer shall document such the applicable investigation report.
- G. If a civilian inquires of an officer whether the officer is equipped with a BWC, or inquires whether the device is activated, the officer shall answer truthfully unless the Monmouth County Prosecutor or his/her designee, or Director of the Division of Criminal Justice or his/her designee, has expressly authorized the officer to make a covert electronic recording.
 - 1. Officers may deactivate a BWC when a civilian conversing with the officer requests that the device be turned off under circumstances where it reasonably appears that the person will not provide information or otherwise cooperate with the officer unless that request is respected (e.g., prior to providing such information, the person indicates that he/she will only provide such information if it were not recorded; provided however, that the agreement to participate under that condition is itself recorded).

- a. Officers shall not suggest to the person that the BWC should be deactivated; nor shall the officer ask the person whether he or she would prefer that the BWC be deactivated. Rather, the request for deactivation must be self-initiated by the civilian. The officer may explain the consequences of deactivation (e.g., evidence relevant to a criminal investigation will not be recorded).
 - b. In deciding whether to deactivate the BWC, the officer shall consider the privacy and safety interests of the person requesting deactivation, whether the encounter is occurring in the person's residence, and the need for the information or assistance that the person will provide is important to the investigation, yet is not critical to require recording.
2. Officers may deactivate a BWC when a person, other than an arrestee, is seeking emergency medical services for him or herself or another and requests that the BWC be deactivated. In deciding whether to de-activate the BWC, the officer shall consider the privacy interests of the person requesting deactivation and the person in need of medical assistance (e.g., a victim of an assault during a fight does not want to be recorded, etc.)
3. When an officer deactivates a BWC:
 - a. The conversation between the officer and the civilian concerning the request for deactivation should be electronically recorded;
 - b. Before deactivating the BWC, the officer shall narrate the circumstances of the deactivation (e.g. "*...I am now turning off my BWC as per the victim's request.*");
 - c. The officer shall report the circumstances concerning the deactivation to the shift supervisor as soon as is practicable; and
 - d. The officer shall document the circumstances of the deactivation in the investigation report concerning the incident under investigation.
4. If an officer declines a request to deactivate a BWC, the reasons for declining the request (e.g., the officer believes that there is a reasonable possibility that it may be necessary to use constructive authority or force during the encounter) must be memorialized on the recording and documented and shall be reported to the shift supervisor as soon as it is safe and practicable to do so.
 - a. In the event that the officer declines a deactivation request, the officer immediately shall inform the person making the request of that decision.
 - b. Officers are prohibited from misleading the person making the deactivation request into believing that the BWC has been turned off when in fact it is operating unless the Monmouth County Prosecutor or his/her designee or the Director of the Division of Criminal Justice or his/her designee expressly has authorized covert recording.

5. Officers can deactivate a BWC when specifically authorized to do so by an assistant prosecutor for good and sufficient cause as determined by the assistant prosecutor. When an officer deactivates a BWC pursuant to this section, the officer shall narrate the circumstances of the deactivation indicating the assistant prosecutor who authorized the deactivation.
 6. Officers should deactivate a BWC while participating in a discussion pertaining to criminal investigation strategy and planning, provided that the strategy/planning discussion is not conducted in the immediate presence of a civilian and further provided that the BWC-equipped officer is not actively engaged in the collection of physical evidence (i.e., conducting a search). When an officer deactivates a BWC pursuant to this section, the officer shall narrate the circumstances of the deactivation (e.g., "...I am now turning off my BWC to discuss investigative strategy with my supervisor.").
 7. If an officer is required to deactivate the BWC when entering a school, house of worship, health care facility, substance abuse treatment center, etc., the officer shall narrate the reason for deactivation (e.g., "...I am entering a school building where children are present."). The BWC shall be reactivated as soon as it is safe and practicable to do so if and when the circumstances requiring deactivation no longer exist.
 8. In the event that a BWC captures the image of a patient in a substance abuse treatment facility, the Chief of Police or his/her designee shall notify the Monmouth County Prosecutor or his/her designee to ensure compliance with all applicable federal laws and regulations providing for the confidentiality of substance abuse treatment information (42 USC § 290dd-2, 42 CFR §23.1 to 23.41). The recording shall not be accessed without the permission of the Monmouth County Prosecutor or his/her designee. (Note that destruction of the recording would be inappropriate until it has been determined that it had not captured exculpatory information that must be provided to a defendant in discovery.)
 9. In any instance where a BWC was deactivated pursuant to this section, the device shall be reactivated as soon as it is safe and practicable to do so if and when the circumstances justifying deactivation no longer exist and the officer would otherwise be required to activate the BWC.
- H. Officers shall not activate a BWC, and shall deactivate a BWC that has been activated, if the officer knows or reasonably believes that the BWC would capture the image of an undercover officer or confidential informant or otherwise would pose a risk to the safety of an undercover officer or confidential informant, unless such activation is expressly authorized by a supervisor, or unless the exigency of the situation and danger posed to an officer (e.g., active shooter, actual use of police force, officer in distress, etc.) require that the encounter/incident be recorded, in which event the officer shall inform the shift supervisor that the image of an undercover officer or confidential informant was recorded. The BWC shall be activated/reactivated as soon as it is safe and practicable to do so if and when the risk of capturing the image of an undercover officer or confidential informant no longer exists.

- I. In the event that a BWC worn during the execution of tactical operations (e.g., MOCERT operations, execution of arrest and/or search warrant, etc.) records confidential tactical information the disclosure of which might jeopardize future operations or officer safety (e.g., verbal codes or hand signals used to communicate information or instructions, techniques for interior movements and clearing rooms, techniques to convince persons to open doors, etc.), the recording shall be tagged accordingly to prevent its unauthorized release.
- J. Officers shall not activate a BWC while in a courtroom during court proceedings, unless the officer is responding to a call for service or is authorized to use constructive force or authority, or unless the presiding judge expressly authorizes such activation.
- K. BWC shall be deactivated or removed while in the ALCOTEST area when the ALCOTEST device is being used. Nothing herein shall be construed to preclude the use of a BWC to record the behavior of a person arrested for driving while intoxicated other than while the person is in the ALCOTEST area while the ALCOTEST device is being operated. If this provision requires deactivation of a BWC, the officer shall narrate the reasons for deactivation (e.g., "...I am deactivating the BWC because the suspect is about to take a breath test."), and the BWC shall be reactivated when safe and practicable to do so following the completion of the breath testing operation.
- L. When a BWC is activated, officers are encouraged to provide narration where practical and appropriate in an effort to augment the value of the recording and to provide clarity for the viewer.
- M. Non-law enforcement personnel shall not be allowed to review the recordings at the scene of contact. Officer complaints shall be handled in accordance with the policies set forth in this department's *SOP on Internal Affairs*. All other requests to view and/or obtain footage by the public shall be handled in accordance with section V of this SOP.
- N. If an officer fails to activate the BWC, fails to record the entire event contact, or interrupts the recording, the officer shall document in the applicable investigation report why a recording was not made, was interrupted, or was terminated.

IV. OFFICER AND SUPERVISORY RESPONSIBILITIES

- A. BWC will be assigned to officers working in a uniformed capacity including officers working extra duty assignments. Officers assigned BWCs shall use the equipment unless otherwise authorized by a supervisor. BWCs shall be utilized on a daily basis.
 - 1. When not in use, BWCs shall be stored in the designated docking stations. The docking stations allow for the units to be charged and for the download of events to the BWC server.
 - 2. Prior to beginning a shift, officers assigned a BWC will ensure its readiness by conducting an operational inspection ensuring:
 - a. That the battery is fully charged; and
 - b. That the BWC has sufficient memory to complete their tour of duty.

3. Officers shall note the BWC camera number on the BWC log.
 4. When conducting the pre and post shift inspection, the officer shall activate the BWC and verbally state the date, time, whether a pre or post-shift inspection is being conducted, and that a test is being performed on the unit.
 5. The results of the inspection, including any malfunctions or deficiencies, shall be noted on the BWC log.
 6. Any problems preventing the use of the unit during the shift will be reported to the shift supervisor with a CAD record generated noting the details of the problem. The shift supervisor shall issue a spare BWC, if one is available.
 7. Officers shall also inspect BWCs at the conclusion of each shift to ensure system integrity.
 8. Officers will dock their BWC for download to the BWC docking station upon completion of their shift.
- B. All officers assigned a BWC are responsible for its use and maintenance during their tour of duty. BWC equipment shall be used with reasonable care to ensure proper functioning. Officers will wear the BWC mounted to the front of the uniform or outermost garment over the officer's nameplate or over the uniform chest pocket.
- C. When video/audio footage is captured involving any part of an arrest or significant event, officers will tag the recording with:
1. Incident #;
 2. Type of incident (e.g., MV stop, crime scene, arrest, etc.);
 3. CAD entry (if different from the Incident #).
- D. Officers shall type the letters *BWC* (including BWC number) in all capital letters at the end of the investigation report to signify that video/audio is available for the case.
1. Officers shall also document the time(s) the BWC was activated and the time(s) that the BWC was deactivated, to the best of their recollection.
 2. BWC recordings are not a replacement for written reports. Under no circumstances shall officers simply refer to a BWC recording on a law report instead of detailing the facts and circumstances of their investigation/observations.
 3. Officers shall also ensure that the pertinent RMS record is annotated with an entry noting a BWC was used and shall notify the administrative sergeant by email to preserve recordings with evidentiary value.
- E. BWC recordings that have been tagged as having evidentiary value shall be copied as soon as practicable to a CD/DVD and stored as evidence in accordance with this department's *SOP on Property and Evidence*.

- F. To identify BWC recordings that may raise special privacy or safety issues, officers shall appropriately label recordings that:
1. Captures the image of a victim of a criminal offense;
 2. Captures the image of a child;
 3. Were made in a residential premise (e.g., a home, apartment, college dormitory room, hotel/motel room, etc.), a school or youth facility, a healthcare facility or medical office, a substance abuse or mental health treatment facility, or a place of worship;
 4. Captures a conversation with a person whose request to deactivate the BWC was declined;
 5. Captures a special operations event or execution of an arrest and/or search warrant where confidential tactical information may have been recorded;
 6. Captures the image of an undercover officer or confidential informant; or
 7. Captures the screen of a law enforcement computer monitor that is displaying confidential personal or law enforcement sensitive information.
- G. Shift supervisors are responsible for ensuring that on-duty officers are equipped with functioning BWCs at the beginning of each shift.
1. Supervisors and commanders will conduct random formal reviews of selected recordings in order to assess officer performance as well as to flag video/audio that may be appropriate for training purposes.
 - a. In order to maintain fairness in the selection of recordings reviewed, the supervisors and commanders shall create a list of randomly selected individual officers to observe.
 - b. Upon completion of the periodic review, supervisors and commanders shall prepare the Supervisory Review of Digital Recordings Form documenting any positive or negative activities observed. This should include any recommendations for training and/or discipline resulting from the observations.
 - c. The internal affairs commander shall retain all reports generated in accordance with this SOP and forward a copy to the Chief of Police for review.
 - d. Separate from the above-mentioned periodic review of randomly selected officers, the Chief of Police or the internal affairs commander may review specific BWC footage if circumstances arise that requires an investigative effort to commence.
 2. Supervisors shall formally review all instances when a BWC is deactivated prior to the conclusion of an incident and forward the documented review through the chain of command to the Chief of Police or his/her designee.

3. If an internal affairs complaint is associated with a recorded event, or an officer believes an incident may generate an internal affairs complaint, the shift supervisor will label the video/audio for indefinite retention.

V. RECORDS RETENTION AND REVIEW

- A. Viewing of BWC events is strictly limited to sworn officers of this department. Viewing by any other person is prohibited unless authorized by the Chief of Police, his/her designee, or consistent with the provisions of this SOP.
- B. No law enforcement officer or civilian employee of this department shall access, view, copy, disseminate, or otherwise use a BWC recording except for an official purpose. Access to and use of a stored BWC recording is permitted only:
 1. When relevant to and in furtherance of a criminal investigation or prosecution;
 2. When relevant to and in furtherance of an internal affairs investigation;
 3. When relevant to and in furtherance of a management review process to identify circumstances indicating possible police misconduct or to determine the existence of a pattern or practice of possible misconduct;
 4. Except in officer involved deadly force incidents, to assist the officer whose BWC made the recording in preparing his or her own police report (see subsection V.F.3 of this SOP). If the officer is giving a formal statement about the use of force or if the officer is the subject of a disciplinary investigation, the officer shall, subject to the restrictions established in subsection V.F.3:
 - a. Have the option of reviewing the recordings in the presence of the officer's attorney or labor representative; and
 - b. Have the right to review recordings from other BWCs capturing the officer's image or voice during the underlying incident.
 5. When relevant to a supervisor's review of an officer's actions as part of the supervisory process authorized by the agency;
 6. To show to a civilian who intends to file a complaint against an officer to demonstrate what actually occurred during the encounter so that the person can make an informed decision whether to file the complaint;
 7. To comply with the state's discovery obligations in prosecutions pursuant to the Rules of Court;
 - a. Such request must be specific and on the proper instrument, i.e., subpoena, discovery request, etc.
 - b. Only those portions of the recording pertinent to the request shall be forwarded.
 - c. The Wall Township Police Department reserves the right to redact video as applicable by law.

- d. All requests for copies or review of BWC recordings are subject to the fee requirements of the prevailing ordinance.
 - 8. To comply with any other legal obligation to turn over the recording to a person or entity;
 - 9. For training purposes, provided that the recording is edited so that the identity of individuals depicted in the recording cannot be determined by persons viewing the training video unless the depicted individuals have consented to the recording being used for training purposes;
 - 10. To show or disseminate the recording to a civilian or a non-law enforcement entity or to disseminate it to the public, where the Monmouth County Prosecutor or his/her designee, or Director of the Division of Criminal Justice or his/her designee, determines that disclosure to that particular person entity or the public is warranted because the person's/entity's/public's need for access outweighs the law enforcement interest in maintaining confidentiality;
 - 11. To conduct an audit to ensure compliance with this SOP;
 - 12. To enhance officer and public safety by providing intelligence information in preparation for a raid/warrant execution (e.g., by providing information about the layout of a premises to be searched), when such use is approved by the Monmouth County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee; or
 - 13. Any other specified official purpose where the Monmouth County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee, finds in writing that good and sufficient cause exists to authorize access to a particular BWC recording
- C. No personnel shall erase or in any other manner alter, tamper with, destroy, or conceal BWC recordings or remove or disable any BWC device. Any such tampering is a violation of N.J.S.A. 2C: 28-7, and is a 4th degree crime.
- D. Recordings are considered criminal investigatory records of this police department and shall be maintained and disposed of in accordance with New Jersey Division of Revenue and Enterprise Services, Bureau of Records Management (BRM) records retention schedules.
- 1. Contents downloaded from BWCs will be stored on the secure agency server or another designated storage device(s).
 - 2. Except for recordings being stored for criminal, civil administrative proceedings, or evidentiary purposes, recordings shall be retained for a period of ninety-days (90).
 - 3. Recordings that are being stored for criminal, civil, or administrative purposes are to be transferred to a DVD/CD and submitted as evidence or maintained with the case file.

4. Recordings being stored for criminal, civil, or administrative purposes must be maintained until the conclusion of the case. Recordings maintained for these purposes can only be erased or destroyed in accordance with New Jersey Division of Revenue and Enterprise Services, Bureau of Records Management (BRM) records retention schedules.
 5. When a BWC records an arrest that did not result in an ongoing prosecution, or records the use of police force, the recording shall be kept until the expiration of the statute of limitations for filing a civil complaint against the officer and/or agency (currently two years).
 6. When a BWC records an incident that is the subject of an administrative internal affairs complaint, the recording shall be kept pending final resolution of the internal affairs investigation and any resulting administrative action.
- E. The records custodian or his/her designee shall notify the Monmouth County Prosecutor's Office OPRA records custodian within one business day upon receiving any subpoena, court order or OPRA request for a BWC recording before complying with it.
1. The records custodian or his/her designee shall utilize a *Monmouth County Prosecutor's Office Body Worn Camera OPRA Notification Form* and emailing the form to opra@mcponj.org.
 2. The form must contain the date the request was received, the deadline by which a response must be made, whether the agency intends to release or deny the request, and the justification for that decision.
 3. Provide the type of police action or activity depicted in the recording, including but not limited to, whether the officer was involved in an investigative detention, an arrest, an interrogation of a suspect, a witness interview, a search, a protective frisk for weapons, or was using constructive or actual force.
 4. Indicate whether the recording is part of an ongoing criminal or internal affairs investigation or whether release of the recording potentially infringes upon a victim and/or juvenile privacy rights.
 5. The records custodian or his/her designee will receive an email acknowledgement. If no further communication is received within 72 hours, the record custodian or his/her designee should respond to the request as deemed appropriate.
- F. A BWC recording of an event or encounter that involves an investigation of a criminal offense shall not be shared with or provided or shown to any person, entity, or government agency, other than a law enforcement agency or officer or authorized civilian employee of such agency, unless such disclosure is required by the Rules of Court governing discovery in prosecutions, or by a court order, or unless the Chief of Police in consultation with the Monmouth County Prosecutor or his/her designee determines that the person's/entity's/non-law enforcement agency's/public's need for access outweighs the law enforcement interest in maintaining confidentiality.

1. If disclosure of a BWC recording as part of the state's discovery obligations in a prosecution might present a danger to any officer or civilian (e.g., reveal an undercover officer, confidential informant, surveillance site, etc.), or might reveal confidential tactical information the disclosure of which might jeopardize future operations or officer safety, the Monmouth County Prosecutor or his/her designee shall, in the exercise of sound prosecutorial discretion, take such steps as are appropriate and authorized by law and/or court rule to protect the information from disclosure, such as by seeking a protective order from the court.
 2. A BWC recording tagged pursuant to section IV.F of this SOP shall not be accessed, viewed, copied, disseminated, or otherwise used without first obtaining the permission of the Monmouth County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee. The Monmouth County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee may authorize the Chief of Police and one or more supervisory officers to grant permission pursuant to this section to access, view, copy, disseminate, or otherwise use BWC recordings tagged pursuant to section IV.F.
 3. The assistant prosecutor overseeing a police use of force investigation pursuant to *Attorney General Law Enforcement Directive 2006-5*, or his/her designee, may in the exercise of sound discretion authorize a civilian or law enforcement witness to be given access to or view a BWC recording of the incident under investigation. To ensure the integrity of investigations of police-involved shootings and other use of force incidents and to avoid possible contamination of a witness's personal recollection of events that could undermine his or her credibility as a witness, notwithstanding any other provision of this SOP, no civilian or law enforcement witness, (including the principals) of the investigation, shall be given access to or view a BWC recording of the incident, or a BWC recording of the response or on-scene investigation of the incident, without the expressed prior approval of the assistant prosecutor, assistant or deputy attorney general, or designee.
- G. The administrative sergeant or his/her designee shall maintain a record of all BWC recordings that are accessed, viewed, copied, disseminated, or deleted. The Chief of Police shall cause a periodic audit of these records to ensure compliance with this SOP. Minimally, the record keeping system shall document the following information:
1. The date and time of access;
 2. The specific recording(s) that was/were accessed;
 3. The officer or civilian employee who accessed the stored recording;
 4. The person who approved access, where applicable; and
 5. The reason(s) for access, specifying the purpose or purposes for access and specifying the relevant case/investigation number, where applicable.

- H. In the event that a recording is required for use in court or by another law enforcement agency, that recording shall not be released without the prior approval of the Chief of Police or his/her designee and only if a duplicate copy is retained by the department.
 - 1. Duplicate copies shall be maintained as evidence in accordance with this department's property and evidence guidelines.
 - 2. The property/evidence custodian shall ensure that any media used for duplicate recordings is properly stored away from magnetic fields (speakers, etc.) or other areas that may facilitate corruption in the property room.
- I. Employees shall not reproduce or store any recordings to any device or storage medium or induce any person to perform such tasks. This shall include, but not limited to, cell phones, electronic notebooks, etc.
- J. Recorded video of unusual or significant incidents, deemed to be beneficial for departmental training, may be utilized for departmental in-service training purposes only with the approval of the Chief of Police.

WALL TOWNSHIP POLICE DEPARTMENT			
<i>Standard Operating Procedure</i>			
CHAPTER: 21	SECTION: 10	# OF PAGES: 10	
SUBJECT: BOMB THREATS			
EFFECTIVE DATE: February 1, 2011	ACCREDITATION STANDARDS:	REVISION DATE	PAGE #
BY THE ORDER OF: Captain Tim Clayton, Officer in Charge			
SUPERSEDES ORDER #: GO 2007-16			

PURPOSE: Effective immediately, and until further notice, this SOP will list the procedures that apply for bomb threats.

POLICY: The purpose of this policy is to establish procedures under which non-sworn members and sworn members will follow in handling bomb threats/emergencies.

PROCEDURES:

I. ADMINISTRATION:

- A. The Wall Township Police Department will review this policy, at a minimum, on an annual basis by designated personnel. Revisions will be based upon identified deficiencies and/or changes in procedures. The designated personnel are encouraged to consult with and seek input from personnel with expertise prior to making any revisions.
 - 1. The shift commander shall have the authority to implement this plan and will assume command of the operation until relieved by the Chief of Police or a Commander of higher rank.
 - 2. Initial investigative responsibilities of bomb threats will normally be assigned to the dispatched Police Officer. However, in situations where the bomb threat location is a school, specific procedures have been established regarding who will respond and conduct the initial investigation. (See Section C below)

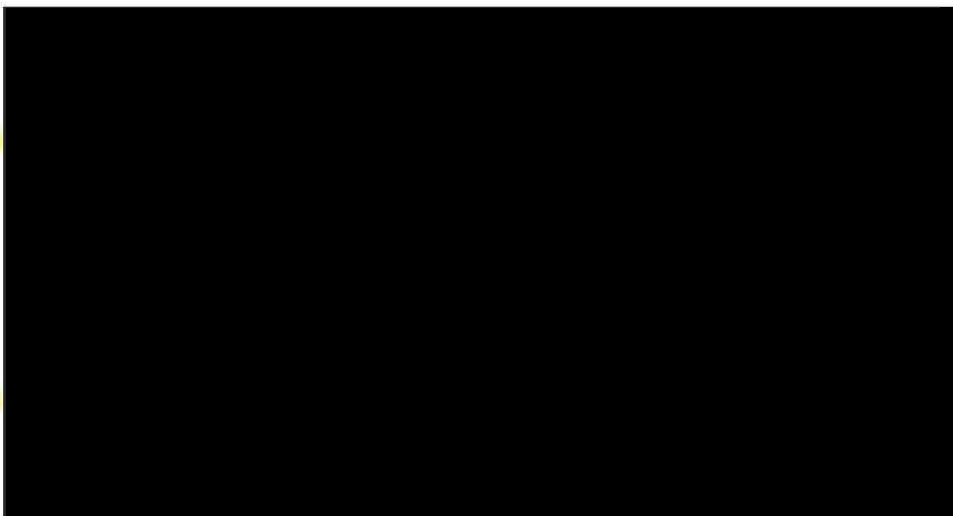
II. RECOMMENDATIONS:

- A. Law enforcement officials invite school officials into the annual policy review process for input purposes and supply designated school officials with a copy of the final product, as well as any future revisions that may occur. (The Department should redact any law enforcement related tactics and strategies from any documents distributed to non-law enforcement personnel.)

1. School officials review and revise (if necessary) their policy on an annual basis, invite law enforcement into this review process for input, and supply law enforcement (local and county) with a final product, as well as any future revisions that may occur.
2. School officials provide current blueprints of the floor plans of each school within the district to law enforcement.
3. School officials train all of their staff (administration, educators, and custodial) annually regarding this issue. School officials should invite law enforcement to assist in this training so that law enforcement can better explain to school staff as to why certain things are done, what is expected of them, and what they may expect from law enforcement responding to an incident.
4. School officials develop a synopsis or "cliff note" version of their school related handling of bomb threats and/or evacuations and distribute them, in addition to the policies themselves, to designated district employees as well as law enforcement.
5. During their planning phase, school officials should consider a number of areas to be designated as evacuation areas and to alternate the usage of these designated staging areas so as not to be predictable.

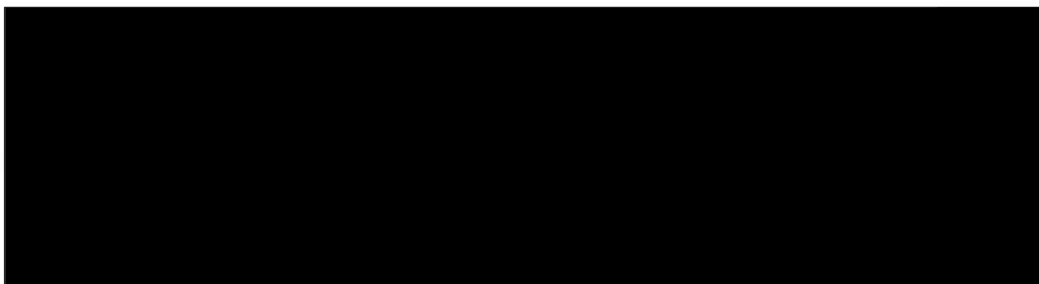
B. BOMB THREAT AT A SCHOOL: If the location of the bomb threat is a school:

- 1.
- 2.
- 3.
- 4.



C. BOMB THREAT AT A LOCATION OTHER THEN A SCHOOL: If the location of the threat is a building other than a school:

- 1.
- 2.
- 3.



4.

- D. ACTUAL/SUSPECTED DEVICE FOUND/EXPLOSION OCCURS -
NOTIFICATIONS: If an actual/suspected device is found and/or an actual explosion occurs, the following agencies and Departments, if not previously notified or on the scene, will immediately be notified:

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

11.

12.

13.

- E. DUTIES & RESPONSIBILITIES OF THE LAW ENFORCEMENT
COMMUNICATIONS OPERATOR UPON RECEIVING A BOMB
THREAT/BOMB EMERGENCY CALL:

1.

a.

b.

c.

d.

e.

f.

NOTE:

2. It is also important to remember that the bomb threat caller is the best source of information about the bomb. Attempt to:

a.

b.

c.

d.

e.

g.

h.

3.

F. DUTIES & RESPONSIBILITIES OF THE SUPERVISOR:

1.

3.

a.

b.

c.

d.

e.

f.

g.

h.

G.

J. DUTIES & RESPONSIBILITIES OF THE N.J. STATE POLICE BOMB DISPOSAL UNIT:

1.

2. The N.J. State Police Bomb Disposal Unit:

a.

b.

c.

d.

K. PROCEDURE FOR REQUESTING THE N.J. STATE POLICE BOMB DISPOSAL UNIT:

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]

L. EVACUATION:

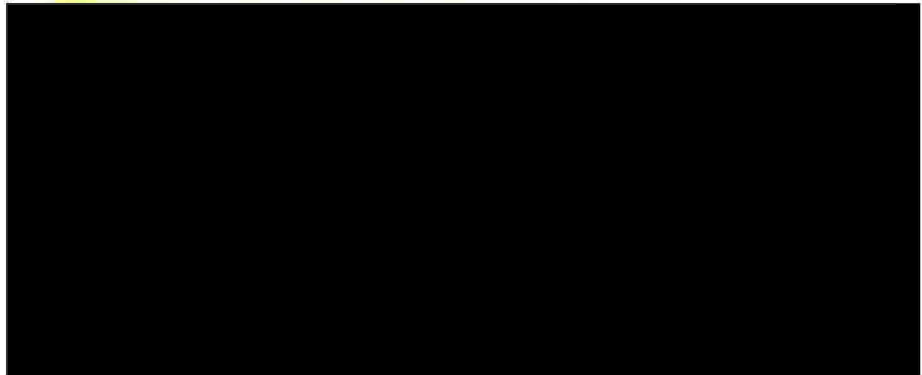
1. [REDACTED]
 - a. [REDACTED]
 - b. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]

6.

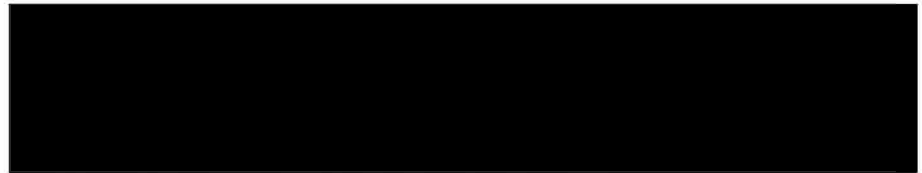


M. **SEARCHING THE PREMISES:**

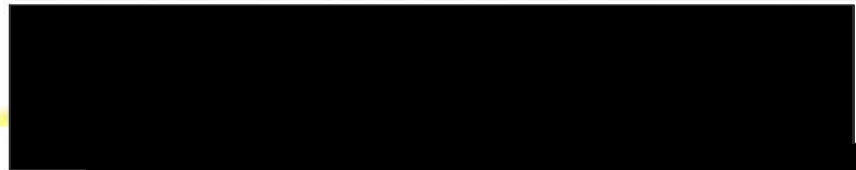
1.



2.

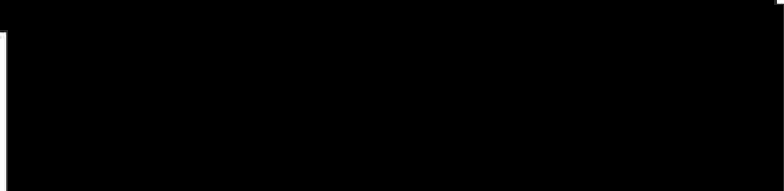


3.

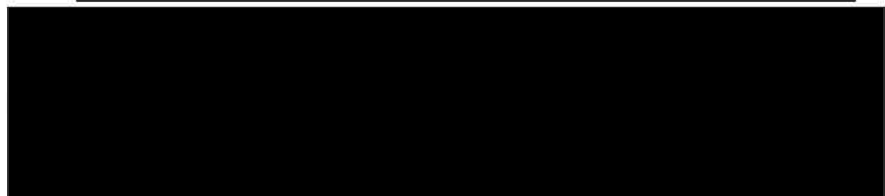


a.

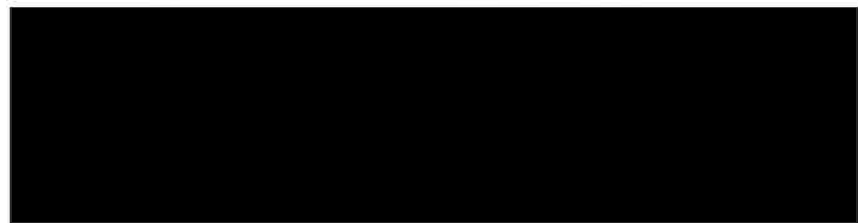
b.



4.



5.



[REDACTED]

6.

[REDACTED]

7.

[REDACTED]

N. IF A SUSPICIOUS ITEM/SUSPECTED DEVICE IS LOCATED:

1.

[REDACTED]

2.

[REDACTED]

O. ESTABLISHMENT OF A COMMAND POST:

1.

[REDACTED]

2.

[REDACTED]

a.

b.

c.

d.

[REDACTED]

P. **COMMAND POST CHAIN OF COMMAND:** The types of agencies represented within the Command Post, as well as the Chain of Command itself, needs to remain flexible as it may change as the dynamics of the scene changes (i.e., bomb threat vs. located device vs. device detonated with active fire vs. follow-up investigation). The Command Post may include representatives from some or all of the following agencies:

1. Police Department;
2. Bomb Squad;
3. Prosecutors' Office;
4. OEM;
5. Fire Department;
6. State Agencies;
7. Federal Agencies;
8. Other agency(ies).

Q. **COMMUNICATIONS:**



R. **SCENE PROTECTION/EVIDENCE COLLECTION:**



S. **NEWS MEDIA:**

1. Access to the scene will be restricted to emergency personnel. The news media, upon scene stabilization, may be allowed access to the scene for photo opportunities. However, said access shall be restricted and controlled by law enforcement. The decision as to authorize access as well as the degree of access will be made by the highest ranking on-scene member of the lead investigatory agency.
2. Media access to investigative personnel for interview purposes shall be arranged for at a secured off-site location, preferably one that gives law enforcement the ability to screen persons entering the press area by screening them for proper State of NJ Press Credentials.

3. 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 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.

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.

- T. FOLLOW-UP ACTIONS: A criminal investigation report will be completed on each bomb threat/bomb emergency. Additionally, the commander of the Detective Division shall review all reports (criminal Investigation reports and supplements), and forward these reports along with any additional facts and/or recommendations to the Office of the Chief of Police and the County Prosecutor.

WALL TOWNSHIP POLICE DEPARTMENT				
<i>Standard Operating Procedure</i>				
CHAPTER: 21	SECTION: 12	# OF PAGES: 5		
SUBJECT: BUILDING EVACUATION				
EFFECTIVE DATE: February 1, 2011		ACCREDITATION STANDARDS:	REVISION DATE	PAGE #
BY THE ORDER OF: Captain Tim Clayton, Officer in Charge				
SUPERSEDES ORDER #: GO 2007-13				

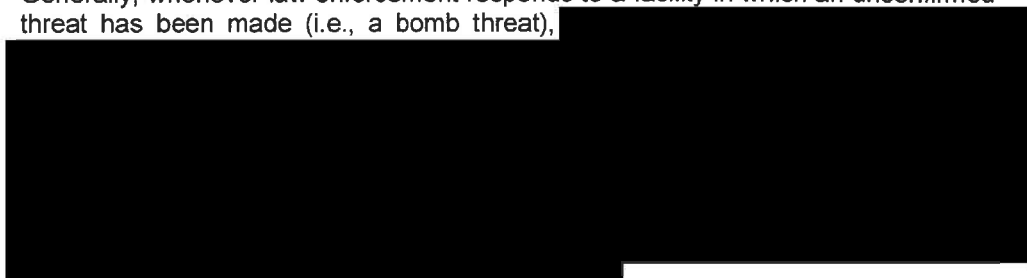
PURPOSE: Various events may occur that necessitate the evacuation of a building. These events range from naturally occurring events (i.e., flooding) or may be man-made (i.e., bomb threats, loss of power, etc.). It is important that the responding police personnel understand what their responsibilities are and that these events be handled in such a manner as to protect the evacuees from exposure to unnecessary risks.

POLICY: The purpose of this policy is to establish procedures under which law enforcement personnel will procedures whenever responding to a facility in which an evacuation is necessary or has occurred.

PROCEDURES:

I. AUTHORITY TO EVACUATE & THE DECISION TO REOCCUPY

- A. Generally, whenever law enforcement responds to a facility in which an unconfirmed threat has been made (i.e., a bomb threat),



- B. Once an evacuation occurs, law enforcement has the responsibility of advising management of the extent of their specific efforts to address the threat/risks that caused the evacuation and that their efforts are now concluded. If law enforcement has ordered the evacuation, it must inform building management when the evacuation order is no longer in effect. After considering the information supplied to

them by law enforcement, the final decision to reoccupy the facility rests with facility management, in consultation with law enforcement officials.

II. RECEIVING A REPORT OF AN EVACUATION – DUTIES AND RESPONSIBILITIES

A. LAW ENFORCEMENT COMMUNICATIONS OPERATORS

1. The law enforcement communications operator will attempt to obtain the following information from the person who is reporting the evacuation:

- a.
- b.
- c.
- d.
- e.
- f.
- g.

- 2.

- 3.

B. SUPERVISORS

- 1.

- a.

- b.

- c.

- 1.

2.

3.

d.

e.

f.

2.

C. INVESTIGATING OFFICER

1.

III. NEWS MEDIA

- A. Access to the scene will be restricted to emergency personnel. The news media, upon scene stabilization, may be allowed access to the scene for photo opportunities. However, said access shall be restricted and controlled by law enforcement. The decision as to authorize access, as well as the degree of access, will be made by the highest ranking on-scene member of the lead investigatory agency.
- B. Media access to investigative personnel for interview purposes shall be arranged for at a secured off-site location, preferably one that gives law enforcement the ability to screen persons entering the press area by screening them for proper State of NJ Press Credentials.
- C. 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 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.

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.

IV. AFTER ACTION ACTIVITIES

- A. Personnel involved in the event shall be required to submit applicable written after-action reports delineating their assignments as well as detailed descriptions of their actions during the event.
- B. Immediately thereafter as practical but under no circumstances to exceed two weeks, all after-action reports will be forwarded to the County Prosecutor, State or Federal agency as applicable and if requested, who will then oversee/coordinate a multi-agency critique of the event to review the responses/actions taken by the involved agencies. The results of this critique may be utilized for plan revision and future training.

V. TRAINING/POLICY REVIEW ISSUES

- A. The Office of the Attorney General shall develop and/or certify standardized training guidelines and lesson plans for evacuation as it relates to law enforcement. This training will be incorporated into the training for "Rapid Response to An Active Shooter" and shall occur annually. Adherence/compliance with these guidelines is mandated. Standardization of training will help ensure that all law enforcement agencies/personnel receive a foundation of evacuation training, will react in a similar manner and will enhance the ability of agencies to work as a team during mutual aid incidents. Furthermore, it will give law enforcement some insight as to what to expect if they are dispatched to a facility which has undergone an evacuation.
- B. This department is strongly encouraged to schedule joint practical drills with the other emergency services and various facility officials within their respective municipalities. Once again, the drill involving lockdown procedures can be practiced and tested during corresponding drills for "Rapid Response to An Active Shooter".
- C. Law enforcement shall review this policy on an annual basis and make revisions as necessary.

VI. RECOMMENDATIONS

- A. Law enforcement officials should invite school officials into this policy review process for input purposes and supply designated school officials with a copy of the final product as well as any future revisions that may occur (all void of specific law enforcement related tactics and strategies).
- B. School officials should review and revise (if necessary) their respective policy on an annual basis, that they invite law enforcement into this review process for input and supply law enforcement (local and county) with a final product as well as any future revisions.
- C. Current blueprints of the floor plans of each school within the district should be supplied to law enforcement.
- D. School officials should train all of their staff (administration, educators and custodial) annually regarding this issue. Once again, law enforcement should be invited to assist in this training so that they can better explain to school staff as to why certain things are done, what is expected of them and what they may expect from law enforcement.
- E. School officials should develop a synopsis or "cliff note" version of their school related evacuation procedures and distribute them, in addition to the policies themselves, to district employees as well as law enforcement.

- F. During their planning phase, facility officials should consider a variety of staging areas to evacuate facility occupants to and to alternate the usage of these designated staging areas so as not to be predictable.

WALL TOWNSHIP POLICE DEPARTMENT <i>Standard Operating Procedure</i>			
CHAPTER: 15	SECTION: 18	# OF PAGES: 17	
SUBJECT: CANINE OPERATIONS AND PROCEDURES			
EFFECTIVE DATE: February 7, 2011	ACCREDITATION STANDARDS: N/A	REVISION DATE 07/08/2016 11/03/2016	PAGE # All P.8
BY THE ORDER OF: Police Chief Robert Brice			
SUPERSEDES ORDER #: GO 2007-27			

PURPOSE: The primary mission of the canine unit is to provide trained canine teams to assist in the prevention and detection of crime, the tracking of persons sought by the police, protection of police officers, and such other duties as may be directed by the Chief of Police. All employees of this department shall cooperate and assist the canine unit in achieving these objectives.

POLICY: It is the policy of the Wall Township Police Department to provide for the positive and efficient utilization of the department's canine teams in a manner that will be most effective in attaining the department's goals in serving the community.

The use of a canine is a legitimate tool in attaining the goals of law enforcement in our society. The canine team's greatest value lies in the deterrent effect of their presence.

All members of the department must bear in mind that the use of a canine team in making or maintaining an arrest constitutes the use of force of the implied use of force. Therefore, it is imperative that the canine handler be fully cognizant of all the facts and circumstances available surrounding the situation before a decision is made to deploy the canine for other than deterrent patrol.

Canine handlers shall perform the regular duties of police officers, except when their services are required for special details and/or training purposes. The handlers' assignment to the canine unit shall in no manner relieve them from conforming to, and complying with, other orders of the department or general provisions of the department's police manual.

PROCEDURES:

I. REQUESTS FOR USE OF CANINE SERVICE

A. Use within Wall Township:

1. Only the duty shift supervisor shall approve requests for immediate tactical utilization of the canine unit in accordance within the guidelines of this SOP.
2. Such a request shall be made to the communications, who shall dispatch a canine unit.
3. Upon arrival of the canine team at the scene, the handler is responsible for determining whether or not the circumstances of the incident justify the deployment of the canine and for determining the tactical utilization of same.
4. The handler shall make the final decision on the deployment of the canine.

B. Use outside of Wall Township

1. All requests for use of canine unit personnel in areas outside of Wall Township shall be directed to the duty shift supervisor, who will relay the request to the canine unit. All such requests will be afforded immediate and careful consideration, and when services can be provided from the resources available and the need appears to justify the use of a canine, the request shall be approved and the following actions taken:
 - a. Advise the requesting agency of the decision concerning its request for special canine support and the approximate time the team(s) will arrive at the designated area to furnish the requested assistance.
 - b. A CAD event report will be completed giving complete information relative to the request, the services needed, the action taken, and the results of the assistance provided.

II. GUIDELINES ON THE USE OF FORCE IN CANINE DEPLOYMENT

- A. This section is provided to assist canine handlers in making appropriate decisions on the deployment of their canine partners when the use of force to effectuate a lawful arrest becomes necessary. The police canine is the only law enforcement tool, which if taken from its handler, cannot be used against him/her.
- B. It is imperative that the handlers fully understand that they may only use that amount of force, which is necessary to effectuate a lawful arrest. Therefore, the deployment of police canines to effectuate a lawful arrest should only be considered when the use of force would be justified.
- C. Regardless of whether the particular situation is an offense and/or a crime, or if the suspect(s) is fleeing or hiding, the actual and/or implied use of a properly trained police canine as a search tool is lawful to locate the suspect(s). The canine can be used as a search tool also to locate missing persons.

1. The fact that a suspect is fleeing and/or hiding creates a potentially dangerous situation for pursuing officers.
2. Police officers are at a strategic disadvantage when pursuing a fleeing suspect or attempting to locate one that is hiding since:
 - a. It is usually unknown if the suspect is or has become armed.
 - b. It is usually unknown if the suspect plans to inflict harm on the pursuing police officers and /or the public.
3. Therefore, the use of canine assistance (physical apprehension) would usually be appropriate in the following situations when use of mechanical force is justified:
 - a. Protection of the handler
 - b. Protection of police officers and/or third persons
 - c. Suspected criminal(s), who flee after a lawful order to stop.
 - d. Hiding suspect(s) who refuse to surrender and no other tactical option is appropriate.
 - e. When canine is assaulted.
4. A canine used as an apprehension tool is considered mechanical force in accordance with this agency's SOP on *Use of Force*.
 - a. Before using physical or mechanical force officers should, where feasible, ask the person to desist.
 - b. This request is not necessary when the request would be useless or dangerous to the police or the public.

III. AUTHORIZED DEPLOYMENT AND USE OF POLICE CANINES

A. Building searches:

1. When it is believed that unauthorized entry has been gained into a building or a suspect(s) has fled into and concealed himself/herself in a building, and:
 - a. Where probable cause exists to believe that the suspect(s) hiding within has committed a crime or offense as defined by the laws of New Jersey; and
 - b. The use of force is justified to effectuate the arrest of the suspect(s).
2. The initial responding officers shall immediately establish a perimeter and exhaust all available efforts to determine if innocent person(s), including police personnel, are within the building without entering it.

3. The initial responding officers shall exhaust all available efforts to avoid further contamination of the affected areas unless emergency situations dictate otherwise.
4. The handler shall make the following search warning announcement upon entering the building and prior to beginning the search with his/her canine partner:

"THIS IS THE POLICE. YOU ARE UNDER ARREST. MAKE YOURSELF KNOWN AND SURRENDER. I HAVE A TRAINED POLICE DOG. IF YOU DON'T COME OUT, I WILL RELEASE HIM, AND HE WILL FIND YOU AND BITE YOU."
5. The handler will then wait a reasonable period of time, depending upon the building size, to allow the suspect(s) to surrender and/or innocent persons to exit.
6. In large offices and/or warehouse type structures, the warning announcement will be given by the handler prior to commencing the search on each separate floor of the building.
7. The search will be conducted in a systematic manner as determined by the handler.
8. All searches may be conducted off lead except when, in the opinion of the handler, the dog's safety would be jeopardized.
9. When searching vacant buildings, the search should be on lead. Vacant building searches shall only be conducted when the suspect(s) sought have committed a serious crime and any delay in their apprehension would pose a serious threat to public safety. Vacant buildings are defined as any building not being used privately or publicly. Juveniles and transients frequently use these buildings and all efforts shall be made to avoid accidental canine encounters with the individuals who have committed only minor infractions.
10. It will be left to the handler's discretion to employ the assistance of a back-up officer during his search.

B. Open area searches:

1. Canines can be used when it is believed that a suspect(s) has fled into and concealed himself/herself within an open area and where probable cause exists to believe that the suspect(s) hiding in the area have committed a crime or an offense where mechanical force would be justified to effectuate the arrest of the suspect(s).
2. The initial responding officers shall immediately establish a perimeter and exhaust all available efforts to determine if innocent persons, including police personnel, are contained within the established area without entering it.

3. The initial responding officers shall exhaust all available efforts to avoid further contamination of the affected areas unless emergency situations dictate otherwise.
4. The handler shall make the following search warning announcement upon entering the area and prior to beginning the search with his/her canine partner:

"THIS IS THE POLICE. YOU ARE UNDER ARREST. MAKE YOURSELF KNOWN AND SURRENDER. I HAVE A TRAINED POLICE DOG. IF YOU DON'T COME OUT, I WILL RELEASE HIM AND HE WILL FIND YOU AND BITE YOU."
5. The handler will then wait a reasonable period of time, depending upon the area size, to allow the suspect(s) to surrender and/or innocent persons to exit.
6. The search will be conducted in a systematic manner as determined by the handler.
7. Searches can be conducted off lead. The safety of the perimeter officers has to be taken into consideration when working the canine off lead.

C. Tracking:

1. Tracks can be conducted by the canine teams for various situations including, but not limited to: missing persons or suspects who have fled a particular area or location.
2. The initial responding officers shall immediately establish a perimeter and exhaust all available efforts to determine if innocent and/or unrelated persons, including police personnel are contained within the established area without entering same.
3. The initial responding officers shall exhaust all available efforts to avoid further contamination of the affected areas, especially that in which the individual(s) to be tracked were last seen, unless emergency situations dictate other wise.
4. Tracking will be conducted on lead at a sufficient length to be determined by the handler. The handler shall also decide whether or not a back-up officer will be used during the track.
5. When tracking a suspect for a disorderly person's offense, or motor vehicle violations, a canine can be used as a search tool, unless the totality of the circumstances would authorize the use of mechanical force in accordance with this agency's SOP on *Use of Force*.

D. Criminal apprehension:

1. When probable cause exists to believe that a suspect(s) has committed a crime or offense as defined by the laws of the State of New Jersey; and

- a. The use of mechanical force is justified to effectuate the arrest of the suspect(s) in accordance with this agency's SOP on *Use of Force*.
 - b. A canine making physical contact with a suspect is defined as mechanical force under this agency's SOP on *Use of Force*.
2. In most situations, criminal apprehensions will be accomplished off lead. However, it is important to emphasize that criminal apprehension can also be accomplished when the canine is still on lead.
3. When feasible, the handler shall allow the suspect(s) the opportunity to surrender by giving a warning announcement prior to deploying their canine for a physical apprehension. An example of such an announcement is as follows:

"POLICE, YOU ARE UNDER ARREST. STOP OR I WILL RELEASE MY POLICE DOG, AND HE WILL BITE YOU."
4. If the suspect(s) surrenders, the canine apprehension will be terminated and suspect(s) will be handcuffed and searched in accordance with department policy.
5. Under no circumstances should any police personnel, other than the handler, interfere with the canine once it has been deployed to make a physical apprehension of a suspect unless specifically directed by the handler.
6. The canine will effectuate the apprehension as trained.
7. The handler will immediately advise the suspect to stop fighting and/or resisting the canine and the handler will command the canine to release the suspect.
8. Once the suspect has complied and submits to the arrest, the handler will immediately command the canine to release the apprehension and call the canine into a guard position.
9. The handler will then advise the suspect that if he/she attempts to assault the police officers and/or the canine, the canine will apprehend him/her again.
10. If other officers are available, they may be summoned by the handler to handcuff and search the suspect. Otherwise, the handler shall leave his/her canine partner in a guard position. In the event assisting officers handcuff the suspect(s) is/are handcuffed, the handler will put the canine on lead before calling in the back up officers.
11. Once the suspect(s) has been successfully handcuffed and searched, the handler will ensure that the suspect(s) are provided with immediate medical attention for the apprehension sustained during the arrest. The suspect may be transported to a medical facility or the Wall Township EMS may be dispatched to assist the suspect.

12. The K9 handler must immediately notify a supervisor. The duty shift supervisor will then make notification, through the chain of command, to the Chief of Police.
13. If the suspect(s) refuses medical attention, the suspect(s) should sign the *Wall Township EMS Medical Treatment Refusal Form*. In the event that the suspect(s) refuses to sign, the duty shift supervisor will be notified and the supervisor will note the suspect's refusal to sign on the refusal sheet.
6. This section shall apply to all instances in which a canine team has successfully located and/or apprehended a suspect(s).

E. Article/evidence searches:

1. A canine search is authorized when it is believed that a suspect(s) involved in an incident has discarded an article and/or instrument of an offense or crime in a particular area.
2. The initial responding officers shall immediately establish a perimeter and exhaust all available efforts to determine if innocent person(s) including police personnel are contained within the established area without entering same.
3. The initial responding officers shall exhaust all available efforts to avoid further contamination of the affected areas unless emergency situations dictate otherwise.
4. The search will be conducted in a systematic manner as determined by the handler.
5. The handler will decide if the search will be conducted on lead or off lead based on particular circumstances of the situation.

F. Public disturbances:

1. At the scene of riots, imminent riots, or other unruly public disturbances, canine teams may be dispatched only upon the direction of the Chief of Police or his/her designee for the deployment and use as determined by the canine handler where circumstances justify such action. The canine team's main role shall be officer safety.
2. Under no circumstances shall canine teams be used for crowd control and/or deterrent effects at the scene of peaceful demonstrations.

G. Scent searches:

1. When situations arise that require the special skills, and abilities of a scent detection canine (e.g., arson, explosive, and/or narcotics detection) to locate specific items of contraband and/or evidence of an offense or crime, their deployment is authorized as outlined in this SOP.

- a. Canines trained as narcotics detection dogs are trained to locate the odors of marijuana, hashish, cocaine, crack cocaine, heroin, methamphetamine, and ecstasy. Additionally, narcotics detector canines may be utilized to identify U.S. currency containing the odor of the above listed controlled dangerous substances.
- b. Officers effectuating arrests involving CDS are encouraged to utilize the services of detector canine teams. Canines can be used to search motor vehicles, buildings, vessels, aircraft, packages, and open areas.
- c. Officers executing search warrants for CDS may, whenever possible, utilize detector dog teams to assist them in their search. Prior to the execution of the search warrant, when possible, the canine unit supervisor should be notified of a possible search. This notification is only to be for arranging the availability of a canine team. Notification should include the substance anticipated and the approximate time the search will occur. Canine handlers need not be provided with the actual location of the search until pre-operation briefing or being summoned.
- d. Personnel are reminded that the courts recognize a positive alert from a trained detector dog as expert testimony and that they are reliable instruments. In certain settings, search warrants may be obtained by virtue of a positive alert by a detector dog.
- e. All handlers will NOT deploy their canines in any situation that Fentanyl is believed or is suspected of being present. Since the canines are frequently deployed in situations with no prior intelligence about the substance they may be encountering, after every deployment each handler will monitor their canines for a minimum of 30 minutes. Handlers will be noting an unusual behavior in the canine to indicate an exposure. If an exposure is suspected, the handler will immediately respond to the nearest animal hospital.

H. Community relations – public demonstrations:

- 1. Public demonstrations conducted by the canine unit are usually very well accepted and offer an excellent opportunity for police personnel to relate to and interact with community in a positive way.
- 2. Since public acceptance and support for the canine unit is essential to maintaining the professional integrity of the canine unit and the department as a whole, all requests for same shall be handled as follows:
 - a. Requests shall be directed to the Chief of Police, who shall approve and coordinate the request(s) with the canine unit supervisor.
 - b. All reasonable efforts shall be made by K9 Unit personnel to fulfill the demonstration requests approved by the Chief of Police.
 - c. Canine handlers shall take care that their appearance and presentation reflect a professional image of the department.

- d. Canine handlers shall maintain complete control over their dogs to ensure the utmost safety of the public.
- e. Civilian contact with the dogs should be extremely limited and is at the discretion of the handler(s).

I. Explosives detection:

- 1. Canines trained as explosive detection dogs are trained to search, find and indicate on nitrates found in explosives in a non-aggressive manner.
- 2. Officers responding to a suspicious package, weapons or bomb threat are to evacuate the area and establish a perimeter when reasonable circumstances exist. An explosives detection dog team should then be deployed. Ultimately, it will be the handler's decision whether to use the canine to search or to immediately contact the bomb squad based on the facts of the incident. In the event a Wall Police Department explosives detection dog is not available, the Monmouth County Sheriff's Department, Long Branch Police Department and/or the State Police may be contacted.
- 3. In the event the handler recognizes a passive indication from his/her canine partner or deems the threat credible to the extent that it would be a hazard to search the area, the NJSP Bomb Squad shall be contacted. When the threat is eminent and time constraints exist, NSW Earle EOD may be contacted.

IV. PROCESSING ARRESTEES

- A. When a suspect(s) is arrested as a result of a canine search, assisting officers will handle the arrest procedure of the suspect(s) so the canine unit may return to service. However, the handler should sign all complaints arising from a canine apprehension.
 - 1. The handler will submit a detailed supplementary report explaining the involvement of the canine team, which shall include, but is not limited to:
 - a. The deterrent effects the canine team's presence had on the situation, if any.
 - b. Complete documentation and explanation of all situations in which suspect(s) surrendered as a result of the canine team's presence and/or utilization.
- B. It is imperative that handlers thoroughly document all instances relating to the canine team's utilization and/or deterrence on any situation on the appropriate report forms.
 - 1. The completed reports shall be forwarded directly to the canine supervisor without unnecessary delay. Such situations would include, but not be limited to:

- a. Surrenders;
 - b. Physical apprehensions;
 - c. Non-physical apprehensions (finds);
 - d. Contraband and/or evidence discovery;
- C. In addition to all other appropriate charges, officers are reminded of N.J.S.A. 2C: 29-3.1 Purposeful Injury to Animals Used for Law Enforcement, which reads in pertinent parts:
 - 1. *Any person who purposely kills a dog owned or used by a law enforcement officer or agency who interfered with any law enforcement officer using an animal in the performance of his duties commits a 3rd degree crime.*
 - 2. *Any person who purposely maims or otherwise inflicts harm upon a dog...owned or used by a law enforcement agency shall be guilty of a crime of the 4th degree.*
 - 3. *Any person who interferes with any law enforcement officer using an animal in the performance of his official duties commits a disorderly person's offense.*

V. DUTIES AND RESPONSIBILITIES OF INITIAL RESPONDING OFFICERS

- A. Upon arrival at all suspected disorderly persons offenses and/or crime scenes or situations, responding officers shall immediately assess the situation to determine if a canine team could be beneficial to the investigation.
- B. When the initial responding officer(s) and /or supervisor determines that canine assistance is required, they shall take all reasonable actions to ensure that appropriate perimeters are established as outlined in this SOP and shall gather as much information as possible for the canine team(s) as notified by the duty shift supervisor.
 - 1. Perimeters shall be maintained until relieved by the handler or other competent authority.
 - 2. Officer(s) maintaining perimeters shall do so as tactically as possible while maintaining the integrity of the secured area and remaining alert to possible hazards.
- C. In all instances where the handler has deployed a canine, whether on lead or off lead, all officers must remain completely alert to the canine's presence in the area and the potential of the canine to make physical apprehensions.

VI. LIMITATIONS OF CANINES ABILITY AND SPECIAL CONSIDERATIONS

- A. Weather conditions such as rain, snow, heat, wind, etc., have tremendous effect on the canine's ability to properly function and these factors must be considered when contemplating the use of a canine team.

- B. A canine's ability to locate human scent is proved through their extraordinary olfactory senses. It is therefore imperative for police officers at the scene of situations where the use of a canine team is being considered to properly protect the scene from further scent contamination.
- C. Canines function to the best of their abilities when permitted to search off lead. Canines have an inherent ability to detect scent via the ground/terrain and/or through various air/wind currents that flow through the specific area. The handler must therefore take into account all available information relating to the situation when making their decision to deploy their canine partners on lead or off lead in any given situation.
- D. Special consideration for the canine team(s) deployment shall be given to all situations involving known barricaded suspect(s) and/or hostage situations.

VII. TRAINING STANDARDS AND CERTIFICATION REQUIREMENTS

- A. All new handlers shall be required to attend a canine training school for a basic canine handler. A certified trainer who meets the standards of the Attorney General shall teach at the school. Canine teams shall meet all of the standards of the *Attorney General's Canine Policy* prior to certification.
- B. In-service training requirements:
 - 1. When practicable, canine handlers should attend a minimum of eight (8) hours in-service training per month, per specialty, for a yearly minimum of ninety-six (96) hours of in-service training at a canine training center.
 - 2. Canine handlers will do periodic in-house training as he/she sees fit. This training should be documented as a CAD event entry.
 - 3. Additional in-service training shall be conducted by any handler when, in the opinion of the canine unit's trainer(s), such additional training shall become necessary to maintain a handler certification.
 - 4. Handlers are encouraged to certify annually in U.S.P.C.A. field training.
- C. Scheduling of in-service training:
 - 1. All in-service training required under this subsection shall be conducted under the direction of a canine unit's certified trainer(s).
 - 2. The canine unit supervisor(s) and/or trainer(s) may adjust and/or relocate training schedules and/or locations as they deem appropriate for the particular training exercises
- D. Canine unit familiarization training course:
 - 1. All officers of the department are required to attend canine unit familiarization training, which shall consist of

- a. Complete familiarization of the capabilities, limitations and appropriate deployment situations of the department canines.
 - b. Appropriate tactics of back-up officers during a canine deployment.
 - c. Appropriate methods of establishing and maintaining perimeters.
 - 2. Canine unit personnel shall conduct the canine unit familiarization course.
- E. Selection of new canine handlers:
- 1. The assignment of canine handler carries unique responsibilities and challenges. These include off-duty calls for service and intense physical activity. With these challenges and responsibilities in mind the following criteria will be among those considered in selecting a new handler.
 - a. Officer must have a minimum of 3 years working experience as a police officer.
 - b. Officer must have an excellent record of attendance.
 - c. Officer must be in adequate physical condition to satisfy the requirements of a canine training school.
 - d. Officer must be able to provide adequate outdoor kenneling facilities.
 - e. Officer must be able to maintain a reasonable off-duty response time to canine calls within Wall Township.
 - 2. The following criteria will be considered in selecting a new canine.
 - a. The department's needs must be considered when selecting a canine for use. The proper canine will be determined for the type of use needed, e.g., patrol, narcotics detection or explosives detection.
 - b. The selection or testing of a new canine will be at the approval of the Chief of Police or his/her designee. A request will be submitted to a supervisor prior to the test. The request will include the date, time, location and cost of the testing. A follow up letter will outline the results of the selection process.
 - c. The canine candidate must be in excellent health and physical condition as confirmed by the department veterinarian or have a guarantee from the importer. The canine must meet the demands of training and work.
 - d. If a working canine needs to be replaced, the handler will completely document the reasons the canine is unavailable for service. The final replacement will be at the approval of the Chief of Police.

- e. All canines will be properly licensed in Wall Township in accordance with township code. The Wall Township Police Department shall be listed as the owner.

F. Narcotic detection canine handler training aids:

1. To maintain the proper level of efficiency in both the handler(s) and his/her canine(s) certain CDS will be used as training aids. The below information will be document in the *Canine Unit Narcotic Training Aid Sign-Out / Sign-In Sheet* when CDS training aids are utilized and a canine training CAD record will be generated:
 - a. Time and date;
 - b. Weight at the time the training aids are signed out;
 - c. Time, date;
 - d. Weight at the time the training aids are signed back in;
 - e. List of substances taken.
2. The canine handler(s) will transport the training aids/narcotics from police headquarters to an approved training site by utilizing the most direct route possible and by maintaining the training aids in the most safe and secure manner. If a vehicle is utilized, the CDS will be locked in the trunk area until the training commences and will be secured in the same manner upon completion and until it can be returned to the evidence vault. Prior to assigning the training aids to the canine handler, all substances will be weighed in the presence of both the releasing officer and the assignee. Both will sign a verification form that will include:
3. Upon completion of the training exercise(s), the narcotics will be returned to the supervisor of the evidence room, where again the training aids will be weighed in the presence of at least two (2) people and then stored in the evidence vault.
4. On a quarterly basis, the evidence custodian shall weigh the CDS used for canine training and certify its weight and integrity to the Chief of Police

VIII. GENERAL OPERATIONAL ORDERS FOR CANINE PERSONNEL

- A. Personnel assigned to the canine unit have the continuing responsibility of handling and caring for their canine partner.
- B. Canines used carelessly and/or improperly are dangerous and could subject both the handler and the township to criminal and civil court actions, as well as reflecting discredit upon the entire department.

- C. With the anticipation of keeping injuries to both police personnel and civilians to an absolute minimum, while further developing the canine unit into an efficient and well organized subcomponent of the department, the following orders are issued to all personnel of the canine unit:
1. All canine unit personnel shall wear the designated uniform of the canine unit with their badge and name displayed at all times while on normal patrol duty.
 - a. While on off-duty call-outs, the handler will wear the working Class B uniform.
 - b. During training sessions, the handler will wear the working Class B uniform.
 2. All dogs shall be kept as quiet as possible both on duty and off duty.
 3. Dogs are permitted inside the homes of their handlers at the discretion of the handler. Otherwise, the dogs will be kept in their kennels or fenced-in yards at all times while off duty.
 4. Handlers shall remain aware of criminal and civil actions, which could result from carelessness in the event their dog bites an innocent person(s) while off duty.
 5. The kennel is off limits to all except authorized handlers, canine officials, trainers, or supervisory personnel of the canine unit unless authorized by the handler.
 - a. Gates shall be kept closed in the kennel.
 - b. Kennels must conform to applicable municipal code.
 6. All handlers are to groom their dogs daily, including complete physical examinations for injuries and/or infestations such as fleas, ticks, etc.
 7. All handlers shall ensure that the general health, hygiene and care of their assigned canine(s) is properly maintained and that periodic veterinary examinations are provided.
 8. Abuse of dogs in any way is a violation of New Jersey law and will not be tolerated. All injuries or sicknesses of assigned canines are to be promptly reported to the duty shift supervisor, who shall ensure that proper and immediate care is given and the appropriate reports are submitted.
 9. No dogs shall be entered in any show, trial, or exhibition without the expressed permission of the Chief of Police or his/her representative.
 10. Carelessness and/or showing off dogs at any time or place is strictly prohibited.
 11. The feeding or petting of dogs by the public is to be politely discouraged.

12. Prior to acceptance of a canine decoy that person shall complete a departmental decoy familiarization class conducted by a canine officer. Department personnel may participate in non-apprehension situations on a voluntary basis without completing the above course.
13. All physical apprehensions, regardless of where they occurred, or how minor they appear, shall be immediately reported to the duty shift supervisor and to the canine unit supervisor. Upon notification, the shift supervisor is responsible for submitting all required reports and recommendations to the Chief of Police without unnecessary delay.
14. Discretion is to be used by all handlers to prevent dogs from defecating in or near public and/or private buildings on duty or off duty.
15. Dogs will not be allowed to drink from any pools or stagnant puddles, nor shall they be permitted to wade or swim in any pool unless in the performance of their duties.
16. Handlers may be subject to visits at home by canine unit supervisor for reasons of health, sanitation, and security.
17. Members of canine unit shall perform such other duties as they may be called upon to perform by competent authority.
18. Handlers will keep the patrol vehicle's doors locked at all times when their canine is left unattended.
19. At no time will the canine's head be allowed to protrude outside of the patrol vehicle while parked and locked.
20. Generally, all suspects and/or prisoners are to be transported in patrol vehicles other than canine vehicles. In extreme circumstances, a prisoner may be transported, seat belted, and handcuffed behind his back, in the front seat of a canine vehicle.
21. At no time are canines to be used in headquarters, in the jail, or at the desk without direct orders from the duty shift supervisor.
22. Handler shall immediately notify the canine unit supervisor of any type of problems and/or difficulties he/she has experienced with their canines for appropriate action.
23. Handlers shall ensure that they have attended their required amount of annual in-service training as well as any other training required by competent authority.
24. Handlers are reminded that the canines are the property of the Wall Township Police Department.
25. All canine training facilities or structures are off limits to all personnel except authorized handlers, canine officials, trainers, supervisors, and training related guests.

IX. ASSISTANCE FOR HANDLER AND/OR CANINE

- A. In the event that a canine officer or canine is severely injured to the point where assistance is required, the following procedure will be followed:
 - 1. If able, the handler will contact communications stating the problem and will request assistance.
 - 2. In the event the handler is not able to request assistance, the first arriving officer will advise the shift supervisor and immediately inform communications that the canine handler requires assistance.
 - 3. Communications will immediately notify another canine handler or trainer as to the nature of the assistance required and the location of the assistance. In the event that another Wall Township Police Department canine handler or trainer is unavailable, Tinton Falls PD will be notified first. Long Branch PD and Howell PD are also available.
 - 4. The trainer will immediately respond to the scene and either remove the dog from the vehicle/affected area or assist the handler. A dog pole will be kept in all canine vehicles.
 - 5. In the event of a life threatening injury to the canine handler and there is no other alternative available the canine can be destroyed so prompt medical attention can be given to the injured officer.
- B. Nothing in this SOP shall prevent the canine from being used under circumstances where a reasonable person would deem it to be justified.

X. CANINE ON CALL VEHICLE ASSIGNMENTS

- A. The department canine team that is scheduled as the ON-CALL UNIT will keep their assigned canine vehicle at their primary residence.
- B. The assigned canine vehicle will only be parked, secured and left unattended at the handler's primary residence located within Wall Township.
 - 1. The vehicle will only be utilized to transport the canine and handler. No passengers are permitted other than police personnel or those specifically authorized by a supervisor.
 - 2. Whenever the vehicle is utilized, the assigned officer will report in and out of service with communications or by CAD entry/event.
 - 3. If the vehicle must be taken out of the township for official purposes, the handler must get authorization from the duty shift supervisor.
 - 4. Handlers are directly responsible for the maintenance of the canine vehicle and related equipment.
- C. In a call-out situation the assigned handler will also notify the duty shift supervisor in reference to authorizing overtime documentation. This may be documented by generating a CAD event.

- D. The canine unit supervisor is responsible for maintaining an updated accurate on call schedule available to communications, duty supervisors and department administration.

XI. KENNEL TIME COMPENSATION

- A. Handlers shall be allocated kennels for their use in the care of their canines. The kennels are to be placed at the handler's primary residence and will be utilized exclusively for use by the department owned canine.
- B. The handler is responsible for the following, considered to be part of their kennel time responsibilities:
 - 1. The care and maintenance of the canine, both on and off duty;
 - 2. Trips to veterinarian appointments, grooming, feeding, and general exercise. Maintenance of this nature is usually conducted on off-duty time;
 - 3. Training will be conducted during on-duty hours.
- C. In accordance with the *Fair Labor Standards Act* and existing case law, this department will compensate handlers for care and maintenance of the canine during the officer's off-duty time. The Wall Township Police Department will allow the handler to accumulate thirty minutes of granted time off per calendar day or fifteen hours of compensatory time per month added to his/her comp bank. For the purpose of compensation, the 15 hours will be accumulated as straight time and not at a rate of time and a half. Requests for this granted time off will be submitted to the handler's immediate supervisor and will be subject to established policies for granting time off; e.g., staffing concerns.

XII. DISPOSITION OF RETIRED CANINES

- A. In the event a canine reaches an age where it is no longer suitable for police service, is disabled for any reason, or is retired for any other reason, the handler may elect to obtain ownership of the dog. The handler assumes all responsibility for the dog. The officer must execute a Wall Township Police Department *Transfer of K9 Ownership Form* specifying the conditions of the transfer.
- B. As the new owner of the dog, the handler is entitled to compensation in the form of a monetary stipend, not to exceed two hundred (\$200.00) dollars per year, for annual veterinary expenses. This compensation serves as a reward for service time and its faithful service to the community.

WALL TOWNSHIP POLICE DEPARTMENT			
<i>Standard Operating Procedure</i>			
CHAPTER: 4	SECTION: 2	# OF PAGES: 3	
SUBJECT: CASH ACCOUNTS AND AGENCY PROPERTY			
EFFECTIVE DATE: February 9, 2009	ACCREDITATION STANDARDS: 1.2.1, 1.6.1	REVISION DATE	PAGE #
BY THE ORDER OF: Police Chief Robert Brice		June 18, 2013	1-3
		August 20, 2014	2
SUPERSEDES ORDER #:			

PURPOSE: The purpose of this SOP is to establish the policy and procedures concerning this agency's cash account management and agency-stored property.

POLICY: It is the policy of the Wall Township Police Department to conduct its fiscal matters in comportment with applicable state law, specifically NJSA 40A:4-1 et seq.; and in compliance with Township ordinance and related policies. It is also the policy of this department to maintain its property and equipment in a state of operational readiness.

PROCEDURES

I. RECORDS FUND MAINTENANCE

- A. The Records Section shall maintain an electronic cash register system to record all payments for fees that are paid to the police department. The fees are established by ordinance in the Municipal Fee Schedule.
 - 1. These fees include:
 - a. Window transactions (OPRA, Discovery, copies, etc.)
 - b. Towing and storage fees;
 - c. Permit fees;
 - d. Other fees authorized by the Municipal Fee Schedule.
 - 2. Records Section personnel shall log all fee-based transactions using this cash register.
 - 3. Records Section personnel can accept payments in cash, check or money order.
 - 4. Records Section personnel shall issue a receipt for all funds received into the account.
 - 5. The cash register maintains a running balance of all transactions and can be sorted chronologically or by fee category.
 - 6. Disbursement from the cash register is not authorized. Making change is not considered a cash disbursement.
 - 7. The cash drawer shall maintain a minimum \$300 starting balance. The Tow and Impound account will maintain a starting balance of \$200.00 and the Records Bureau account will maintain a starting balance of \$100.00. On Wednesday's and Friday's, the Records Section Supervisor shall make bank deposits into a Township authorized account of all collected fees in excess of the \$300 starting balance and shall verify the starting balance.
 - 8. The Records Section Supervisor shall maintain copies of all monthly cash register ledgers and bank deposit slips.
- B. The Records Section Supervisor shall conduct a monthly accounting of all fee-based transactions to verify accuracy. Any discrepancies shall be immediately brought to the attention of the Administration Division Commander or the Chief of Police.

II. PETTY CASH FUND MAINTENANCE

- A. The Administrative Division shall maintain a petty cash fund for minor purchases not requiring a formal purchase order, if the Township Committee authorizes a fund. Uses for this petty cash fund include, but are not limited to:

1. Toll reimbursement;
 2. Parking fee reimbursement;
 3. Emergency fuel purchases.
- B. The Administrative Division shall maintain a ledger that identifies the initial balance, cash income received, cash disbursed, and the balance on hand.
- C. The Administrative Division shall issue a receipt for all cash received into the account. Funds received through voucher will not require a separate receipt.
- D. Disbursements exceeding \$50.00 should normally be performed through the purchase order/voucher system. The Chief of Police may authorize these disbursements for extraordinary circumstances.
- E. No funds shall be disbursed without a receipt, invoice, record, or other documentation determined to be sufficient by the Chief of Police.
- F. A quarterly accounting of all cash activities shall be conducted by the Administrative Division Commander or designee and a record of such accounting shall be made.

III. AGENCY OWNED PROPERTY

- A. All personnel, who are issued agency owned property, will sign a receipt indicating that all listed items were received in operating condition. When the property is returned, an appropriate return receipt indicating the same will be acknowledged by both the returning party and an agency representative.
- B. The respective officer in charge prior to re-issuance will inspect all returned agency property and equipment.

IV. MAINTENANCE OF STORED PROPERTY

- A. All personnel will maintain agency-owned and/or assigned property and equipment in a state of operational readiness. Agency guidelines will be followed if an item requires repair, removal, and replacement. Those items not in immediate use will be maintained at an operational level. Inspection of these items will be the responsibility of the assignee and completed on a continual basis.
- B. Command and supervisory staff shall ensure that all stored items under their direct responsibility are operational and ready for use. Those items not in immediate use will be maintained in a state of operational readiness. Inspection of these items will be the responsibility of the appropriate commander or supervisor and completed on a continual basis.

WALL TOWNSHIP POLICE DEPARTMENT <i>Standard Operating Procedure</i>			
CHAPTER: 21	SECTION: 13	# OF PAGES: 4	
SUBJECT: CITIZEN RECORDING OF LAW ENFORCEMENT ACTIVITY			
EFFECTIVE DATE: October 5, 2016	ACCREDITATION STANDARDS: N/A	REVISION DATE	PAGE #
BY THE ORDER OF: Police Chief Robert Brice			
SUPERSEDES ORDER #:			

PURPOSE The purpose of this standard operating procedure is to reinforce the Constitutional rights of a member of the public to record law enforcement personnel performing their duties without interference. Officers need to realize that any activity in which they are engaged will draw the public's interest. As such, they need to perform that activity to the highest standards of the law enforcement profession and presume that their activity is being recorded.

POLICY It is the policy of the Wall Township Police Department to provide guidance that is consistent with 1st, 4th, and 14th Amendment rights when individuals record officers in the discharge of their duties. These rights, subject to narrowly defined restrictions, engender public confidence in the Wall Township Police Department, promote public access to information necessary to hold governmental officials accountable, and ensure public and officer safety.

PROCEDURES

I. GENERAL

- A. The public has a constitutionally guaranteed 1st Amendment right to observe and record (video, audio and photographic) law enforcement officers in the public discharge of their duties. Officers violate an individual's 4th and 14th Amendment rights when they seize and destroy such recordings without consent, a warrant, or due process.
- B. Recording officers engaged in public duties is a form of free speech through which the public may gather and disseminate information of public concern, including the conduct of law enforcement officers.
- C. Officers of the Wall Township Police Department shall allow, without interference, any member of the public to record a law enforcement officer or law enforcement activity, in compliance with this SOP.
- D. Officers shall not interfere with any individual's recording of law enforcement activities except in narrowly circumscribed situations, such as:
 - 1. A member of the public may record law enforcement activity unless that person engages in actions that jeopardize the safety of officers, the suspect, or others in the vicinity, violate the law, or incite others to violate the law.
 - 2. A member of the public may not criminally obstruct a law enforcement investigation. For example, tampering with a witness or persistently engaging a officer, who is in the midst of his/her duties, may be considered obstruction under N.J.S.A. 2C: 29-1.
 - 3. An individual's recording of law enforcement activity from a safe distance without any attendant action intended to obstruct that activity or threaten the safety of others does not amount to obstruction. Nor does an individual's conduct amount to obstruction if he/she expresses criticism (even foul expressions of disapproval) of officers or of the law enforcement activity being observed and/or recorded.
 - 4. If a bystander's actions are approaching the level of a criminal offense, officers shall, if safely possible, advise the subject of such and recommend a less-intrusive location to the bystander from which he/she may continue to observe, photograph, or record the law enforcement activity.
- E. Officers shall not threaten, intimidate, or otherwise discourage a member of the public from recording an officer's enforcement activities or intentionally block or obstruct recording devices.
- F. Officers are prohibited from intentionally damaging a recording device of a member of the public who is recording law enforcement activities and from deleting recordings or photographs, under any circumstance.

- G. The United States Supreme Court has established that “...*the press does not have a monopoly on either the First Amendment or the ability to enlighten*”. This principal is particularly important in the current era where widespread access to recording devices and online media have provided members of the public with the capacity to gather and disseminate newsworthy information with an ease that rivals that of the traditional news media. Officers of the Wall Township Police Department will adhere to the following:
1. Members of the media and members of the general public enjoy the same rights in any area accessible to the general public; and
 2. No individual is required to display press credentials in order to exercise his/her right to observe, photograph, or record law enforcement activity taking place in an area accessible to, or within view of, the general public.
- H. Officers must also recognize that the seizure of a recording device (e.g., audio, video, or photographic) from a member of the public recording law enforcement activities, that may contain evidence of a crime is significantly different from the seizure of other evidence because such seizure implicates the 1st as well as the 4th Amendment.
1. The United States Supreme Court has afforded heightened protection to recordings containing material protected by the 1st Amendment.
 2. An individual's recording may contain both footage of a crime relevant to a police investigation and evidence of police misconduct.
 3. The latter falls squarely within the protection of the 1st Amendment.
- I. The following are procedures for officers to follow to seize and search a recording device used by a member of the public to record law enforcement activities:
1. Obtaining written consent to search from the recording individual:
 - a. First, the officer should have a reasonable belief that the recording device has evidence relevant to a criminal investigation. If so, officers will first seek to obtain the recording device's owner/possessor permission (consent) to search the recording device. Officers shall follow the procedures outlined this department's SOP on search procedures in regards to securing valid consent. A *Consent to Search Form* shall be signed by recorder's owner/possessor prior to conducting any search.
 - b. The 4th and 14th Amendments require the consent is not coerced, by explicit or implicit means, by implied threat or covert force. Officers will strictly abide by this principle when seeking consent.
 2. Warrantless seizures of recording devices:
 - a. The officer must have probable cause to believe that the recording device has evidence relevant to a criminal investigation. Warrantless seizures of recording devices should have supervisory approval, if operationally feasible.

- b. Warrantless seizures of recording devices are only permitted if an officer has probable cause to believe that the recording device holds contraband or evidence of a crime and the exigency of the circumstances demand it or some other recognized exception to the warrant requirement is present. The officer must be able to articulate the exigency and have a reasonable belief that the evidence contained on the device is in immediate jeopardy of being tampered with or altered, deleted or destroyed.
 - c. Once seized, officers cannot search the contents of the recording device without first obtaining a valid consent to search or a valid search warrant. In the context of the seizure of recording devices, this means that officers cannot search for or review an individual's recordings absent consent or a search warrant. The device should be turned off or battery removed or placed into a Faraday bag to prevent remote tampering of evidential material on the device.
 - d. Officers shall only seize a recording device for no longer than necessary for the officer, acting with diligence, to obtain a warrant to search that recording device for evidence of an indictable crime.
- 3. Obtaining a search warrant:
 - a. If a officer cannot legally obtain consent from the recording device's owner/possessor then a search warrant will be required to perform a search of the device.
 - b. Officers shall follow the procedures in regards to securing a search warrant including prosecutorial review and expressed authorization from the designated assistant prosecutor from the Monmouth County Prosecutor's Office.
- J. Officers should request a supervisor's presence at a scene, if operationally feasible, if they anticipate the need to take any significant action involving citizen-recorders or recording devices, including a warrantless search or seizure of a recording device or an arrest. It is understood it may not be feasible to have a supervisor present or available to respond to a scene. Therefore, when operationally feasible, without putting evidence or an officer at risk, supervisory approval should be obtained prior to an officer seizing a device or an individual is arrested.

REF: DOJ-Civil Rights Division – *Sharp v. Baltimore PD*.

WALL TOWNSHIP POLICE DEPARTMENT			
<i>Standard Operating Procedure</i>			
CHAPTER: 1	SECTION: 6	# OF PAGES: 1	
SUBJECT: CIVILIAN USE OF GYMNASIUM			
EFFECTIVE DATE: December 7, 2009	ACCREDITATION STANDARDS:	REVISION DATE	PAGE #
BY THE ORDER OF: Police Chief David Morris			
SUPERSEDES ORDER #: 2001-18			

PURPOSE: Effective immediately, and until further notice, this SOP shall govern the use of the Wall Township Police Department Gymnasium by non-sworn members of the police department.

POLICY: The purpose of this policy is to establish conditions under which non-sworn members of the police department may use the gymnasium located in the basement of the police building.

PROCEDURES:

- I. Non-sworn members of the police department will be allowed to use the police department gymnasium under the following basis.
 - A. The employee must be a full or part-time employee who is directly employed by the police department.
 - B. The employee must provide a note from a physician. The note must specify that the employee is capable of vigorous physical activity, or must specify limits for the employee.
 - C. The employee must receive training on gymnasium safety, etiquette, and proper use of equipment and free weights.
 - D. The employee can utilize the gymnasium immediately following his or her normal work hours or immediately preceding his or her work hours. The employee may not use the gymnasium during scheduled work hours. The employee may use the gym on days off, but according to workmen's compensation rules, the employee must be off duty while utilizing the gym.

WALL TOWNSHIP POLICE DEPARTMENT			
<i>Standard Operating Procedure</i>			
CHAPTER: 26	SECTION: 1	# OF PAGES: 18	
SUBJECT: COMMUNICATIONS			
EFFECTIVE DATE: February 10, 2009	ACCREDITATION STANDARDS: 3.4.1, 3.4.2, 3.4.3, 3.4.4, 3.4.5, 3.4.6	REVISION DATE	PAGE #
BY THE ORDER OF: Police Chief Robert Brice		June 23, 2010	Page 3, III Page 9, XII
		Sept. 21, 2010 Feb. 22, 2011	Page 8, H Page 1-18
		March 26, 2014 March 17, 2017	Page 1,2, 3, 10-12 Page 2
SUPERSEDES ORDER #: G.O. 2007-19, G.O. 2002-32, G.O. 2002-30, G.O. 2002-32 G.O 2000-02			

PURPOSE The purpose of this policy is to provide for the most effective and efficient emergency communications system possible, the Wall Township Police Department shall provide rapid and convenient access to public safety for the community and the general public according to the following established policies and procedures.

POLICY This policy is designed to standardize communications procedures and maintain the discipline required in an emergency communications system. Proper use of these procedures will insure maximum utilization of the communications facilities and enhance the capability and efficiency of all Wall Township public safety personnel.

The use of the procedures in this directive are mandatory for all operators of radio equipment on any frequency licensed for the use of the Wall Township Police Dept., Wall Township Fire Departments, Wall Township First-Aid Squads, and other emergency and/or government units utilizing the assigned radio frequencies of the Township of Wall.

Recommendations for change may be submitted at any time and shall be forwarded in writing to the Communications Supervisor.