

- A. Force shall only be used when other less stringent means have not been, or would not be effective. In all instances, only the minimum amount of force, consistent with the accomplishment of a mission, shall be used. Such force shall be immediately discontinued upon accomplishment of that mission.
- B. In managing a crowd, it is the policy of the Department to use the least stringent level of force necessary to accomplish the objective. The application of force is confined to the escalating levels of force as outlined hereafter, although it might not be feasible to apply each level in turn. Circumstances may require that one or several levels be discarded, dependent upon the level of opposition encountered:
 - 1. Show of force;
 - 2. Ultimatum to disperse and leave the area, or face arrest;
 - 3. Tactical use of crowd formations;
 - 4. Use of chemical agents; and,
 - 5. Use of Asp Baton.
- C. All authorizations, directions, and applications concerning the use of force shall be recorded in the Commander's after action report. Similarly, orders to discontinue the use of force shall be recorded.

V. RESPONSE TO VIOLENT CONDUCT

- A. Where a demonstrator uses physical violence upon another person or property, Department members should promptly make an arrest, unless the Supervising Officer at the scene concludes that making an arrest would divert limited manpower, or be unnecessarily risky in reducing the ability of members to perform their duties most effectively.

VI. COORDINATION OF DEPARTMENTAL ACTIONS

- A. Department members will strive to ensure that a disciplined and coordinated Department response is maintained at the scene of a demonstration.
- B. Department members will not act alone unless a loss of life or great bodily harm could result from the conduct of demonstrators. When mere property damage is imminent, members will coordinate their response through assigned supervisors and perform tasks as directed. Supervisors will remain at the scene and continually seek information concerning location and number of demonstrators, emotional condition of the crowd, and resources available to effectively maintain order.

VII. DEPARTMENT RESPONSE TO CIVIL DISORDERS

- A. Due to the variety of situations existing during a civil disorder, **IT IS NOT POSSIBLE TO ESTABLISH PROCEDURES WHICH WOULD COVER ALL CONTINGENCIES.** Therefore, the Department has established the following procedures to assist members assigned to the scene of a civil disturbance.

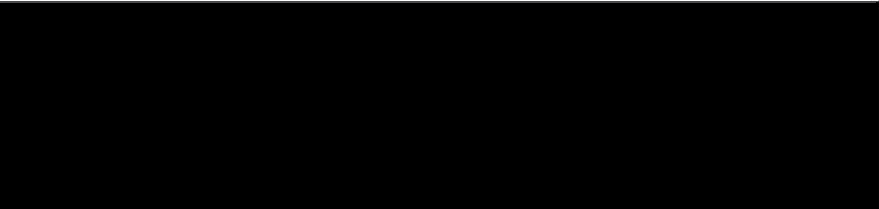
1. FIRST OFFICER AT SCENE

a.



2. COORDINATION OF EFFORT

a.



3. ORDER TO DISPERSE

a.



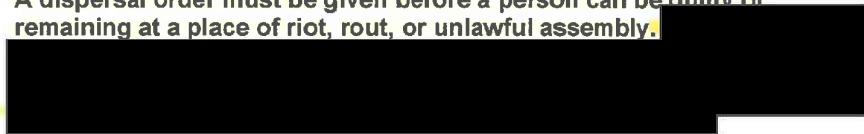
- b. Based upon the provisions of New Jersey State Statutes, the following proclamation must be issued before making an arrest for unlawful assembly.

"This is my rank and name, I'm a Police Officer of the State of New Jersey and of the Township of Wall. I do, hereby, declare this an unlawful assembly, and in the name of the people of the State of New Jersey, I command you to immediately disperse."

c.



- d. **A dispersal order must be given before a person can be guilty of remaining at a place of riot, rout, or unlawful assembly.**



e.



4. RESPONSE TO OTHER ILLEGAL CONDUCT

a.



5. ARREST PROCEDURE

a.

b.

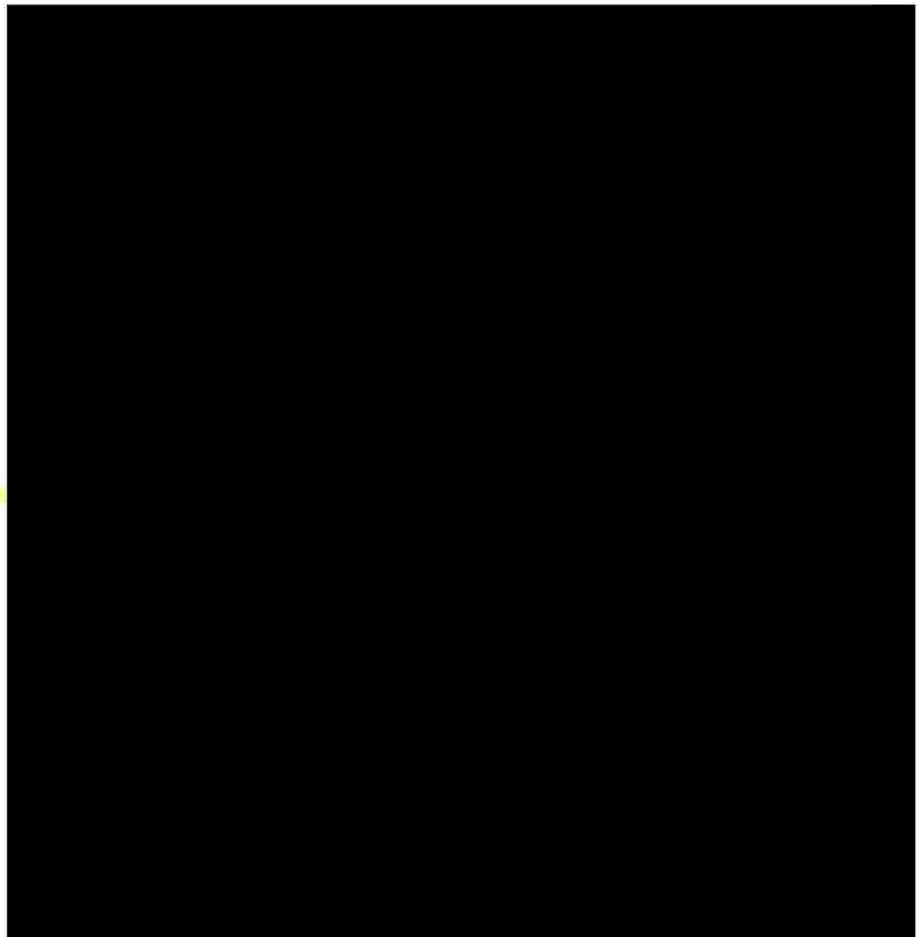
c.

d.

e.

f.

g.

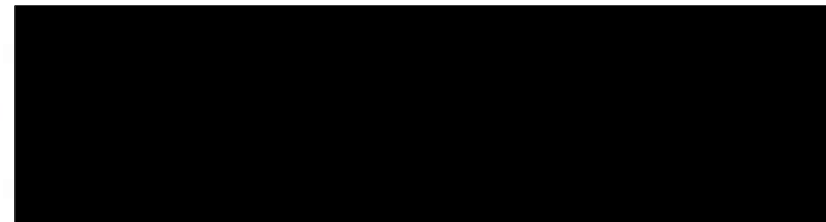


6. REQUESTING ASSISTANCE

a.

b.

c.



7. NUMBER OF UNITS TO RESPOND

a.

b.

8. INITIAL ACTION

a.

b.

c.

d.

9. SUBSEQUENT RESPONSIBILITIES OF DISPATCHER

a.

10. SHERIFF'S PERSONNEL

a.

VIII. DEPARTMENT RESPONSE TO MASS DEMONSTRATIONS

- A. Communication is essential on crowd management. It ensures unity of action among Police Officers, and an understanding between Police officials and crowd leaders. It must be constant, clear, and immediate. On many occasions, it can serve to defuse a threatening situation.
- B. Field Commanders shall establish communications with demonstration leaders as soon as conditions permit as a means of obtaining a first hand knowledge of crowd mood, and as a tool to facilitate negotiations and maintain the peace. If demonstration leaders refuse to communicate, and they violate the law, they will be the first group of persons to be arrested.
- C. Field Commanders shall ensure that the line of communications remain open both up and down the chain of command. The following procedures shall be followed:

1. The Commanding Officer shall be given information that is useful in decision making.
2. Squad leaders shall be given information and instructions useful to them and their subordinates concerning the ongoing management of the crowd.
3. Superior Officers shall constantly observe and speak with subordinate officers to ensure that they are complying with the orders of the Commanding Officer, and that they are completely aware of probable responses to crowd attitude change, and that Officers who are showing strain are provided temporary relief.
4. Officers shall not engage in demonstration related discussion with participants. They shall conduct themselves so as to display an attitude of neutrality. Officers, however, shall be courteous and helpful, mindful that expressions of friendliness are a valuable tool in maintaining peace. They will ignore name-calling and verbal "baiting" designed to provoke an officer into an incident.

D. FIELD OPERATIONS

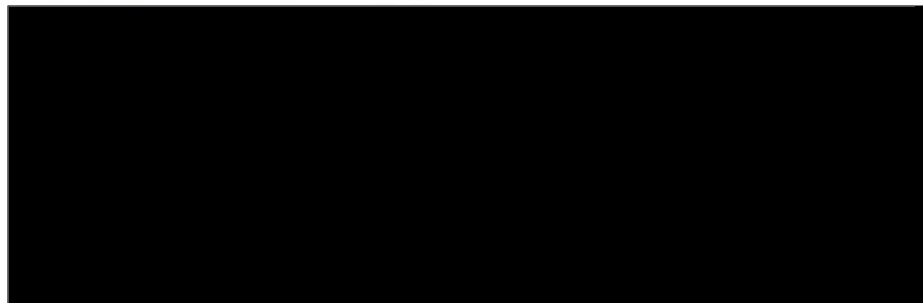
1. Field Commanders may authorize the suspension of normal documentation procedures, other than arrest reports, during a major demonstration. As soon as conditions permit, however, Field Commanders will direct the reinstitution of normal field documentation procedures.

E. RESPONSE TO IN-PROGRESS CRIMES

1. When an in-progress crime involves a significant potential for violence, a multiple unit response is appropriate.
2. Responding units will notify Communications of the following:
 - a. Their arrival
 - b. Their location at the scene
 - c. Their intended actions, if possible
 - d. The presence of elements which confirm or deny the validity of the call
3. In any event, responding units will coordinate their actions so as to utilize available resources in an effective manner.

F. PROCEDURE AND TACTICS

- 1.
- 2.
- 3.



4.

5.

G. SUPPLEMENTARY INFORMATION

1. Riot experience throughout the United States has shown that in many cases, minor incidents involving the Police were responsible for initiating the trouble. With this in mind, the following procedures will be observed, unless specific orders to the contrary are issued by competent authority.
2. Arrests must be "thoroughly" justified, and only necessary force must be used in making them.
3. Incidents must be handled as quickly as possible without creating a disturbance or attracting other persons.
4. Areas of an incident or small riot should be closed off and ingress not allowed. Persons wishing to leave should be allowed to do so.
5. The Captain, or his designated alternate, will be responsible for field operations involving civil disturbances. Reports from the field will go directly to the Chief or designee in overall command. The Department member in overall command will have the responsibility for directing notification of the Chief of Police.

H. REQUESTS FOR ASSISTANCE

1. While the control of riots is primarily the responsibility of the Police Department, we can expect assistance from other agencies if the riot grows very large. In the event such assistance is necessary, the Chief Of Police, or, if unavailable, one of his immediate subordinates will notify the highest ranking Officer available at Monmouth County Radio, who will, in turn, make appropriate requests. The Chief of Police or a designee will be delegated the responsibility of notifying the Township Administrator and Committee that a request for assistance has been made.

I. USE OF OFFENSIVE FORCE

1. The term "chemical agents" as used in this directive, shall refer to all forms of gaseous irritants approved by the Department for crowd control purposes. **It does not include the individual "pepper spray" dispensers issued to all trained officers.** Said individual pepper spray dispenser shall be used against crowds only as necessary in a defensive posture.

February 2011 Labor Disputes, Strikes and Mass Demonstrations - Page 10 of 12

2. Chemical agents shall be used primarily as an offensive tool for the purpose of dispersing illegally assembled crowds, or to protect lives and property when the circumstances indicate that the use of chemical agents would be the most effective manner of accomplishing the objective. Before chemical agents are employed, the dispensing Officer must ensure that avenues of escape are available to the crowd, and Officers will not be incapacitated by its use.
3. The use of chemical agents must be approved by the on scene Commanding Officer. Only specially trained Officers previously selected for this task shall be allowed to carry and dispense chemical agents.
4. Chemical projectiles will not be fired directly into a crowd.
5. The types of chemical agents now in common use are smoke (HC) and tear gas (CS).
 - a. Smoke (HC) has been advocated as a relatively harmless means to disperse crowds. It has a psychological impact especially when colored smokes are used. It causes individuals to lose contact with one another. Smoke may also be used to screen the movement of the Police.
 - b. Tear gas (CS) causes irritation of the eyes, tears, and burning sensation of the mucous areas. The skin will feel like it is burning. These symptoms, however, are fleeting and will usually disappear within a few minutes after the victim is removed from the contaminated area. This type of gas may be used indoors and outdoors since decontamination is accomplished with little difficulty.
6. Individuals in Police custody who have been affected by chemical agents shall be given an opportunity, when practical, to alleviate the effects of the irritant by washing and flushing the affected areas with cold water. They shall be advised not to use creams, ointments, or bandage on affected areas, and that continual rubbing of the skin against affected clothing will cause irritation and reddening of the skin.
7. All uses of chemical agents shall be reported by the Commanding Officer in his post-incident report. The information contained in the report shall include the circumstances, which occasioned the use, the types and, as nearly as possible, the amount of chemical agents used. Also the tactical results of use, and reports of ill effects other than normal irritation.
8. The Asp Baton may be used as an offensive weapon when it's employed tactically, i.e., held with hands at each end, or in ready position, and extended from the body as a show of force, or to contain or disperse a crowd.
9. The Asp Baton shall be used primarily as a defensive weapon. Because it is desirable to maintain a low profile during non-critical periods, care should be taken to avoid an aggressive or intimidating appearance through the inappropriate handling of the Asp Baton.
10. Use of canines for crowd management purposes will be done only with the approval of the Chief of Police or Captain.

J. IMMEDIATE ARRIVAL DUTIES

1. Department members assigned to in-progress crimes have a responsibility to perform certain functions, prior to gathering evidence or other investigative acts. The major functions are as follows:
 - a. Obtain descriptions of perpetrator and vehicles, and notify Communications.
 - b. Secure the area, and protect bystanders and evidence.
 - c. Request assistance as necessary for effective action such as additional Police units, specialized Police units, Fire Department units or ambulance.
2. The first responding unit has the responsibility to assess the situation and notify Communications of the status of the incident as soon as possible.

K. TREATMENT OF NEWS MEDIA

1. Department members assigned to the scene of a demonstration will cooperate with the press, whether writers, photographers, radio, or television personnel. News media representatives have a Constitutional Right to cover demonstrations, though, as everyone else, they must not violate the law.
2. Although the press has no special right as a matter of law to be present if an unlawful assembly is declared, nevertheless, in such situations, members will attempt to discriminate between non-obstructing members of the press and voluntary participants in the unlawful assembly.
3. The Press and media shall be assigned specific locations near the field area to observe and photograph, but not so close as to be placed in jeopardy or interfere in Police operations. Said location will be duly marked and barricaded, when possible, and persons will be ordered to stay within the confines of the barricades or face arrest. No representative will change location without the express permission of the on scene Commanding Officer.

VI. RIOT

A. N.J.S.A. 2C: 33-1:

1. Five (5) or more persons
2. Engaged in disorderly conduct as defined in 2:33-2A

WALL TOWNSHIP POLICE DEPARTMENT <i>Standard Operating Procedure</i>			
CHAPTER: 9	SECTION: 2	# OF PAGES: 2	
SUBJECT: LEAVE REQUESTS AND SHIFT SWAP PROTOCOL			
EFFECTIVE DATE: November 25, 2015	ACCREDITATION STANDARDS:	REVISION DATE	PAGE #
BY THE ORDER OF: Police Chief Robert Brice			
SUPERSEDES ORDER #: Special Memorandum 15-08			

PURPOSE The purpose of this standard operating procedure is to establish a uniform system for submitting and processing Leave Requests that does not interfere with the overall efficiency of the police department and is in compliance with contractual obligations. This will include Vacation, Personal Days, Compensatory Time, Kelly Time, Shift Changes and other approved leave.

POLICY It is the policy of the Wall Township Police Department to follow a uniform system for submitting and processing leave requests.

PROCEDURES

I. General

- A. It shall be the responsibility of the requesting employee to clear all scheduled court appearances, meetings, etc. prior to the application for leave. The employee shall notify the court of any changes or emergency leave that may cause a conflict with scheduled appearances.
- B. All Leave Requests for Personal Days and Shift Changes must be submitted to the employee's immediate supervisor no less than One (1) day prior to the requested time off. Compensatory Time and Kelly Time will be utilized at the supervisor's discretion without the creation of overtime.
- C. The designated Supervisor will be responsible for reviewing all Leave Requests and ensuring that leave will not cause any conflict or manpower shortages. All Leave Requests will be entered into POSS (Police Officer Scheduling System). Requests for

time off will not be granted until "Approved" in POSS. The appropriate Division Supervisor/Commander will review requests for time off in POSS.

- D. Supervisors should authorize Leave Requests based on rank and seniority as the requests are received. However, the priority will be the efficient operation of the department.

Priorities for leave will be as follows:

1. Vacation
2. Personal Day
3. Compensatory Time
4. Kelly Time

- E. Any emergent requests made in lieu of the One (1) day requirement for Personal Days and Switches, will require an explanation as to cause and must have the approval of the Division Commander and the Chief of Police.
- F. In order to provide for fair and equitable distribution of leave and to maintain the efficient operation of the department, leave periods will be limited to Two (2) consecutive weeks, or 84 consecutive hours on the Pitman Schedule. This may be waived upon written request from the employee; outlying emergent conditions or special needs and will be subject to the approval of the Chief of Police.
- G. In all situations, manpower constraints and the effective operation of the police department will be the number one consideration for approval.
- H. Vacation Leave Requests will be submitted by all employees no later than December of the previous year for the purpose of planning for effective operation of the police department and providing the Monmouth County Prosecutors Office and the Wall Township Municipal Court with this information for court scheduling purposes.
- I. Any Vacation Request which is canceled for any reason will be replaced with another available date. There will be no Vacation Time "floating" or "Hanging" at any time. Any switching of vacation dates, after initial submission, will require advanced notice prior to the date of the cancellation/switch, and will not create overtime.
- J. As per the New Jersey Fair Labor Standards Act (Sec. 207 (o) (3) (a)), the maximum amount of compensatory time which can be "banked" by an employee at any one time is four hundred and eighty (480) hours. Upon reaching this plateau, employees will be eligible for PAY ONLY for overtime until such time as their comp balance again falls below the 480 hour maximum. Police Officers hired after January 1, 2007 will be capped at one hundred and twenty (120) hours, as indicated in the collective bargaining agreement. All other employees will follow their collective bargaining agreement or the township personnel policy handbook.
- K. Long Term Switches (More than 5 work days in an 8 week cycle):
 1. Cannot create overtime or interfere with the effective operations of the department.
 2. All prior approved time off is cancelled and must be resubmitted based on current staffing levels.
 3. Cannot effect any training days or court appearances that cannot be changed. (This is to include schools and in service training days)
 4. Any employee requesting a shift swap must meet all required standards and have all reports (and other paperwork) completed prior to the swap. Employees must be

November 2015 LEAVE REQUESTS AND SHIFT SWAP PROTOCOL - Page 2 of 3

two years post hire date to do long term swaps (over 5 work days per 8 week rotation cycle)

5. Officers may only swap a maximum of 14 shifts over an eight (8) week rotation cycle (which consists of 28 total shifts). An officer shall be allowed to swap shifts for up to one (1) full eight (8) week rotation (between 14-28 shifts), with the understanding that the next cycle of that shift would be ineligible for any long term shift swaps in excess of five (5) days.
6. Must be submitted to all of the supervisors of involved employees. They must all approve of the switch and confirm the employee is in compliance with all aspects of this policy. The Division commander will then review the request and forward it through the chain of command to the Chief of Police or his designee for final approval no less than 7 calendar days before the first day of the switch.
7. Any officer who switches from his assigned squad shall be responsible to communicate with his assigned Sergeant weekly to keep up on any squad responsibilities (without compensation). However, the conduct and performance of the officer shall be the responsibility of any Sergeant in charge of the shift he is working.
8. The Chief of Police has the authority to prescribe all duties and assignments. This shall include any employee in need of training or enhanced supervision, as well as employees with recent disciplinary (within the past 6 months), performance deficiencies, or on modified assignment (including Performance Improvement Plan).
9. Employees may request consideration for reasons of hardship by submitting the request through the chain of command to the Chief of Police.
10. The Chief of Police or his designee can stop the long term switches for any articulated causes that disrupt the day to day effectiveness of the agency. If practical, union representatives will be advised of the change prior to canceling the practice to see if the issues can be resolved prior to canceling.

L. Short Term Shift Swaps (5 or less work days in an 8 week cycle)

1. At the approval of the involved supervisors.
2. Must not interfere with the effective operations of the department.
3. Must not create overtime.
4. Minimum of 1 day in advance.
5. Must include an email request (POSS entry email) to all affected supervisors as well as the other involved party involved in the switch.

WALL TOWNSHIP POLICE DEPARTMENT				
<i>Standard Operating Procedure</i>				
CHAPTER: 15	SECTION: 2	# OF PAGES: 37		
SUBJECT: MISSING & UNIDENTIFIED PERSON INVESTIGATIONS				
EFFECTIVE DATE: March 2, 2009	ACCREDITATION STANDARDS: 4.5.4, 4.5.5, 4.5.6	REVISION DATE	PAGE #	
BY THE ORDER OF: Police Chief Robert Brice		07/19/10	17-19	
		07/01/14	All	
		02/01/16	37	
SUPERSEDES ORDER #: GO 2000-19, GO 2002-27				

PURPOSE The purpose of this standard operating procedure is to codify this department's policy and procedures concerning missing/unidentified person investigations.

POLICY It is the policy of the Wall Township Police Department that all reports of missing persons be given full consideration and attention. It is further the policy of this department to diligently and thoroughly investigate these instances in compliance with New Jersey State Statutes and New Jersey Attorney General Guidelines and Directives, where applicable, and with any directives issued by the Monmouth County Prosecutor.

Missing/unidentified person investigations pose particularly difficult problems for law enforcement agencies. Missing/unidentified children investigations pose even greater danger to the child and require a swifter, more coordinated response by the law enforcement community, including media outlets. It is imperative that these investigations be given the appropriate degree of priority treatment. The investigation and all ancillary public safety activities must be timely and comprehensive.

All available support service shall be made available to the family of the missing person. The missing person's family (or reporting person) will be kept informed of the progress of the investigation.

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PROCEDURES

I. General

- A. This SOP applies to all investigations of missing and unidentified adults and children, including abducted, abandoned, runaway, or other missing children.
 - 1. Often, missing person investigations are initiated when a person does not arrive at a destination as expected, e.g. juvenile or young adult at a school function, concert, social event, etc.
 - 2. This SOP cannot anticipate every potential scenario and establish special procedures for what may be a temporarily overdue person.
 - 3. Officers must be guided by common sense and an evaluation of the facts and circumstances of each instance when undertaking a missing person investigation and invoke those sections of this SOP that are required.
- B. To initiate a successful investigation, the first responding officer must focus on quickly gathering as much factual information as possible and safeguard potential evidence.
- C. The accurate and comprehensive collection of information and personal descriptors entered in a timely manner into the NCIC database generally facilitates a successful resolution to the missing and unidentified person investigation.
- D. Questions concerning parental custody occasionally arise in relation to missing children/adolescent incidents. Even under circumstances where custody issues have not been formally established or resolved, this department will accept and investigate all reports of missing children/adolescents, including cases where it can be shown that the child/children/adolescent(s) have (has) been removed, without explanation, from his/her/their usual place of residence. Reporting persons shall be encouraged to obtain clarification of legal custody as soon as possible to assist in the investigation.
- E. Whenever it is suspected that a person may have been abducted or kidnapped from Wall Township, officers will conduct an investigation accordingly and promptly notify the on-duty or on-call detective, and the Chief of Police through the chain of command.
- F. The Monmouth County Prosecutor's Office shall be contacted when the initial report or follow-up investigation indicates an emergency situation and/or foul play. Emergency situations include:
 - 1. Children thirteen (13) years of age and under;
 - 2. A handicapped person (mental or physical);
 - 3. A person who is suicidal in nature;
 - 4. A person who is under a doctor's care and is dependent upon medication to survive (e.g., diabetic, heart attack patient, epileptic);

5. Major search and rescue in operation.

II. Definitions & Resources

- A. **AMBER Abducted Child Alert System** is a cooperative effort between law enforcement and the broadcast media in the event of child abduction. Activation of the system provides immediate emergency broadcasts of descriptive information to the public through a multitude of media outlets.
- B. **Alzheimer's Disease** is a progressive, degenerative disease of the brain in which brain cells die and are not replaced. It results in impaired memory, thinking, and behavior.
- C. **APBnet** formerly referred to as Critical Reach, MCAS (Missing Child Alert System) and TRAK (Technology for the Recovery of Abducted Kids) is a computer system that enables the rapid production and dissemination of photographic informational bulletins to law enforcement agencies.
- D. **Autism/Autism Spectrum Disorder (ASD)** is a biologically based disorder that affects the development and functioning of a person's verbal and non-verbal communication skills, social interactions and patterns of behavior. Autism affects people of all races, ethnicities and socio-economic groups and is found throughout the world. Autism is four times more prevalent in boys than girls. Some signs and symptoms associated with ASD include, but are not limited to:
1. No babbling, pointing or meaningful gestures by 1 year of age;
 2. No single words by age 16 months;
 3. Loss of language or other skills at any age;
 4. Little or no eye contact;
 5. Lack of pretend, imitative and functional play appropriate to developmental age;
 6. Stereotypical and repetitive behavior;
 7. Failure to develop peer relationships appropriate to developmental age; and
 8. Unusual or inappropriate fears.
- E. **Everbridge** is a community mass notification system that offers state and local governments a single solutions suite for mass communication, real-time situational intelligence, automated social media monitoring and weather alerts, and mobile apps for administrators and individuals.
- F. **Facebook** is an online social networking service that can be used by the department to disseminate information concerning missing or unidentified persons.
- G. **Family Reference Sample Collection Kit** is a standardized collection kit that provides a safe and effective, noninvasive means for obtaining DNA reference samples from appropriate family members of a missing person. Family reference

samples are entered into the FBI's Missing Persons DNA Database Program for comparative purposes.

H. High Risk Missing Person is a person whose whereabouts are not currently known and the circumstances of the person's disappearance suggest that the person may be at imminent or likely risk of injury or death. The circumstances that indicate a person is a high risk missing person include, but are not be limited to:

1. The person is missing as a result of a confirmed abduction or under circumstances that indicate the person's disappearance was not voluntary;
2. The person is missing under known dangerous circumstances or is believed to be with others who could endanger his/her welfare;
3. The person is a potential victim of foul play or sexual exploitation;
4. Is absent under circumstances inconsistent with established patterns of behavior;
5. Is absent from home for more than 24 hours before being reported to law enforcement as missing;
6. The person has already been designated as a high-risk missing person by another law enforcement agency;
7. There is evidence that the person is at risk because:
 - a. The person is in need of medical attention or prescription medication such that it will have a serious adverse effect on the person's health if he or she does not receive the needed care or medication (e.g., diabetic, heart patient, epileptic, etc.);
 - b. Is drug dependent, including prescription and/or illicit substances;
 - c. The person has a physical disability or handicap, including Autism;
 - d. The person is suicidal;
 - e. The person does not have a pattern of running away or disappearing;
 - f. The person missing may have been abducted by a non-custodial parent;
 - g. The person missing is mentally impaired or has diminished mental capacity;
 - h. The person is under 13 years of age;
 - i. The person is out of their zone of safety for a person of his/her age, developmental stage, and/or physical condition;
 - j. The person missing has been the subject of past threats or violence;

8. Whose disappearance involves circumstances that would cause a reasonable person to conclude that the missing person is considered vulnerable;
 9. Any other factor that may indicate, in the judgment of the department that the missing person may be at risk.
- I. **Human Remains Collection Kit** is a standardized collection kit that provides a safe and effective means for obtaining DNA samples from human remains.
 - J. **Lead Law Enforcement Agency** is the law enforcement agency with primary responsibility for investigating a missing or unidentified person case.
 - K. **Long Term Missing Person** is any person that has remained the subject of a missing person investigation for over 30 days.
 - L. **Long Term Unidentified Person** is any person, living or deceased that has not been identified through investigation for over 30 days. All human remains that have been recovered and not identified are included in this definition.
 - M. **Missing Adult** includes a person who is 18 years of age or older and whose absence is contrary to their normal patterns of behavior.
 - N. **Missing Child** is any person 17 years of age or younger (except where otherwise noted in this policy) whose whereabouts are unknown to their parent, guardian, or responsible party. Under 42 USC 5779(c), any missing person under the age of 21 is considered a missing child for NCIC entry purposes. Missing child includes the following subcategories:
 1. **Nonfamily abduction** involves a child who has been wrongfully taken by a nonfamily perpetrator through the use of physical force, persuasion, or threat of bodily harm.
 2. **Family abduction** occurs when, in violation of a court order, a decree, or other legitimate custodial rights, a member of the child's family, or someone acting on behalf of a family member, takes or fails to return a child. This is also referred to as parental kidnapping and custodial interference.
 3. **Runaway child**, often a teenager, leaves home voluntarily for a variety of reasons. This would include any child 17 years of age or younger.
 4. **Throw away** is a child whose caretaker makes no effort to recover the child after running away, who has been abandoned or deserted, or who has been asked to leave his or her home and not allowed to return. While not necessarily reported to authorities as missing, children in this category frequently come to the attention of law enforcement.
 5. **Lost, injured, or otherwise missing child** is defined as a child who has disappeared under unknown circumstances. The incident may range from the child wandering away and becoming lost to the child being abducted, wherein no one witnessed the act. These circumstances sometimes involve foul play, where those reporting the incident are attempting to cover-up a crime involving the child.

- O. **Missing Persons and Child Exploitation Unit** is the Missing Persons & Child Exploitation Unit in the New Jersey State Police and provides analytical and investigative support related to missing persons and unidentified persons investigations.
1. Main telephone 609-882-2000, extension 2893.
 2. During other than normal business hours, contact the Regional Operations and Intelligence Center (ROIC) at 609-963-6900.
- P. **National Center for Missing and Exploited Children – NCMEC** is located in Alexandria, Virginia and provides technical assistance to investigators; provides a 24-hour hotline to receive reports and sightings of missing children; a worldwide CyberTipline for on-line reporting of the sexual exploitation of children; nationwide distribution of photographs and descriptions of missing children; preparation of age-enhanced photographs of long-term missing children; and analysis of case information and leads. **(1-800-THE-LOST)**
- Q. **National Missing and Unidentified Persons System (NamUs)** is a national centralized repository and resource center for missing persons and unidentified decedent records. NamUs is a free online system that can be searched by medical examiners, coroners, law enforcement officials and the general public from all over the country in hopes of resolving these cases. When a new missing persons or unidentified decedent case is entered into NamUs, the system automatically performs cross-matching comparisons between the databases, searching for matches or similarities between cases. NamUs provides free DNA testing and other forensic services, such as anthropology and odontology assistance.
- R. **Personal/Direct Reference Sample Evidence Registration Form** is an evidence submission form to be utilized when sending personal samples from the missing person to the National Missing Persons Program for DNA profile analysis and subsequent upload into the FBI's Missing Persons DNA Database Program.
- S. **Project Lifesaver International** locates and rescues missing persons through proven radio technology and a specially trained search and rescue team. Administered by the **Monmouth County Sheriff's Office**, Project Lifesaver program clients wear a personalized wristband that emits a tracking signal.
- T. **Safe Return Program** is a nationwide identification, support, and enrollment program working at the community level, which assists in the safe return of individuals with Alzheimer's or a related dementia who wander and become lost.
- U. **Silver Alert** is much like Amber Alerts for missing children. Silver Alerts are intended to enlist the assistance of the media to broadcast descriptive information to the public to help locate people believed to be suffering from dementia or other cognitive impairment.
- V. **Twitter** is an online social networking and microblogging service that enables users to send and read text messages (tweets) to registered users.
- W. **Unidentified Deceased Persons Remains** are human remains that have been discovered while conducting a death investigation in which the identity of the human remains are currently unknown.

- X. **VICAP** is the Violent Criminal Apprehension Program database established by the FBI as a nationwide data information center designed to collect, collate, and analyze a variety of violent crime information. VICAP provides all law enforcement agencies reporting similar patterns of violent crimes with information necessary to initiate and coordinate multi-agency investigations.
- Y. **Zone of Safety** represents an area in which a missing person is known to frequent; feels a sense of comfort, and is not believed exposed to any unusual risk.
 - 1. Each person's zone of safety is specific to that individual, based upon his/her normal lifestyle and areas where the person feels a sense of belonging/comfort.
 - 2. While department personnel (first responders and investigators) will ultimately determine the zone of safety and base their response on it, they shall seek and take into consideration input from the people who are familiar with the missing person's habits/lifestyle to assist in making a determination as to what an appropriate zone of safety is for the missing person in the particular case at hand.
- Z. In order to be classified as a missing person, an individual must meet one of the following criteria:
 - 1. Disability (EMD): A person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting himself/herself or others to personal and immediate danger.
 - 2. Endangered (EME): A person of any age who is missing under circumstances indicating that his/her physical safety may be in danger. NOTE: Child Abduction (CA) or an AMBER Alert (AA) flag as appropriate.
 - 3. Involuntary (EMI): A person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, i.e., abduction or kidnapping. NOTE: Child Abduction (CA) or an AMBER Alert (AA) flag as appropriate.
 - 4. Juvenile (EMJ): A person under the age of 21 who is missing and does not meet any of the entry criteria set forth in subsections 1, 2, 3, or 5 of this section. Juveniles who run away from an institution shall be further classified as RI (Runaway from an Institution).
 - a. Emancipation of a New Jersey resident will be presumed when the person
 - 1) Reaches their 18th birthday;
 - 2) Enters the military;
 - 3) Marries
 - 4) Is pregnant with or has a child;

- 5) Is declared by a court or administrative agency to be emancipated.
- 5. Catastrophe Victim (EMV): A person of any age who is missing after a catastrophe.
- 6. Other (EMO): A person aged 21 and older not meeting the criteria for entry in any other category, who is missing and for whom there is a reasonable concern for his/her safety.
- AA. In order to be classified as an unidentified person, an individual must meet one of the following criteria:
 - 1. Deceased (EUD): a person who is no longer living for whom the identity cannot be ascertained. This category also includes recovered body parts when a body has been dismembered.
 - 2. Living (EUL): a person who is living and unable to ascertain his/her identity, e.g., amnesia victim, infant, etc. The information on unidentified living persons should only be included if the person gives his/her consent or if they are physically or mentally unable to give consent.
 - 3. Catastrophe Victim (EUV): a person who is a victim of a catastrophe for whom the identity cannot be ascertained or body parts when a body has been dismembered as the result of a catastrophe.

III. General Investigative Standards

- A. Due to the potential complexity and diverse nature of missing and unidentified person investigations, this type of incident demands swift and effective action by this department.
 - 1. The key to success is the rapid development of information to disclose the circumstances under which the person is missing or unidentified to determine whether foul play or suspicions are in evidence. This facilitates an efficient, logical approach to the investigation.
 - 2. The potential for tragedy demands that supervisors continually monitor the progress of these investigations and be ever vigilant to take command of the situation if the need arises.
- B. Immediately upon receiving a report of a missing person or unidentified person, a patrol unit shall be assigned and a preliminary investigation shall be conducted.
 - 1. There is no requirement that the reporting person wait for any period of time to report the missing/unidentified person.
 - 2. If the reporting person indicates that the missing person does not permanently reside in this jurisdiction or was not last seen in this jurisdiction, then communications personnel or shift supervisor shall ensure that the law enforcement agency with jurisdiction shall be contacted without delay. All reasonable assistance shall be provided to the reporting person.

- C. No missing person report will be denied on the basis that:
1. The missing person is an adult;
 2. The circumstances do not indicate foul play;
 3. The circumstances suggest that the disappearance may be voluntary;
 4. The person reporting the missing person does not have personal knowledge of the facts;
 5. The missing person is a visitor to Wall Township;
 6. The reporting person cannot provide all of the information requested;
 7. The reporting person lacks a familial or other relationship with the missing person; or
 8. For any other reason, except where there is direct knowledge that the person is in fact not missing and the exact whereabouts and welfare of the missing person are known at the time the report is being made.
- D. Communications center personnel shall ensure that the following minimum steps are taken:
1. Obtain basic facts, details, and a brief description of the missing person/child and abductor, if applicable;
 2. Dispatch a patrol unit to the caller's location to conduct a preliminary investigation. If the caller is at a place other than the location from which the subject is missing, an additional police unit should be dispatched to the place last seen.
 3. Search past history logs for previous incidents related to activity in the area, paying special attention to reports of prowlers, lewdness, attempted abduction, etc. Make responding units aware of this information;
 4. Broadcast all known detail to patrol units. Expand the notification to surrounding communities, counties, or states as the need arises;
 - a. If the missing person is considered an at risk or emergency situation, a critical responsibility of the call-taker is to obtain sufficient information from the reporting party when the initial call is received and to broadcast a radio message that:
 - 1) Alerts other officers about the circumstances of the person's disappearance; and
 - 2) Includes information as to the person's height, weight, hair and eye color and clothing, as well as the location where the person was last seen.
 5. Make the necessary, timely notifications;

6. Update computer and database entries as needed;
 7. Depending on the circumstances of the investigation and with the permission of the shift supervisor, consider notification to the media;
 8. Run a CCH, NJCJIS Inquiry and a DMV Inquiry on the Missing Person, and attach all results to the NCIC Missing Person's Entry;
 9. Enter the missing person into the NCIC System as quickly as possible. If the complete personal details are not known, make the initial NCIC entry and then modify the entry as additional details are developed. Update computer and database entries as needed.
 10. Depending on the circumstances of the investigation, activate the APBnet System.
- E. This department will remain the lead law enforcement agency in charge of the investigation unless another law enforcement agency assumes primary responsibility over the investigation.
- F. A patrol supervisor shall normally be assigned to a missing person investigation, unless existing workload or other circumstances make their response impossible. Missing person investigations shall be given high priority and shall not be considered routine. A patrol supervisor shall respond to or directly oversee all missing person investigations when:
1. The missing person is a child 13 years of age or younger; or
 2. If the missing person is classified as a high-risk missing person; or
 3. When the initial officer determines that there is criminal involvement; or
 4. Unusual circumstances are present; or
 5. Supervisory presence is otherwise needed.
- G. Initial responding officer's responsibilities include:
1. Promptly respond to the scene and thoroughly investigate the case.
 2. Ascertain if the person qualifies as a missing person.
 - a. Is the location of the person known, but they will not return to the home?
 - b. Was there an argument and the person left to go to a friend or relatives house and will not return?
 - c. Does the person reporting the missing person have any physical or psychological ailments that affect their memory?

3. Interview the reporting person.
 - a. If more than one reporting person is present, interviews should be conducted separately.
 - b. Determine if this may be a high risk missing person and if there is a potential crime scene area and or potential witnesses.
 - c. If a high risk missing person, immediately notify communications via telephone providing a complete description of the missing person and pertinent facts associated with the incident.
 - d. Determine the date and time the missing person was last seen.
4. If the reporting person walks into headquarters to report a missing person, the assigned officer(s) should respond to the residence or area where the missing person was last seen (if within Wall Township) and conduct a preliminary search for the person. Searches must be in comportment with this department's search and seizure directive and current criminal procedure.
5. Obtain the following information:
 - a. Name, including aliases;
 - b. Date of birth;
 - c. Identifying marks, such as birthmarks, moles, tattoos and scars;
 - d. Height and weight;
 - e. Gender;
 - f. Race;
 - g. Current hair color and true or natural hair color;
 - h. Eye color;
 - i. Prosthetics, surgical implants, or cosmetic implants;
 - j. Physical anomalies;
 - k. Blood type, if known;
 - l. Any medications the missing person is taking or needs to take;
 - m. Driver's license number, if known;
 - n. Social security number, if known;
 - o. ATM and/or credit card account numbers, if known;
 - p. A recent photograph of the missing person, if available;

- q. A description of the clothing the missing person was believed to be wearing at the time of disappearance;
- r. A description of notable items that the missing person may be carrying or wearing;
- s. Information regarding the missing person's electronic communications devices, such as cell phone number or e-mail addresses and carrier or Internet Service Provider;
- t. The reasons why the reporting person believes that the person is missing;
- u. The name and location of the missing person's school or employer, if known;
- v. The name and location of the missing person's dentist and primary care physician, if known;
- w. Any circumstances that may indicate that the disappearance was not voluntary;
- x. Any circumstances that indicate that the missing person may be at risk of injury or death;
- y. A description of the possible means of transportation of the missing person, such as make, model, color, registration, and VIN number of a motor vehicle;
- z. Any identifying information about a known or possible abductor or the person last seen with the missing person including:
 - 1) Name;
 - 2) Physical description;
 - 3) Date of birth;
 - 4) Identifying marks;
 - 5) Description of possible means of transportation;
 - 6) Known associates.
 - 7) Any other information that can aid in locating the missing person; and
 - 8) Date of last contact.
- aa. If the missing person is a juvenile the following information may prove useful:
 - 1) Custody status; examine court orders regarding current custody matters, if applicable.

- 2) Friends names and addresses;
 - 3) On-line screen names;
 - 4) Facebook® and other social networking access;
 - 5) Access to credit card information;
 - 6) Access to vehicles;
 - 7) Wireless telephone number(s) and carrier;
 - 8) Access to bankbooks, bank account(s);
6. Ensure that everyone at the scene is identified and interviewed separately and properly record the information. Note name, address, and phone numbers of each person. Determine relationship to the missing person and ask where they believe the missing person may be. Obtain information of potential associates to aid in future investigation.
- a. Confirm a child's/adolescent's custody status, if relevant;
 - b. Determine missing person's state of mind, mental capacity or defect, if known;
 - c. Determine whether the missing person has been known to disappear in the past;
 - d. Determine where the missing person could possibly be headed, or where he/she has re-appeared in the past, if applicable.
7. Identify the circumstances of the disappearance. Determine when, where, and by whom the missing person was last seen. Interview the individual(s) who had last contact with the missing person. Develop a list of known family members, friends, classmates, co-workers, and associates for interviews.
8. If a child or a person with diminished mental capacity is involved, identify a zone of safety commensurate with their age and developmental stage. If the child was out of this safety zone, ascertain potential reasons.
- a. Missing autistic children/adults pose unique challenges to law enforcement for several reasons. They:
 - 1) Often seek bodies of water;
 - 2) Have a tendency to wander or elope;
 - 3) Have a tendency to seek small, enclosed spaces, which may be overlooked during initial searches;
 - 4) Elude or hide from searches;
 - 5) May have a diminished sense of fear;

- 6) May be unable to respond to search teams;
- 7) May be very resilient;
- 8) May exhibit unique behaviors (no children are alike);
- 9) May have specific interests or fascinations (active roadways, road signs, trains, fire trucks, etc.)
- b. See subsection IV.B for a *Missing Children with Special Needs Checklist* (Appendix E).
- 9. If known acquaintances, potential abductors, vehicles, or persons of interest are involved, obtain detailed descriptions as necessary.
- 10. In cases of missing children, officers shall be particularly cognizant of information that may suggest the potential for parental abduction or the possibility of stranger abduction, as well as:
 - a. The presence of behavioral problems.
 - b. Past instances of running away.
 - c. Signs of an abusive home environment or dysfunctional family situation.
 - d. Whether the child is believed to be with adults who may pose a danger; and
 - e. The name and location of the school attended by the child and any persons who may be responsible for private transportation to and from the location.
- 11. Relay detailed descriptive information necessary for the investigation to the communications center for broadcast to all patrols and applicable law enforcement entities.
- 12. Ensure available photo(s) are relayed to the communications center for the creation of an APBnet bulletin, Amber Alert, or Silver Alert, as appropriate.
- 13. Request additional personnel and resources if circumstances require.
- 14. Consideration should be given to immediately requesting detective personnel to the scene and implementing the Incident Command System. The NJSP Missing Persons and Child Exploitation Unit may be contacted to provide investigative guidance and resources.
- 15. Treat the area as a potential crime scene.
- 16. Utilize a crime scene entry/exit log, when necessary.
- 17. Request voluntary assistance from the family or reporting party in obtaining items of investigatory value belonging to the missing person.

- a. Obtain consent to search, when applicable.
 - b. Consider obtaining personal items that contain the missing person's scent for utilization of search dogs, if available. Place scent articles in a clean, paper bag.
 - c. Attempt to obtain personal electronic devices (cell phones or cell phone numbers for tracking purposes, computers for online resources such as screen names or email sources, digital cameras, electronic storage devices, etc.).
 - d. Gather as many documents as possible to assist with follow-up investigation. Banking records, mail, cell phone records, etc. should be collected, when possible. Utilize consent forms or court orders, as necessary.
 - e. Check for a note.
 - f. Look in the missing person's wastebasket or schoolbooks for personal notes, timetables or brochures.
 - g. Make a list of places that the person likes to go, i.e., eating, recreation, etc.
 - h. List the addresses of vacation spots frequented by the family.
 - i. Obtain the locations of local tree houses, barns, forts and other areas where the youngster might go, if applicable.
 - j. Check to see if the person has been corresponding with anyone lately.
 - k. Look at the most recent telephone bill for any new or frequently called telephone numbers or out-of-town telephone numbers.
 - l. Find out if any new friends have recently been called or been to the house.
 - m. Attempt to determine if the missing person has been talking about any particular area or activity recently.
- 18. When applicable, obtain items that would likely contain the missing person's DNA; such as a toothbrush, hairbrush, or clothing. Seal and protect the scene, when necessary, for potential subsequent search efforts by qualified crime scene technicians.
 - 19. Determine if any of the missing person's personal items are known to be missing from the area/scene.
 - 20. Maintain scene integrity until relieved by investigative or supervisory personnel. Thoroughly brief relieving personnel, advising of all investigative steps taken to point and noted documentation.
 - 21. Complete all reports and forms prior to reporting off duty.

H. Investigator / Detective responsibilities include:

1. Obtain briefing from first responding officer and other on-scene personnel.
2. Verify the accuracy of all descriptive information and other details developed during the preliminary investigation. Ensure the missing person has been entered into all appropriate databases (NCIC, NJLETS, APBnet, etc.).
3. Obtain a brief, recent history of family dynamics or relationship dynamics, which apply to the missing person.
4. Correct and investigate the reasons for conflicting information offered by witnesses and other involved individuals.
5. Notify the Monmouth County Prosecutor's Office in priority cases such as:
 - a. All persons missing under suspicious circumstances or circumstances out of the ordinary for the particular person;
 - b. Where foul play or suicide is suspected;
 - c. Unidentified bodies or body parts;
 - d. Missing child 13 years of age or younger (CART activation required)
6. Review and evaluate all available information and evidence requested.
7. Develop an investigational plan.
8. Determine what additional resources and specialized services are required.
9. Canvas the neighborhood; expand where necessary.
10. Contact the Monmouth County Prosecutor's Office for required court ordered information to aid in investigation, when necessary.
11. Contact the NJSP Missing Persons and Child Exploitation Unit for assistance and resources, when necessary.
12. Check the department's Megan's Law Registrant File to determine if any registered offenders live in close proximity to the missing person's last known location, residence, school, etc. If there is a positive response, investigate, including an in person check/interview.
13. Conduct a thorough supplemental investigation with accurate documentation.

I. Supervisor's responsibilities include:

1. Conduct a debriefing of the first responding officer, investigators, and other agency personnel at the scene. Obtain pertinent written reports.
2. Determine if additional personnel are needed to assist in the investigation.

3. Ensure that all required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested and expedite their availability. Examples include, but are not limited to:
 - a. Contiguous law enforcement agencies
 - b. K-9 Unit
 - c. Lighting (fire department)
 - d. NJSP if water rescue or recovery is indicated;
 - e. EMS
 - f. State Police Missing Persons Unit
 - g. State Police Air Unit
 - h. MCPO Child Abduction Response Team
4. Determine whether the person reported missing is to be designated a high risk missing person.
 - a. If the initial determination of a person reported missing does not warrant designation of that person as high risk, it shall not preclude a later determination, based on further investigation or the discovery of additional information, that the missing person is high risk.
 - b. If a missing person is classified as high risk, this status will be maintained until information to the contrary is obtained and confirmed.
 - c. If a missing person is classified as high risk, immediately expand the investigation to encompass the use of all available resources and activating emergency interagency response procedures including Amber or Silver Alerts, when warranted.
 - d. If a missing person is classified as high risk, immediately contact the Monmouth County Prosecutor's Office.
 - e. Upon a determination that a missing person investigation involves a high risk missing person or a missing child, the State Police Missing Persons and Child Exploitation Unit shall be contacted to determine whether the circumstances warrant a cooperative effort.
 - f. If it is determined that a cooperative effort is warranted, the NJSP Missing Persons and Child Exploitation Unit shall coordinate the deployment of additional State Police resources in support of the investigation.
 - g. The supervisor shall ensure that during an investigation involving a high risk missing person all law enforcement agencies in the State, and if necessary, law enforcement agencies in adjacent states that

may aid in the prompt location and safe return of the high risk missing person are promptly notified and provided with as much descriptive information as possible.

5. Establish a command post, whenever a search is initiated or additional resources are marshaled, including CART.
 6. Ensure coordination and cooperation among all involved law enforcement agencies in the investigation and search effort.
 7. Ensure that all required notifications are made.
 8. Ensure that all policies and procedures are in compliance.
 9. Cause a criminal history check on any principal suspects and participants in the investigation, where applicable.
 10. Be available to make any decisions or determinations as they develop.
 11. Utilize media outlets to assist in search efforts, when necessary, throughout the duration of the case.
 12. Contact the NJSP Missing Persons and Child Exploitation Unit for assistance and resources, when necessary.
- J. If a person is developmentally disabled or emotionally disturbed, they may have difficulty communicating with others about their needs, their identity, or their address. The disability may place the person in danger of harm.
1. Mentally impaired may also include adults suffering from Alzheimer's.
 2. When a child is developmentally disabled or emotionally disturbed, they may also have difficulty communicating with others about their needs, their identity, or their address. A mentally impaired child may be in danger of exploitation or other harm.
 3. If the missing person is not located during the current shift all available information shall be given to the relieving shift until the person is found.
 4. Personnel shall be guided by the **Attorney General's Law Enforcement Directive 2005-3** and training material, which establishes a statewide policy on the Safe Return Program to recover lost individuals with Alzheimer's disease and related disorders.
 - a. It is particularly important to find a person with Alzheimer's disease within the first 24 hours to ensure safety and survival.
 - b. The Safe Return Program has been designed to assist both the caregiver of persons with Alzheimer's disease or a related dementia disorder, and law enforcement officials with the safe return of these persons.

- c. The program includes a nationwide participant registry that contains the full name of the registrant, a photograph, identifying characteristics, medical information, and emergency contact information, which enables personnel to easily identify a person with Alzheimer's disease.
 - d. Safe Return identification provides the first name of a person bearing this ID, indicates that they have memory impairment, and gives the 24-hour toll-free number for the Alzheimer's Safe Return Program.
 - e. The Safe Return Program can also be used to send an alert to area agencies such as shelters or hospitals that a person with Alzheimer's disease is missing. This may help recover a person with Alzheimer's disease faster.
 - f. Personnel receiving a report of a missing person who is believed to have Alzheimer's disease or a related disorder, shall immediately contact the Safe Return Hotline at **800-883-1180** and a photograph and/or description, if available, should be disseminated to all officers working the current shift.
 - g. When approaching a person believed to have Alzheimer's disease, ask for identifying information. Persons who are registered with the Safe Return Program shall have a bracelet, necklace, lapel pin, key chain, or label inside their clothing collar.
- K. If the preliminary investigation does not lead to a presumption that an adult is missing for any other reason than they did not arrive at a destination as intended, or at an intended time, an attempt to locate message may be initiated through NJLETS or NLETS. This depends on the circumstances of the disappearance. The person can still be reported as a missing person-endangered.
- L. If a missing person is reported to this department and the person being reported missing does not permanently reside in this jurisdiction, then the shift supervisor or designee shall ensure that a copy of the investigative report is sent to
- 1. The law enforcement agency that has jurisdiction over the missing person's resident address; and
 - 2. All law enforcement agencies having jurisdiction of the missing person's intended destination(s), if applicable.

IV. Reporting Requirements

- A. Without delay, the investigating officer shall prepare the necessary reports and complete appropriate forms made necessary by the investigation. These reports and forms include, but are not limited to:
- 1. A standard Wall Township Police Department Investigation Report;
 - 2. Missing Persons Report Form for NCIC Record Entry;

- a. A missing adult must meet appropriate criteria for entry into NCIC and written authorization is required from a person with appropriate authority in order to authorize the entry into NCIC.
 - b. No such written authorization is required for missing persons under the age of 21 (42 USC 5779(c)).
- B. The following checklists and logs may be useful in missing or lost person incidents:
 - 1. Investigative Checklist for First Responder to a Missing or Lost Person Incident (Appendix A). The officer initially assigned to a missing or lost person incident will use the checklist as a guide during the search.
 - 2. Search Checklist for Missing Person Searches (Appendix B) – The shift supervisor and/or Incident Commander will utilize this form to assist with the coordination of a search for a missing or lost person.
 - 3. Investigative Checklist for the Supervisor at a Missing or Lost Person Incident (Appendix C) - the shift supervisor and/or Incident Commander assigned to a missing or lost person incident will use this checklist as a guide during the search.
 - 4. Investigative Checklist for the Detective Assigned to a Missing or Lost Person Case (Appendix D) - the detective assigned to a lost or missing person case will use the checklist as a guide in the investigation.
 - 5. Missing Children with Special Needs Checklist (Appendix E) – should be utilized when a child with special needs is reported missing.
- C. Forward all reports to communications for data entry.

V. Ancillary (Follow Up) Procedures – Missing Persons

- A. All obtained information shall be forwarded to the communications center for entry into all appropriate databases. Under no circumstances shall the entry of this information be delayed. These databases include:
 - 1. NCIC - The NCIC Entry will generate a NIC Number and a NLETS Message (File 08) to the State Missing Persons Clearinghouse located within the Missing Persons and Child Exploitation Unit via CJIS.
 - 2. APBnet - Whenever possible, generate an APBnet bulletin with a photo of the missing person and particulars of the case. If the APBnet system is inoperative or disabled, contact the NJSP Missing Persons and Child Exploitation Unit for assistance.
 - 3. NJSP Website – Depending on the circumstances, the assigned detective may at any time, contact the NJSP Missing Persons and Child Exploitation Unit and request that the case be listed on the New Jersey State Police Missing Persons website/web page.
 - 4. Facebook, Twitter, or Everbridge – The shift supervisor or assigned detective should give consideration to conducting a mass notification through the use of Facebook, Twitter, or Everbridge.

5. NCMEC/NAMUS – Depending on the circumstances, the assigned detective should give consideration in contacting and listing their case with the National Center for Missing and Exploited Children or the National Missing and Unidentified Persons System, when deemed appropriate, see subsection V.B.4 below for NCMEC photo requirements.
- B. The person making the report, a family member, or any other person in a position to assist in the investigation shall be provided with the following:
1. General information about the handling of the investigation or about intended efforts to the extent determined that disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute any person criminally involved in the disappearance;
 2. Information advising the person that if the person remains missing they should contact this agency with additional information and materials that will aid in locating the missing person, such as credit or debit card and banking transactions and cell phone use;
 3. In those cases where DNA samples are requested, they are to be submitted on a voluntary basis and shall be used solely to help locate or identify the missing person and shall not be used for any other purpose; and
 4. If the person reported missing is a child (age 20 or under, see definitions), the person filing the report shall be provided with contact information for the National Center for Missing and Exploited Children (NCMEC). If the person wishes to have the missing child listed on the NCMEC website:
 - a. Ensure that an NCIC entry is completed and an NIC number is generated;
 - b. Obtain a JPEG image of the missing child (if unavailable, convert any photo to a JPEG format);
 - c. Have the reporting person complete an NCMEC Photo Waiver Form;
 - d. Email the JPEG image and the completed NCMEC Photo Waiver Form to NCMEC at pawillingham@NCMEC.org.
 - e. Retain the image and the waiver form in the case file.
 5. Follow up contact with family members shall be maintained throughout the investigation.
- C. If the missing person remains missing for 30 days, and the additional information and material mentioned below has not been received, the assigned investigator / detective shall attempt to obtain:
1. DNA samples from biological family members and, if possible, from the missing person along with any needed documentation, including any consent forms, required for the use of State or Federal DNA databases;

a. Mechanics for submission of DNA samples:

- 1) Once the article(s) has been properly documented, personnel shall utilize the **Personal / Direct Reference Sample Evidence Registration Form**.
- 2) Contact appropriate biological family member(s) to ascertain if they are willing to provide a reference DNA sample for comparison purposes in the National Missing Persons Program federal database (CODIS MP) maintained by the Federal Bureau of Investigation. Such DNA samples are provided on a voluntary basis and shall be used solely to help locate or identify the missing person and shall not be used for any other purpose.
- 3) Personnel shall utilize the **Family Reference Sample Collection Kit** to obtain DNA samples. Personnel shall strictly adhere to the instructions as put forth in the collection kit. Kits may be obtained by contacting the County liaison officer or the NJSP Missing Persons and Child Exploitation Unit.
- 4) Upon obtaining the DNA sample(s), personnel shall forward the kit to the National Missing Persons Program, University of North Texas Health Science Center, as directed in the kit instruction form. Strict attention shall be adhered to in the transmittal of the **Fax Back Sample Tracking Form** prior to the mailing of the kit.
- 5) In addition to faxing the form to the National Missing Persons Program, officers shall fax the form to the Missing Persons & Child Exploitation Unit, Division Headquarters (609-882-2719) for case tracking purposes.
- 6) Upon completion of the DNA sample submission process, the assigned investigator shall modify the existing NCIC missing person/ unidentified person entry to include that a DNA sample pertaining to the investigation is available for comparison. Location of the sample and corresponding CODIS MP identification number should be included in this modified entry.
- 7) **Reference Sample Priority Sequence:**

Personal Item(s) from missing person

(Direct Reference Sample Evidence Registration Form)
 - (1) Toothbrush
 - (2) Clothing
 - (3) Hairbrush
 - (4) Any item capable of furnishing a DNA profile

Nuclear Family Members of Missing Person

(Family Reference Sample Collection Kit)

- (1) Biological Brother or Sister of Missing Person
- (2) Biological Parents of Missing Person
- (3) Biological Children of Missing Person
- Maternal** Biological Relatives of Missing Person

(Family Reference Sample Collection Kit)

- (1) Aunts / Uncles of Missing Person **(Maternal Side Only)**
 - (2) Cousins **(Maternal Side Only)**
 - (3) Half-Sisters / Half-Brothers **(Maternal Side Only)**
- 2. Dental information and x-rays, and an authorization to release dental or skeletal x-rays of the missing person. The resulting profile shall be coded and entered into NCIC by modification of the existing record.
 - 3. Any additional photographs of the missing person that may aid the investigation or identification. It is not required to obtain written authorization before releasing publicly any photograph that would aid in the investigation or identification of the missing person; and
 - 4. Fingerprints - The resulting profile shall be coded and entered into NCIC by modification of the existing record.
 - 5. Nothing in this section shall be construed to preclude this agency from obtaining any of the materials identified in this section before the 30th day following the filing of the missing person report.
- D. Information relevant to the Federal Bureau of Investigation's Violent Criminal Apprehension Program (VICAP) shall be entered as soon as possible.
- 1. Three offenses/incidents, listed in the Case Management Section of a VICAP report, may, in some instances, be closely associated with missing persons investigations: kidnapping (fatal, with injury, or for ransom), missing persons with evidence of foul play, and unidentified bodies where the manner of death is classified as homicide.
 - 2. In those specific instances where investigation reveals that a missing person has been a victim of a violent act, the use of VICAP should be explored. Detectives will utilize VICAP as may be appropriate.
 - 3. In cases where investigation reveals that a missing person or unidentified person has been a victim of a violent act, use of the Violent Criminal Apprehension Program (VICAP) will be explored.
- E. When kidnapping, abduction or interstate flight is suspected, the Federal Bureau of Investigation shall be notified and be kept informed of all developments.
- F. Where a crime or other unlawful act is suspected, the Monmouth County Prosecutor's Office shall be notified and be kept informed of all developments.

- G. The New Jersey State Police implements the Amber Alert Plan. Amber Alerts are intended for serious cases of child abduction where the child's life is in imminent danger of serious bodily harm or death. Amber Alerts are not intended for all missing child incidents, runaways, or child custody situations. The following criteria are necessary to activate an Amber Alert:
1. The child must be under the age of 18;
 2. There must be some indication that the child is in imminent danger of serious bodily harm or death;
 3. There must be a short enough delay between the time the child was last seen and the time the child is reported missing to believe that an Amber Alert will help locate the child;
 4. There must be enough descriptive information to believe that an Amber Alert will help locate the child.
 5. Upon belief that an abducted child may fit the criteria for activating an Amber Alert, the local agency shall notify the New Jersey State Police Missing Persons & Child Exploitation Unit to authenticate and broadcast the alert.
 - a. Main number 609-882-2000, extension 2893
 - b. During other than normal business hours, contact the Regional Operations and Intelligence Center (ROIC) at 609-963-6900.
 6. NJSP Missing Persons & Child Exploitation Unit personnel will ordinarily respond to assist with the investigation until deactivation of the AMBER Alert.
- H. Under the provisions of Attorney General Directive 2010-3, when deciding whether to activate or request activation of an Amber Alert in cases involving family abductions, investigators should consider whether the reported abduction was done by a family member or someone acting on behalf of a family member. An Amber Alert should not be activated unless the Amber Alert criteria have been met.
- I. In the case of a family abduction, investigators must consider the complexity of the circumstances of the reported abduction (e.g., the manner in which it was committed and whether violence, threat of violence, a deadly weapon, or other dangerous behavior or circumstance was involved), as well as any available background information about the abductor and his/her relationship to the child and any history of prior abductions, custody disputes, domestic violence or child abuse. Furthermore, when assessing the totality of the known circumstances, law enforcement officials responding to a report of a family abduction may need to consider the possibility that the person reporting the abduction has a motive to overstate the risk of physical harm posed to the child in order, for example, to gain an advantage in ongoing or contemplated matrimonial or custody rights litigation.
- J. In family abduction cases, investigators should consider the following specific circumstances, when information about these circumstances is available:

1. Whether any threats of harm to the child were made by the abductor at any time before the abduction, or during the course of the abduction (including implied threats such as "if I can't have custody, then no one will");
 2. Any past history of violence by the abductor directed against the child, or abuse or neglect of the child, or any other child;
 3. Whether violence or threat of violence was used in committing the abduction, and whether force was used or directed against the child (e.g., the child resisted or tried to escape), or put the child at immediate risk of harm, even if the force was directed against another (e.g., the use or threatened use of a firearm or other weapon; assault by auto, motor vehicle eluding or reckless driving, etc.);
 4. Whether there is a family history of domestic violence or child abuse, or a history of custody disputes or past abductions;
 5. Whether the abductor has a past history of violence or weapons offenses;
 6. Whether the abductor is believed to be armed;
 7. Whether the abductor is believed to be under the influence of alcohol or drugs;
 8. Whether the abductor has a history of alcohol or other substance abuse;
 9. Whether the abductor has a history of mental illness;
 10. Whether the abductor was acting irrationally (e.g., uncontrolled rage, desperation, or panic);
 11. Whether the child and/or abductor have pre-existing medical and/or health conditions, which, if unmonitored and/or untreated, could impact on the welfare of the child;
 12. Any other facts or circumstances that suggest that the abductor might intentionally or unintentionally harm the child, or expose the child to a dangerous situation.
- K. The New Jersey State Police have developed an Amber Alert Activation Worksheet to help identify and document the facts used to determine whether it is appropriate to activate an Amber Alert.
- L. Officers may subscribe to Wireless Amber Alerts in order to receive a text message when an Amber Alert has been issued.
- M. The New Jersey State Police also implements the Silver Alert Plan. Specific health information about the missing person shall not be made public through the alert or otherwise.
1. Each of the following criteria shall be met before a Silver Alert may be issued:

- a. The person believed to be missing is believed to be suffering from dementia or other cognitive impairment regardless of age;
 - b. A missing person investigation has been initiated;
 - c. The person believed to be missing may be in danger of death or serious bodily injury;
 - d. There is sufficient information available to indicate that a Silver Alert would assist in locating the missing person; and
 - e. Sufficient information is available to disseminate to the public that could assist in locating the person.
 - 2. Upon belief that a person may fit the criteria for activating a Silver Alert, notify the New Jersey State Police ROIC to authenticate and broadcast the alert.
 - a. Main number 609-882-2000, extension 6941 (24/7)
 - b. Relay missing person information to the NJSP
 - c. The NJSP will complete a checklist based upon the information provided;
 - d. ROIC personnel will fax the checklist to the NJSP Missing Persons Unit;
 - e. The NJSP Missing Persons Unit will determine whether a Silver Alert will be broadcast.
 - 3. The Missing Persons and Child Exploitation Unit in the Division of State Police, upon request, shall assist the lead law enforcement agency in the investigation of any Silver Alert investigation.
- N. When receiving a telephone call regarding the sighting of any subject in an Amber or Silver Alert activation, the person receiving the call shall:
- 1. Keep the caller on the line at all times;
 - 2. If the call needs to be transferred, the officer shall not release the call until it is completed;
 - 3. Notify the appropriate law enforcement jurisdiction of the sighting via SPEN or broadcast the location and information to Wall Township units if within the Township;
 - 4. Do not hang-up on the caller until the situation has reached its logical end.

VI. Child Abduction Response Team

- A. For purposes of this section only, the term missing child means a person 13 years of age or younger whose whereabouts are not currently known. (NJSA 52:17B-212)

- B. Upon receipt of a report of a missing child, the Shift Supervisor shall cause notification to the Monmouth County Prosecutor's Office, Child Abduction Response Team (CART) Leader.
 - 1. This department will remain the lead-investigating agency until the Monmouth County Prosecutor determines otherwise.
 - 2. CART leaders shall oversee all missing child investigations.
- C. When investigating a missing child, the Monmouth County Prosecutor or the CART leader(s) may request law enforcement resources from this department to assist in the missing child investigation from any other law enforcement agency.
 - 1. Any reasonable request for such assistance shall not be denied. Reasonable assistance includes, but is not limited to:
 - a. Search teams;
 - b. Canine support;
 - c. Use of Wall Township facilities for staging, command post, etc.
 - d. Mutual aid;
 - e. Investigative resources.

VII. Search Procedures

- A. Depending on the age of the missing person and other factors that are learned during the preliminary investigation, a course of action may include a targeted area search, if warranted. An adult who is missing, under circumstances that are not criminal or potentially life threatening may not necessarily require an area search. An adult who has been diagnosed with Alzheimer's disease, dementia, or who is missing from an assisted care facility may require an area search.
- B. Officers shall evaluate the investigation and undertake any other reasonable actions to increase or narrow the scope of any search that may be undertaken.
- C. The Wall Township Police Department will maintain primary responsibility for coordination of the search for missing persons reported in Wall Township.
 - 1. The shift supervisor will ordinarily take command of any search efforts until relieved of this duty by another ranking officer.
 - 2. Ensure that the Patrol Commander has been notified through the chain of command.
 - 3. Make arrangements to feed, house and properly relieve personnel, when applicable.
 - 4. Keep command post clear of all unnecessary personnel.
 - 5. Contact OEM for assistance in any prolonged searches.

- D. As a first step, a complete search of the subject's residence (or last known location) should be performed. All storage areas, cellars, attics and out buildings should be thoroughly searched, as well as any attractive hiding places (e.g., under beds) and any potentially hazardous locations (e.g., swimming pools, ponds, storm drains, culverts, etc.) in the immediate area. All motor vehicles in the area should be searched, including the passenger compartment and trunk. At a home or place of abode, include at a minimum:
1. Rooms (clothes, etc.)
 2. Closets
 3. Boxes
 4. Under beds
 5. Crawl spaces
 6. Any place a person could secrete themselves
 7. Search in the presence of a responsible member of the household. DO NOT accept someone's word that they have checked the area; personally search again. Keep in mind the age of the person missing and motive, if any, for absence.
- E. When searching outdoor areas, consider:
1. To and from school (or work)
 2. School and grounds
 3. Area around house or playgrounds
 4. Attractive nuisances (culverts, storm drains, etc.)
 5. Stores, commercial areas, strip malls, etc.
 6. Direction to and from work, or place last seen
- F. Interview:
1. Neighbors
 2. Relatives
 3. Friends
 4. Playmates
 5. Coworkers
- G. The shift supervisor shall consider the totality of the circumstances in regard to initiating an extensive search (e.g., contacting other agencies for assistance with

the search) and will notify the Chief of Police prior to extra-jurisdictional aid or outside resources.

1. The shift supervisor shall secure the necessary aid for the search to include:
 - a. Staffing for area searches
 - b. Other service groups
 - c. Neighboring communities
 - d. Broadcast alerts to:
 - 1) Schools (when open)
 - 2) Neighboring law enforcement agencies
 - 3) Postal services
2. Establish a command post if needed. (As a general rule, the command post should be close enough to the center of activity to facilitate control and coordination, but sufficiently apart to allow a free exchange of ideas among responders. Using the victim's home as a command post is not recommended.)
3. The place where the missing person was last seen should be treated as a crime scene with access controlled to prevent contamination. This is especially important if search dogs are to be used. Should the disappearance be determined to be the result of abduction, it is equally important to prevent the destruction of evidence.
4. Even with a large number of searchers, one cannot search everywhere. Therefore, develop areas of probability (where the lost person is most likely to be). These areas of probability are developed by considering such things as an estimation of how far the subject may have traveled from the place last seen, information about the lost person and the circumstances under which he/she became lost. The manner in which a person is traveling (on foot, bike, wheelchair, etc.) must be considered. The ability of the missing person to get to an area and the ability of the searchers to check an area (wells, swamps, sewer lines, etc.) will help in the supervisor's decision on where to concentrate efforts and what type of support units (dive team, boat, dogs, helicopter) will be needed to aid in the search.

H. Once a decision has been made to utilize canine search teams:

1. While the canine search team is in route:
 - a. Keep the number of people authorized in the area to the minimum necessary to conduct the initial investigation.

- b. If it is necessary to keep a vehicle engine running, park the vehicle a distance away. Exhaust fumes destroy human scent and affect the dog's sense of smell.
 - c. Obtain and isolate available articles for scent tracking. This is clothing that the person has recently worn. It is preferable to use clothing that would have been worn close to the body (i.e., underwear). If clothing is not available, then determine where the person sleeps. Sheets and pillowcases can be used. Do not handle or permit anyone else to handle the scented article. The canine handler will make a decision regarding the use of items for scent purposes. If the scented article has to be obtained from a distant location, the handler will give instruction on the proper handling of the item to prevent contamination.
 - d. If the only scented article available is a vehicle, advise all on-scene personnel to stay out of the vehicle. Dogs will take the last freshest scent. If anyone sits in the vehicle, it will greatly impede the dog's capabilities.
2. Upon arrival of the canine search team:
- a. Have an officer available to assist the handler and the dog.
 - b. Upon arrival, have all known information ready for the handler (e.g., footwear, photographs, clothing, starting point, etc.)
 - c. Have the officer or person who last saw the subject at the scene for possible questioning.
 - d. Advise the handler of the areas you have searched.

I. Termination of Search Activities

- 1. If the missing person is located, the shift supervisor shall ensure that all search resources in use or en route are notified and/or accounted for. The sergeant is also responsible for making certain that any necessary follow-up investigation is completed.
- 2. If the missing person is not located, the shift supervisor shall consult with the Patrol Commander before any decision is made to suspend the search. A decision to suspend the search shall be based upon the following criteria:
 - a. The probability of the subject's arrival;
 - b. The probability that the subject was within the search area;
 - c. The quality (thoroughness) of the search effort;
 - d. The element of risk to searchers;
 - e. The environmental conditions; and

- f. The continued viability of search resources or depletion of search resources.
- 3. The designated liaison to the family shall make the notification to any relatives of the subject that the search has been suspended.

VIII. Procedures – Returned/Located Missing Person

- A. Communications center personnel must be continually aware of incoming NLETS/NJLETS messages, including but not limited to all \$Messages, \$M-Match, \$N-No Match, \$Locate, Hit Confirmations, APBnet Alerts, etc. Communications personnel shall ensure that every Teletype message is scanned for these messages and that action is taken on all pertinent messages.
- B. Reported Missing in Wall Township-Returned/Located in Wall Township:
 - 1. Upon the return of a person reported missing by this department, a patrol unit shall be assigned to verify the return and to obtain any supplemental information that may be helpful.
 - a. Medical assistance shall be offered if necessary.
 - b. The supplemental information includes, but is not limited to: physical appearance, reported physical condition, where they were, why they were missing, etc.
 - c. The return, with supplemental information, must be documented on an Investigation/Supplemental Report.
 - 2. Communications personnel shall ensure that the NCIC database entry is cleared or canceled with the appropriate code, depending upon the circumstances.
 - 3. An NJLETS Cancel Missing Persons Message noting the returned missing person must be broadcast immediately following the NCIC transaction.
 - 4. All teletypes and supplemental files/documents must be filed with the Investigation Report.
- C. Reported Missing by Outside Agency-Located in Wall Township:
 - 1. Upon locating a missing person reported missing from another jurisdiction, a patrol unit must be assigned or may likely be already involved in the investigation. The locate incident, along with any other supplemental information must be documented on an investigation report.
 - 2. Communications personnel shall ensure that the appropriate Hit Confirmation Request and Locate Message are sent to the originating agency. (The originating agency is responsible for clearing the NCIC database record and sending the File 9 Message.) A supplemental telephone call to the originating agency may speed the process.
 - 3. All teletypes and supplemental files/documents must be filed with the investigation report.

4. The originating agency is responsible for advising this agency as to the ultimate disposition of the located missing person. The duty patrol supervisor shall make the determination whether to provide additional assistance to that agency which could include detaining the person, transporting the person to their residence, hospital, or to the originating agency.
5. Depending upon the circumstances, it may be necessary to take the returned missing person into protective custody. This is essentially the case involving runaway juveniles.
 - a. Two officers should normally be assigned to stay with a located runaway juvenile while in custody.
 - b. A detective may need to be notified or recalled.
 - c. It may be necessary to notify the New Jersey Department of Children and Families in the event that the juvenile's return to their home or normal place of abode is delayed or impractical. Examples include:
 - 1) Runaways from out-of-state;
 - 2) Inability to contact family;
 - 3) Juvenile claims to have been sexually assaulted by a family member;
 - 4) Juvenile claims to have run away from abusive parent/family, etc.

D. Reported Missing in Wall Township-Located by Outside Agency:

1. An outside agency that locates a person reported missing by this department would normally send a Hit Confirmation Request and a Locate Message to this agency.
2. Communications personnel should be continually cognizant of incoming Teletype messages and APBnet Alerts.
3. Upon receiving a Hit Confirmation Request and/or the Locate Message, communications personnel shall ensure that the missing person record is verified and a Hit Confirmation Response File 14 is generated within the stipulated time mandated by NJLETS.
4. A telephone call to the locating agency is permitted to supplement the Hit Confirmation Response, but shall not be placed instead of the required NJLETS response. The telephone call can be used to obtain or provide supplemental information to assist in the investigation.
5. Once confirmed, communications personnel shall ensure that the NCIC database record is cleared with the appropriate NCIC code. Communications personnel shall also ensure that an NJLETS Cancel

Missing Persons Message is broadcast immediately after the NCIC transaction.

6. This agency is responsible for determining the ultimate disposition of the former missing person. In almost all cases, the family member who had originally reported the person missing will make the decision.
 - a. The duty supervisor shall ensure that a family member is immediately notified of the returned person and given all pertinent information necessary for them to make a decision regarding the future status of the former missing person.
 - b. This agency will offer all reasonable assistance to the family in reclaiming the person. This directive could not possibly provide detailed guidance to address every possible scenario. Common sense and good judgment will guide this department's action.
 7. Depending on the circumstances of the original disappearance and subsequent finding of the missing person, it may be necessary to recall a detective to assist in the investigation.
 8. The shift supervisor shall ensure that an incident/supplemental report detailing the located missing person including any supplemental information is completed. All supplemental files and teletypes shall be attached to the investigation report.
- E. If an Amber or Silver Alert had been initiated, the officer shall cause immediate notification to the New Jersey State Police advising them to cancel the Amber or Silver Alert. NLETS messages, generated as a result of the located missing child/person, must also contain a request to cancel the Amber or Silver Alert, where applicable.
- F. Notify and/or update all other investigative resources and have them modify their databases, i.e. APBnet, NCMEC/NAMUS, Facebook, Twitter, Everbridge, etc.
- G. Cancel any search efforts.

IX. Parental Abduction out of the United States

- A. The potential for a parent to take a child out of the United States poses unusual and perplexing problems for law enforcement that may invoke international treaties.
1. Reporting persons shall be encouraged to obtain clarification of legal custody as soon as possible to assist in the investigation.
 2. The international Hague Abduction Convention (see definitions under U.S. Department of State) only deals with abducted children who are age 15 or younger.
- B. If the parent removing the child/children from the United States is recognized as a bona fide custodial parent, there will ordinarily be no underlying criminal act and the reporting person will need to seek civil and/or diplomatic remedies through the appropriate court and/or foreign embassy or consulate.

1. Reporting persons should be referred to the appropriate family court with jurisdiction and the United States Department of State.
 2. Municipal police officers lack the statutory authority to serve and execute civil process in these custodial matters and have no jurisdiction.
- C. Non-custodial parent(s) who remove their children from the United States may be charged with a criminal act if the facts result in probable cause, specifically NJSA 2C: 13-4 Interference with Custody in NJ. There are several Federal laws that can be applied, see <http://www.state.gov/documents/organization/86818.pdf> (page 12).
- D. If a non-custodial parent abducts a child (children) and there is evidence to suggest that the abductor intends to leave the country, the initial responding officer shall consider:
1. Immediate notification to the shift supervisor, who shall make the determination to whether to contact the detective.
 2. Notification to the Monmouth County Prosecutor's Office to make them aware of the incident.
 3. Contact to area airports, train stations, bus depots, and other potential areas of departure to determine if the non-custodial parent is on any passenger manifests.
 4. Contact to the NJSP to see if an Amber Alert can be broadcast. (Parental abduction normally does not qualify for an Amber Alert broadcast.)
 5. Cause notification to the appropriate law enforcement agencies such as Port Authority of NY/NJ Police Department, New Jersey Transit Police Department, Amtrak Police Department, NJSP Missing Persons and Child Exploitation Unit, Federal Bureau of Investigation, etc.
 6. Contact to the National Center for Missing & Exploited Children for assistance.
- E. If a non-custodial parent abducts a child (children) and it is determined that they had left the United States:
1. Immediately notify the shift supervisor, who shall make the determination to whether to contact the detective.
 2. Contact the Monmouth County Prosecutor's Office to make them aware of the incident.
 3. Cause notification to the appropriate governmental agencies such as the NJSP Missing Persons and Child Exploitation Unit, Federal Bureau of Investigation, United States Department of State, etc.
 4. Contact to the National Center for Missing & Exploited Children for international assistance.
 5. Because of treaty obligations, US Department of State actions or remedies may supersede any local criminal investigation.

6. Because of Federal and international laws, the FBI may supersede any local criminal investigation.

X. Procedures-Unidentified Persons

- A. These procedures are not intended to replace prudent investigative techniques employed to identify an unidentified living person such as a walk away from an assisted care facility. Instead, these procedures will supplement existing investigative processes. Subsection VIII.B and VIII.C can be used as a guide when handling unidentified living persons.
- B. Unidentified persons may be living or dead, adult or juvenile. The investigating officer should obtain as much individual identifying characteristics as possible concerning the unidentified person.
- C. Communications personnel shall ensure that the individual identifying characteristics are entered into the NCIC Unidentified Persons File as soon as they become available. Communications center personnel must be continually aware of any \$Messages.
- D. Communications personnel shall ensure that a NJLETS Unidentified Persons Message is broadcast immediately following the NCIC database entry. This message will be broadcasted on a statewide basis and expanded, or narrowed, as the need exists.
- E. Unidentified Deceased Investigative Guidelines:
 1. After performing any death scene investigation, the human remains shall be delivered to the appropriate state or county medical examiner.
 2. Personnel shall not dispose of or engage in actions that will materially affect the unidentified human remains before the appropriate medical examiner obtains:
 - a. Samples suitable for DNA identification archiving
 - b. Photographs of the unidentified human remains
 - c. All other appropriate steps for identification have been exhausted
 3. Unidentified human remains shall not be cremated.
 4. Data relevant for the NCIC Unidentified Deceased/NJLETS Unidentified Deceased (File 11) entries will be entered by this department as the lead law enforcement agency.
 5. DNA profiles and information shall be entered into the National DNA Index System (NDIS/CODIS/CODIS MP) within five business days after the completion of the DNA analysis.
 6. Information sought by the Violent Criminal Apprehension Program (VICAP) database as soon as practicable

- F. Once a previously unidentified person is identified, the NCIC database must be cleared using the appropriate code. A NJLETS Cancel Unidentified Persons Message must be broadcast immediately following the NCIC database transaction noting the identification.

XI. Quality Assurance Review

- A. Calls in which it is determined that a child is actually missing or abducted will be forwarded via the chain of command by the Patrol Supervisor to the Captain.
- B. The Captain or his designee shall review the call to ensure all the appropriate steps and procedures were followed and provide feedback to those involved in the process, dispatching and responding to the incident, as well as the respective Supervisors.

WALL TOWNSHIP POLICE DEPARTMENT			
CHAPTER:	SECTION:	# OF PAGES: 2	
SUBJECT: MISSION AND VALUES STATEMENT			
EFFECTIVE DATE: May 1, 2009	ACCREDITATION STANDARDS:	REVISION DATE October 4, 2014	PAGE # All
BY THE ORDER OF: Police Robert Brice			
SUPERSEDES ORDER #:			

WALL TOWNSHIP POLICE DEPARTMENT MISSION

The Wall Township Police Department is a professional law enforcement agency; dedicated to providing ethical, efficient, fair, and high quality law enforcement services to the citizens we are privileged to serve. Our mission statement is as follows:

The Wall Township Police Department is committed to serving our community as a team of highly motivated proactive professionals distinguished by unwavering ethical and moral values.

We are devoted to building trust and confidence in progressive partnership with our community by equally, fairly, and proactively enforcing the laws.

We are dedicated to improving the quality of life in our community by protecting rights and freedoms, reducing crime and traffic crashes, promoting an atmosphere of safety and security, and addressing resident's concerns.

Our Vision is:

A cohesive team of well trained and prepared professionals with initiative, a strong proactive work ethic, exceptional interpersonal skills, and a deep sense of pride, working together in an atmosphere of integrity and accountability.

A positive relationship with the community, fostering open communication, understanding, and problem solving; which promote progressive community-based programs, public education and safety initiatives.

Equally, fairly, and proactively enforcing the law, maintaining high visibility to detect and deter crime, and working with other governmental agencies to jointly address community concerns in a safe community where violations are addressed.

WALL TOWNSHIP POLICE DEPARTMENT VALUES

To help accomplish our mission, the Wall Township Police Department is committed to the following values to guide our work and decisions:

- **Openness and Accessibility**-Employees shall strive to conduct their affairs publicly and be accessible to the public.
- **Fairness**- Employees shall strive to be fair in all of their actions.
- **Responsiveness**- Employees shall be responsive to the needs of the community and work together to solve problems of mutual concern.
- **Sensitivity**- Employees shall be sensitive to the needs and concerns of the public.
- **Accountability**-Employees shall be accountable to themselves and the community for their conduct and performance.
- **Organizational Efficiency**- Employees shall be committed to efficiently providing services and conserving tax dollars which fund the operations of the Department. Employees shall maintain and protect Department facilities and equipment to the best of their ability.
- **Community Orientation**- Employees shall strive to always do what is in the best interest of the community.
- **Compassion**- Employees shall show empathy and caring for victims, complainants and all people with whom they come in contact.
- **Problem Solving**-Employees are most effective when they help identify and solve community problems.
- **Integrity**- Integrity is priceless. Honesty is the basis for personal and public trust.
- **Democratic Principles**- Employees shall protect the constitutional rights and personal freedoms of all residents and persons coming within their jurisdiction.
- **Teamwork**- The importance of each employee as an individual and a team member is recognized. The values set forth above shall apply to our interaction with each other and all who we come in contact with.

WALL TOWNSHIP POLICE DEPARTMENT				
<i>Standard Operating Procedure</i>				
CHAPTER: 8	SECTION: 4	# OF PAGES: 9		
SUBJECT: MOBILE DATE COMPUTERS				
EFFECTIVE DATE: February 1, 2011		ACCREDITATION STANDARDS:	REVISION DATE	PAGE #
BY THE ORDER OF: Captain Tim Clayton, Officer in Charge				
SUPERSEDES ORDER #: GO 2003-13				

PURPOSE: The purpose of this policy is to establish procedural guidelines for the use and protection of the Wall Township Police Dept. Mobile Data Computer (MDC) system, including both software and hardware components.

POLICY: It is the policy of the Wall Township Police Department to provide police service and protection to the community in a fair, impartial, and unbiased manner. An important aspect in our service/ protection role in the community is to detect crime and criminal activity, and to enforce the laws of this State and ordinances of this Municipality. The Administration of the Wall Township Police Department is committed to providing the very finest tools to all the police officers within this Department.

The Wall Township Police Dept. Mobile Data Computer (MDC) System is a significant tool, to which the police officers of this municipality will avail themselves in order to complete the goals and objectives of this Department most effectively. However, no members of this Department should attempt to use a computer or software applications without proper training. Improper use could result in a serious compromise of the system and software.

All software, operating systems, files and related applications are licensed to and are considered to be under the control of the Wall Township Police Department. Additionally, all hardware of which the above mentioned is installed on or operates from is under the control and ownership of the Wall Township Police Department

In order to insure the integrity of the CJIS network as well as the Wall Township Police Department's Mobile Data Computer (MDC) system, no one is permitted to install, run, or uninstall any computer application, software – regardless of the software being on a factory disk or not, without first obtaining the approval of the Systems Administration.

Each member of this Department will be held accountable for the proper use of the system. Members could be held liable for the misuse of any police related

information. Each member has a moral and legal obligation to manage information with great care.

PROCEDURES:

I.

MECHANICS

A. System Design

1.

2.

3.

B. SYSTEM ADMINISTRATION

1. The Administrative Lieutenant is responsible for the administration of the MDC system. The Lieutenant shall coordinate all activity involving the MDC and maintain all records associated with the system.

C. SYSTEM SECURITY

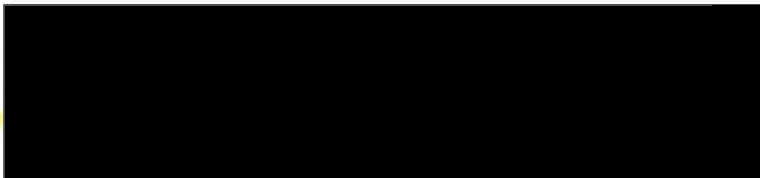
1. All information received through the CJIS system (NCIC, NLETS, NJLETS,ATS and DMV) is confidential. Only authorized criminal justice agencies may request and receive this information.

2. Every transaction that goes through the MDC system is recorded and is subject to discovery for court purposes. Officer shall follow proper protocol when using the system of all messaging.
3. Each officer will receive training as mandated by CJIS. This includes, but is not limited to obtaining a CJIS Terminal Certificate from the TAC Officer (Terminal Agency Coordinator). This certificate is for the purpose of accessing CJIS from the mobile environment. Users of the mobiles will have "Limited Access" Operator indicated on their NJCJIS Terminal Operator's Certificate. Limited Access Operators will not have CJIS access from the 3270 Terminal. Only personnel with "Full Access Operator" indicated on their NJCJIS Terminal Operators Certificate will have access to both the 3270 Terminal/NCIC2000 and the mobile interface to CJIS. Only certified officers shall use the MDC system.
4. Each officer will have his or her own password to logon to the system. When the police car is secured at the end of the officer's tour of duty, the user will log off the system.

D. MDC INQUIRIES

1. Officer shall use the MDC system in the following manner:
 - a. To obtain information for an investigation or other police purpose.
 - b. To obtain information concerning a suspicious person, vehicle, or article.
2. On December 10, 1998, in STATE v. MAURO DONIS (Docket No. A-134-97), a majority of the Supreme Court of New Jersey affirmed the authority of police officers to use mobile data terminals to randomly determine from a motorist's license plate the status of the vehicle and of the registered owner's driver's license. In so ruling, the Court rejected the petitioners' argument that the police must have some reasonable suspicion, including witnessing a violation of the motor vehicle laws, before using the MDT to access this information. The Court noted that N.J.S.A 39:2-3.4 prohibits the disclosure of "personal information" obtained by the Division of Motor Vehicles. In order to balance the State's goals of maintaining highway safety and protecting motorists from unnecessary disclosure of personal information, the Court has required that MDT terminals be reprogrammed so that when police do a "random" inquiry, it would disclose only the registration status of the vehicle, the license status of the registered owner, and whether the vehicle has been reported stolen. If the initial inquiry discloses a basis for further police action, the officers could proceed to the second step which would allow access to information regarding the vehicle and the registered owner, including "personal information" obtained by the Division of Motor Vehicles. Of course, if the officer observes a motor vehicle violation, or has any other basis to effectuate an investigatory stop, then the officer may access the complete vehicle and registered owner information from the outset.

a.



b.



* see attached screen shots – Attachment A & Attachment B *

3. Officers shall not use the MDC system to:

- a. Target a specific group of person based on race, appearance, sex, etc.
- b. Obtain information for unauthorized persons.
- c. Transmit meaningless casual conversation.

4. Officers shall not stop a motorist based on a MDC check that shows that the registered owner has a suspended or expired license or he/she is a NCIC or NLETS positive response without having conducted a confirmation process. Confirmation process is an independent verification as to the identity of the operator. Independent verification will be interpreted to mean:

- a. That the operator is the same sex and approximate age of the suspended owner or NCIC, NLETS, ATS hit, or:
- b. That there is a passenger in the vehicle that is the same sex and approximate age of the NCIC, NLETS, ATS hit.

5. Officers may stop a motorist based on a MDC check if the check reveals that the vehicle registration is revoked or suspended, or that a check of the owner of the vehicle reveals that the owner has no liability insurance on the vehicle.

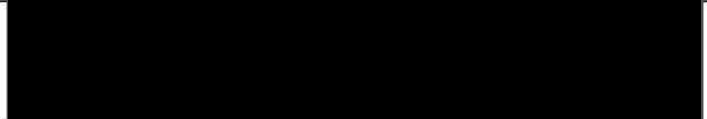
E. SYSTEM OPERATION

1.

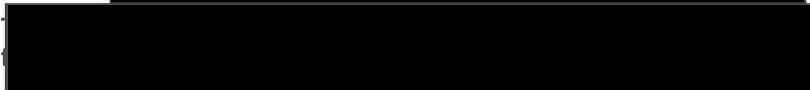
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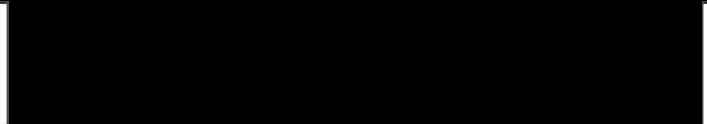
a.



3.



a.



4.

[REDACTED]

a.

b.

[REDACTED]

F. CARE AND MAINTENANCE OF THE LAPTOP COMPUTER

1. The laptop computer is a sensitive piece of electronic equipment. Fluids, dirt, and other foreign material will affect the operational ability of the unit to function properly.
2. The laptop computer has a liquid crystal display (LCD) screen. The LCD screen can be punctured easily. If the screen is damaged, the unit will have to be taken out of service.
3. Officers are responsible for assuring that the laptop is good working order when they begin their tour of duty. Officer shall take the following steps to establish good working order:
 - a. Officer shall inspect the laptop for signs of abuse, damage, beverage spills, or screen damage.
 - b. The officer shall note any damage found and immediately report any damage to his or her immediate supervisor. The supervisor will relay this information to the Administrative Lieutenant.
 - c. If damage occurs to the laptop during the officer's tour of duty, the responsible officer shall complete the following:
 - 1) Report the damage immediately to his or her supervisor.
 - 2) Submit a written report as to how the damage was incurred.
4. If an officer discovers unreported damage to the laptop, it will be assumed that the officer previously assigned to that patrol vehicle is responsible for the damage and will be held accountable.
5. Officers shall keep the environment in the interior of the patrol vehicle as clean as possible, especially near the laptop computer.
6. Officers shall not place anything on the laptop computer, including food, beverage, clipboards, etc.

G. MDC SYSTEM SHUTDOWN PROCEDURE

1.

[REDACTED]

2.

[REDACTED]

3.

[REDACTED]

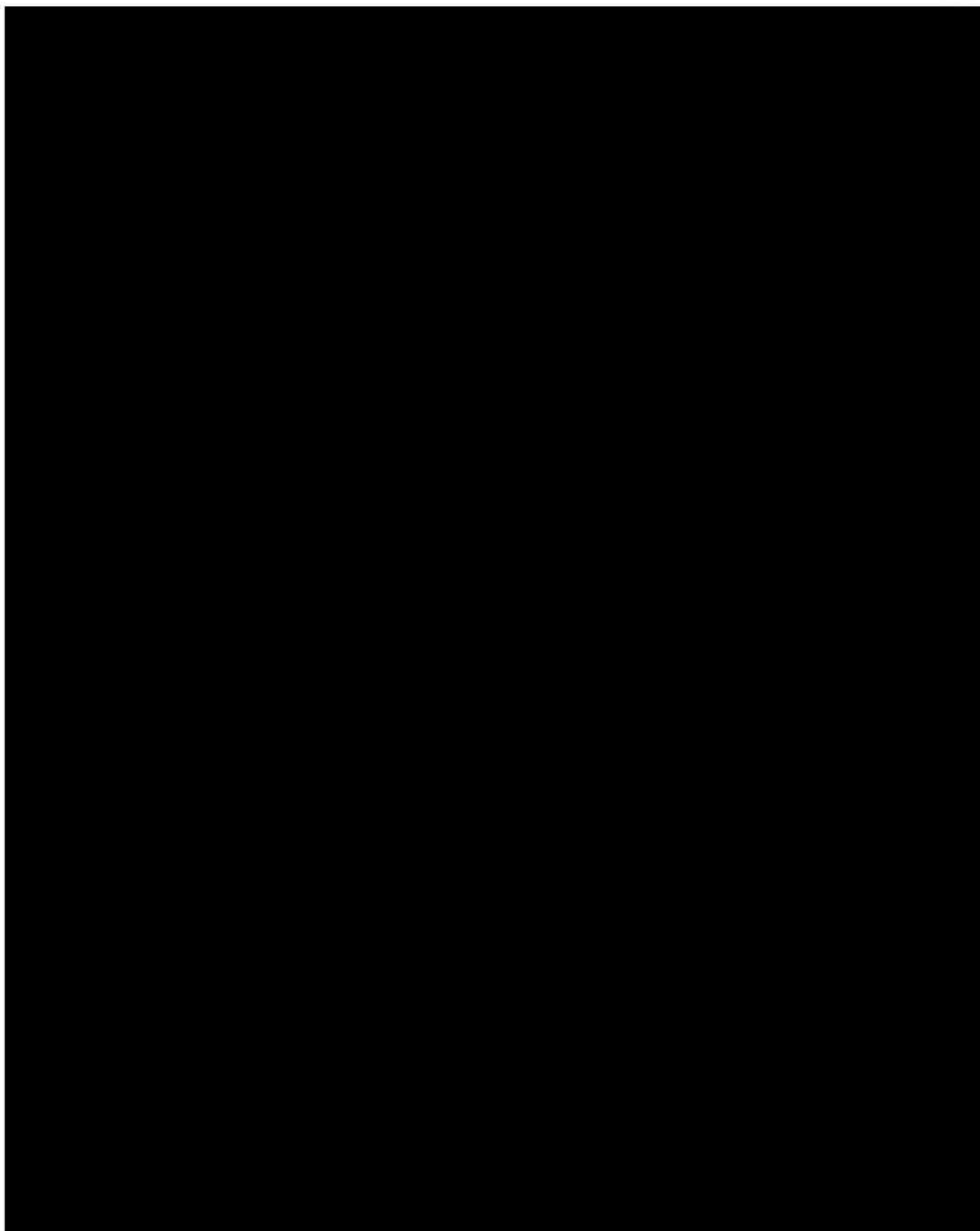
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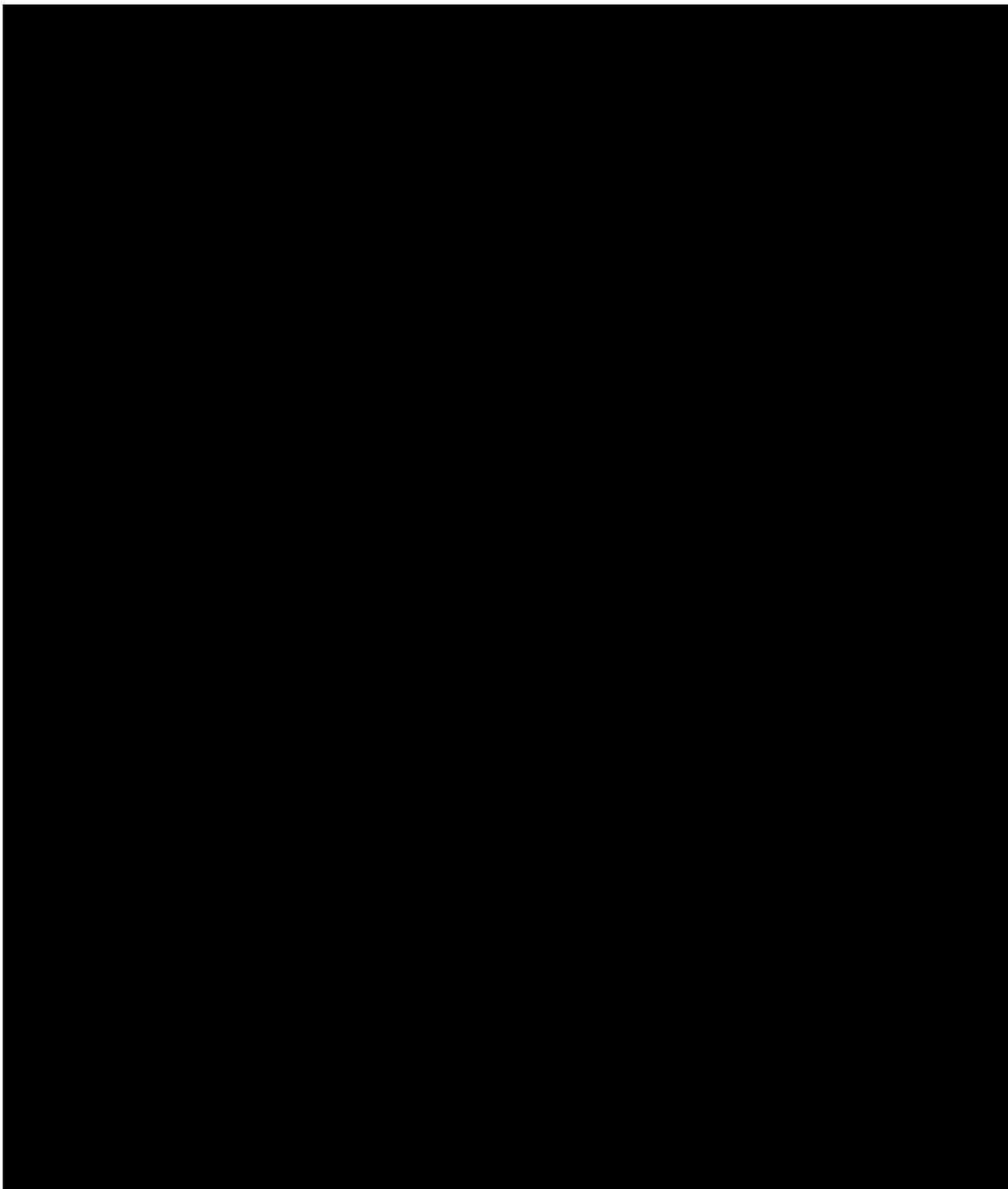
H. NCIC/NLETS/ATS "HIT" CONFIRMATION

1. When an officer obtains a DMV vehicle registration query using the MDC, the software also checks NCIC/NLETS/NJWPS/ATS from the Administrative Office of the Courts (AOC) files on the registration and the registered owner.
2. A positive response from NCIC/NLETS/NJWPS/ATS – referred to as a "HIT" – means that the person or property entered appears to match the person or property contained in the response.
3. A positive response from NCIC/NLETS/NJWPS/ATS files is not probable cause to arrest or seized property. It is one factor, which must be added to other facts, and circumstances have sufficient legal grounds for probable cause to arrest and seize property. A NCIC/NLETS/NJWPS/ATS hit establishes reasonable suspicion and establishes grounds for an officer to conduct an investigative detention of the subject or property. The investigative detention can only be of sufficient time or duration necessary to confirm or discount the person or property as a valid positive response.
4. Whenever an officer receives a positive response from NCIC/NLETS/NJWPS/ATS, the officer must assure that the positive response is for the person/vehicle/article that they have detained.
5. Officers shall not arrest any person based solely on an NCIC/NLETS/NJWPS/ATS hit. Officers shall conduct further investigation before making an arrest based upon a hit by performing the following Confirmation sequence:
 - a. Confirm that the name and date of birth match.
 - b. Confirm that other descriptive information matches, i.e. apparent age, sex, height, weight, etc.
 - c. Request that the Communications Officer confirm the validity of the NCIC/NLETS/NJWPS/ATS positive response with the agency from which the positive response originates.
 - d. The confirmation process to be followed by the Communications Officer is as follows:
 - 1) Send an Administrative Locate Message
 - 2) Contact the agency that entered the record to confirm the information
 - 3) Ensure that the person or property being investigated is identical to the person or property identified in the record.
 - 4) Ensure that the warrant, missing person report, or stolen property report is still outstanding.
 - 5) Ensure that the entering agency (if out of state) is willing to extradite from the State of New Jersey.
 - 6) When a "hit" in ATS occurs, most agencies like ourselves subscribe to the following- if its in ATS it is valid. However, it

is still advisable to call the agency of record as an additional cross check.

- e. In the event that a police officer cannot confirm a wanted person positive response, the police officer must resolve the issue in favor of releasing the suspected person, provided that the police officer does not have independent facts or discoveries which would warrant an arrest of the suspected person for another violation of New Jersey State Statute.





WALL TOWNSHIP POLICE DEPARTMENT			
<i>Standard Operating Procedure</i>			
CHAPTER: 8	SECTION: 8	# OF PAGES: 2	
SUBJECT: MOBILE VIDEO RECORDER			
EFFECTIVE DATE: February 1, 2011	ACCREDITATION STANDARDS:	REVISION DATE	PAGE #
BY THE ORDER OF: Captain Tim Clayton, Officer in Charge			
SUPERSEDES ORDER #: GO 2002-12			

PURPOSE The Wall Township Police Department utilizes a mobile video recorder system in order to accurately document events, actions, conditions and statements made during arrests, motor vehicle stops, critical incidents and general law enforcement activities.

POLICY The Wall Township Police Department utilizes a mobile video recorder system by Link Communications installed in all front line patrol vehicles. The Link Communication Mobile Video Records have the display located in the rear view mirror.

PROCEDURE

I. MVR OPERATION

- A. The officer assigned to the marked patrol unit equipped with the MVR is responsible for the use and the care of the equipment.
- B. At the beginning of each shift, the officer assigned to the unit shall check the mobile video recorder and check the in-car equipment to be sure it is working properly. This shall include testing the remote microphone, cabin microphone, and recording quality to ensure it is properly working. **The officer shall state on video their name, badge number, date and time.** Any problems found with the unit or the microphone shall be immediately reported to the shift supervisor.
- C. 
- D. 
- E. The remote microphone shall be worn on the officer's outer most clothing and be activated during any and all citizen contacts where the MVR is in operation.

- F. When a subject is placed in the back of a patrol vehicle equipped with a mobile video recorder, the officer shall activate and ensure the cabin microphone is recording by pressing the "CM" on the control panel and observing a C on the video. The officer will also activate the rear view camera when there is no longer a need to record the front view camera by selecting "CS" on the control panel.

II. ACTIVITIES WHICH ARE TO BE RECORDED

- A. The following is a list of all activities that shall be recorded by any vehicle that has the MVR equipment:
1. All motor vehicle stops
 - a. Normal traffic violations should be recorded from the point where the lights and/or sirens are activated continuously through the entire stop concluding when the violator drives away or is placed in the patrol vehicle.
 - b. In cases of suspected D.W.I. recording should begin when the officer first suspects erratic driving and should continue through the stop, any field sobriety tests and the arrest, if applicable.
 2. All police pursuits
- B. The following is a list of activities which may be recorded by any police vehicle which has MVR equipment:
1. Any arrests for indictable and non-indictable offenses;
 2. Any events likely to be evidential in a criminal case (this includes but is not limited to any crime in progress, any crime scene or portion thereof, any arrest or activity leading to arrest, any field interviews and any evidence recovered);
 3. Any law enforcement activities when a contact with a citizen becomes adversarial in nature or at any time an officer feels that creating an audio and/or visual record of a contact with a citizen is appropriate;
 4. Citizen actions during roadside interviews, "Terry" stops or field sobriety tests;
 5. Custody transportation situations
 - c. The MVR system shall remain in the record mode until the suspect has been removed from the vehicle at police headquarters or other appropriate location.
 - d. When a person is being transported, it is appropriate to activate the rear camera. This also applies to transportation of individuals with mental disorders, juveniles, persons of the opposite sex of the officers and persons under the influence of alcohol or drugs;
 6. Circumstances at crime scenes and accident scenes if in the officer's evaluation the recording of the scene will assist the investigation;

7. Actions taken while enroute to a high priority call or anytime lights and/or sirens are activated;
 8. Other situations where an officer's best judgment based on training and experience is to record a situation, event or activity.
- C. The MVR shall remain in the record mode until the entire activity is completed. If for some reason the recording must be terminated, the justification for same shall be verbally recorded prior to deactivation and appropriately documented in a police event report.
1. In some instances an officer may wish to deactivate the audio portion of the MVR to discuss strategy with another officer or share intelligence. This is acceptable practice so long as the subject(s) of the police activity remain visible on camera. The officer should verbally record the reason for deactivating prior to deactivation and should re-activate the audio portion as quickly as possible. At no time should the MVR be deactivated while an officer is interacting verbally or physically with a suspect.
 2. This above section applies to adult and juvenile cases

III. QUALITY REVIEW

- A. The Patrol Supervisor must ensure that any defective MVR unit is repaired in a timely manner
- B. The Patrol Supervisor must ensure that regular maintenance is conducted on the unit(s)
- C. All Patrol Commanders are responsible for ensuring that police officers adhere to this procedure for the operation of the MVR equipment.
- D. Patrol Commanders shall conduct a random review of videotapes and recordings and document such activity to assist in evaluating officer's performance.

WALL TOWNSHIP POLICE DEPARTMENT				
<i>Standard Operating Procedure</i>				
CHAPTER: 8	SECTION: 8	# OF PAGES: 10		
SUBJECT: MOBILE VIDEO RECORDER				
EFFECTIVE DATE: February 1, 2011	ACCREDITATION STANDARDS: 3.5.5	REVISION DATE	PAGE #	
		February 1, 2015	1-3	
		January 07, 2016	All	
BY THE ORDER OF: Chief Robert Brice				
SUPERSEDES ORDER #: GO 2002-12				

PURPOSE The purpose of this standard operating procedure is to establish procedures for the use of mobile video recording equipment (MVR). MVR 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 MVR to its fullest extent for the day-to-day patrol function and to maintain the necessary safeguards that will ensure the non-discriminating use as well as the proper preservation of evidence that may be obtained through use of this technology.

All personnel shall use this equipment consistent with manufacturer's guidelines, this SOP, and those directives or guidelines issued by the Monmouth County Prosecutor.

PROCEDURES

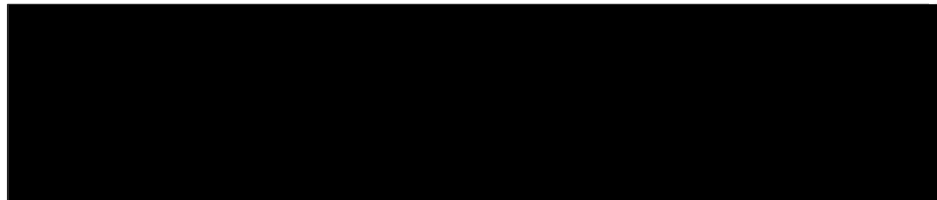
I. GENERAL

- A. All references to MVR shall include the equipment installed in the police vehicles and where appropriate, display screen/panel, the wireless transmitter, microphone, removable media (HDD/SSD), and other accessories necessary to operate the system.
- B. MVR recordings are invaluable to law enforcement for evidential purposes. MVR has consistently demonstrated its value in the prosecution of criminal, traffic, and other related offenses and to protect personnel from false claims of misconduct. Additionally, this equipment will provide valuable instructional material that can be utilized for in-service training programs.
- C. While visual and audio evidence may be captured on the recordings, the use of MVR 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 MVR as a management tool to punish officers for minor departmental rule infractions.
 - 1. Personnel shall not be subject to criticism for the proper exercise of lawful discretion in enforcement matters.
 - 2. MVR shall only be utilized for legitimate law enforcement purposes.
- D. Adequate safeguards are necessary to ensure that this technology is:
 - 1. Used in a non-discriminating way;
 - 2. Used to properly preserve evidence;
 - 3. Used to safeguard against potential violations of the New Jersey State Wiretap Laws, NJSA 2A: 156A-1, et seq.
- E. These records 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. The recording can provide a record of police/citizen interaction within the police vehicle itself when an officer's attention is on driving. For example, the recorder will record events during transportation of arrested persons, escape risks, mentally disturbed individuals, intoxicated persons, people who are physically injured and members of the opposite sex.
 6. Supervisors will be able to view the recordings with the permission of the internal affairs unit and select portions to use to train officers in safety, field training, interpersonal skills, proper police procedures, and legal doctrines.
 7. Recordings can permit supervisors to undertake more meaningful performance evaluations.
 8. Recordings augment management's ability to evaluate its basic police practices and interactions between its personnel and the general public.
 9. Recordings enhance management's ability to train personnel in proper police procedures.
- F. Installation, removal or repairs to any of the MVR equipment shall only be performed under the direction of the IT supervisor or his/her designee.
- G. If a police vehicle is towed due to a collision or a mechanical problem, the IT supervisor will decide whether to immediately remove the hard drive or wait until the next working day.
- H. Only officers who have received training in the use of MVR are permitted to use the system and must demonstrate a satisfactory degree of familiarity and efficiency in the use of the system. Proper operation of an MVR is considered an essential job requirement.
- I. If any officer is unclear with this SOP or the operation of the MVR, he/she should contact his/her immediate superior to arrange for additional training.

II. OFFICER RESPONSIBILITIES

A.



- B. The following is a list of all activities that shall be recorded by any officer that has the MVR equipment, including back up officers:
1. All motor vehicle stops:
 - a. Normal traffic violations should be recorded from the point where the lights and/or sirens are activated continuously through the entire stop concluding when the violator drives away or is placed in the patrol vehicle.

- b. In cases of suspected DWI, recording should begin when the officer first suspects erratic driving and should continue through the stop, any field sobriety tests and the arrest, if applicable.
- 2. All motor vehicle pursuits.
- 3. Any arrests for indictable and non-indictable offenses;
- 4. Any events likely to be evidential in a criminal case (e.g., crime in progress, crime scene or portion thereof, arrest or activity leading to arrest, field interviews and recovered evidence;
- 5. Any law enforcement activities when a contact with a citizen becomes adversarial in nature or at any time an officer feels that creating an audio and/or visual record of a contact with a citizen is appropriate;
- 6. Citizen actions during roadside interviews, Terry stops, suspicious person contacts, or field sobriety tests;
- 7. Custody transportation situations:
 - a. This requirement also applies to transportation of individuals with mental disorders, juveniles, persons of the opposite sex of the officers and persons under the influence of alcohol or drugs;
 - b. The internal microphone shall be activated when anyone is in the rear/prisoner/occupant seat.
 - c. The MVR system shall remain in the record mode until the suspect has been removed from the vehicle at police headquarters or other appropriate location.
 - d. A sign shall be affixed to the partition of each vehicle equipped with a MVR system. This sign will notify the occupant that the vehicle has an audio and video recording device and that they may be under surveillance.
- 8. Circumstances at crime scenes and crash investigation scenes if in the officer's evaluation the recording of the scene will assist the investigation;
- 9. Actions taken while en route to a high priority call or anytime lights and/or sirens are activated;
- 10. Stationary police details, such as DWI sobriety checkpoints, car/truck inspections, seatbelt use checkpoints, etc.;
- 11. 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;
- 12. Strikes, picket lines, demonstrations;
- 13. Major disturbances;

14. Other situations where an officer's best judgment, based on training and experience, deem it prudent to record a situation, event or activity;
 15. When directed by a supervisor.
- C. Officers responding as back up units for other officers on a motor vehicle stop or any other type of roadside encounter are required to active the vehicle's MVR and body microphone. If an arrest is made from this encounter the arresting officer is required to complete the necessary measures to ensure that the MVR recordings from the secondary vehicle are preserved through the appropriate evidence retention protocols, see section II.D below.
- D. To prevent allegations of arbitrary and capricious utilization of the system, the following procedural guidelines shall strictly be adhered to:
1. Recordable incidents shall be video and audio recorded from beginning to end.
 - a. This procedure applies to primary as well as secondary/back-up units on these incidents.
 - b. This procedure applies to both adult and juvenile incidents.
 - c. Officers should make an effort to ensure that the camera is properly positioned to capture the officer-subject interaction at the outset of the incident. Ask the subject to speak up if necessary. Be cognizant of where you stand.
 - d. If necessary, an officer may elect to reposition the camera to capture other images relevant to the enforcement action. The officers may want to verbally describe the action(s) taken and the video obtained.
 2. Officers shall maintain activation of the wireless transmitter at all times when they are out of the vehicle on a car stop/incident that is being recorded.
 3. If for some reason the recording must be terminated, the justification for such shall be verbally recorded prior to deactivation and appropriately documented in an event report.
 4. In some instances an officer may wish to deactivate the audio portion of the MVR to discuss strategy with another officer or share intelligence. This is acceptable practice so long as the subject(s) of the police activity remain visible on camera. The officer should verbally record the reason for deactivating prior to deactivation and should re-activate the audio portion as quickly as possible. At no time should the MVR be deactivated while an officer is interacting verbally or physically with a suspect.
 5. Officers shall note in the narrative portion of any reports related to the incident, arrest, investigative detention, or motor vehicle stop the fact that audio/video recordings were made and also indicate the unit number of the police vehicle that was used.

6. Officers who capture evidence or critical incidents on a recording shall bring it to the attention of their supervisor.
 7. This above section applies to adult and juvenile cases
- E. Officers who record events that should be retained as evidence shall notify their supervisor and update the property evidence module corresponding to the case:
1. Enter '27' in the property code box and overwrite the description field: e.g., 'MVR V104 07/11/2013 @ 0144HRS', select 'evidence – other' for status and check off the evidence box.
 2. It is not required to complete the 'notes' field unless the particular case requires it.
 3. Example:

Incident / Investigation [View]

Case#: 200112345 WTPD Related Property [Edit]

Vic # 0 Property Code 27 Description: MVR V104 07/11/2013 @ 0144HRS

Status: EVIDENCE - O Date: 01/01/2001 Value: \$0.00 Oth Juris:

Qty: 1.000 UM: Make: Model: Caliber:

Serial #: Color: / Offense Code: 18F

☒ Evidence

Officer: DONLON, DAN J NIC #: Sta #:

Name: OAN: Tag #:

SysID	PrCodeSI	Status	StatusTime	Value	Qty	OtherJur	OfficerID	UM	ADDUSER
25520	A	6	01/01/2001	\$10.00	1.0000		228	GM	W131
25521	13	6	01/01/2001	\$500.00	1.0000		228		W131
25522	27	EVD	01/01/2001	\$0.00	1.0000		228		W131

4. Indicate that an MVR recording is available at the bottom of the investigation checklist. There is space for three MVRs if needed.

LEGEND				Field Contact Sheet
A	In House Arrest			Vehicle Impc
B	Merchant and Citizen Complaints			CAD
C	Indictable Offenses			Impounded Vehicle Tracking
D	Disorderly / Petty Disorderly Persons & Twp Ordinances			Entered RMS / Impound Rep
E	Indictable Arrest with Transport to YDC			Case Forward
Patrol Vehicle Video				
Patrol Veh#	Date	Time	Records Use Only:	
104	07/11/13	0144		Detective Bureau
				Juvenile Detective Section
				Traffic Section

Complaint

ification:

5. The records bureau supervisor or his/her designee shall copy the recording to a DVD or other approved media and process such media as evidence.

III. MVR OPERATION

- A. Officers assigned to a police unit equipped with the MVR are responsible for the use and the care of the equipment.
- B. At the beginning of each shift, the officer assigned to the unit shall check the mobile video recorder and check the in-car equipment to be sure it is working properly. This shall include testing the remote microphone, cabin microphone, and recording quality to ensure it is properly working. **The officer shall state on video his/her name, badge number, date and time.** Any problems found with the unit or the microphone shall be immediately reported to the shift supervisor.

- C.
- D.



- E. The remote microphone shall be worn on the officer's outer most clothing and be activated during any and all citizen contacts where the MVR is in operation.

IV. QUALITY REVIEW

- A. The IT supervisor or his/her designee must ensure that any defective MVR unit is repaired in a timely manner.
- B. The IT supervisor or his/her designee must ensure that regular maintenance is conducted on the unit(s) in accordance with manufacturer's recommendations.

- C. All patrol supervisors are responsible for ensuring that police officers adhere to this procedure for the operation of the MVR equipment.
- D. Patrol supervisors shall conduct a random review of recordings and document such activity to assist in evaluating officer's performance.
- E. Supervisors must understand that minor infractions (not criminal in nature) discovered while reviewing the recorded material should be viewed as training opportunities and not as routine disciplinary actions. Should the behavior or action become habitual after being informally addressed the appropriate disciplinary or corrective action shall be taken.
- F. The MVR system is equipped with software called 'Watch Commander'. This service will allow users to remotely view live video from a patrol vehicle via the MVR. It is to be used only for law enforcement activities and all access to the system is tracked, monitored and audited on a regular basis. The MVR being viewed also notifies its user that a third party is viewing the video feed.
 - 1. The following incidents are examples of when users can view the MVR video feed:
 - a. Motor vehicle crashes, which result in road closures;
 - b. Large scale incidents, which require multi-agency response;
 - c. Any second unit requests made by patrols;
 - d. No radio contact with patrols;
 - e. Any officer safety concern.
 - 2. Users will be able to view up to 4 vehicle feeds at a time, but access should be limited to only those patrol vehicles involved in the incident that needs to be monitored. In addition, any sergeant/dispatcher accessing the system should be able to articulate the reason for viewing the video feed.

V. RECORDS RETENTION AND REVIEW

- A. When an officer is requested to provide information regarding a serious event that has been recorded on a MVR, the officer may be given the opportunity to review the recording prior to making any statements.
- B. Viewing of MVR recordings is strictly limited to sworn members of this department. Viewing by any other person is prohibited unless authorized by the Chief of Police, his/her designee, or consistent with this SOP.
- C. At no time is it permissible for police employee to record/copy or photograph any of the recorded contents of the MVR through the means of any phone, camera or any other electronic device. Any violation of this paragraph shall result in discipline up to and including termination.

- D. Personnel shall not erase or in any other manner alter, tamper with, destroy, or conceal video/audio recordings or remove or disable any camera or monitoring device installed in a police vehicle. Any such tampering is a violation of NJSA 2C: 28-7, and is a 4th degree crime.

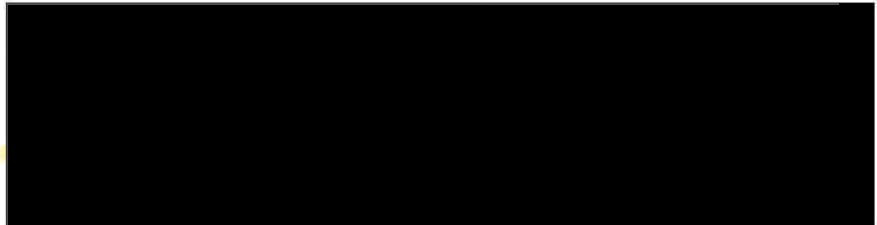
E.



1.



2.



3.

- F. Recordings are considered routine business 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. Except for recordings being stored for criminal, civil administrative proceedings, or evidentiary purposes, recordings shall be retained for a period of at least 90 days.
2. Recordings that are being stored for criminal, civil, or administrative purposes are to be retained as evidence or in the appropriate case file.
3. Recordings being stored as evidence for criminal, quasi-criminal, civil, or administrative purposes must be retained until the conclusion of the case plus any retention period. Examples of retention periods include, but are not limited to:
 - a. Any death investigation (7 years);
 - b. Criminal arrest - 1st, 2nd, 3rd, 4th degree crime (5 years);
 - c. Non-criminal arrest, excluding DWI (2 years);
 - d. DWI arrest (10 years following adjudication of the case);
 - e. Normally, recordings of warrant arrests or violation of TRO arrests without any other criminal charges need not be preserved as evidence.

- J. Video and/or audio recordings are subject to release under the *Open Public Records Act* NJSA 47: 1A-1 et seq. and prevailing municipal ordinance regarding fees.
- K. Video and/or audio recordings shall be provided in discovery to defendants and their attorneys, in accordance with R. 3:13-3, R. 7:4.2, and R. 7:7-7.
 - 1. Such request must be specific and on the proper instrument, i.e., subpoena, discovery request, etc.
 - 2. Only those portions of the recording pertinent to the request shall be forwarded.
 - 3. All requests for copies or review of MVR recordings are subject to the fee requirements of the prevailing municipal ordinance.
 - 4. Requests for copies of the entire contents of an MVR recording shall only be provided upon issuance of an order by a superior court judge.
- L. 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 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.
- M. All requests by the media or general public to view video/hear audio related to a crime must be referred to the Monmouth County Prosecutor's Office and or municipal prosecutor, depending on jurisdiction.
- N. The Chief of Police reserves the right to view any and all files captured by the MVR system in order to provide for the efficient and professional operations of the agency. The viewing of files is to be used only for departmental purposes and shall never be used to embarrass an officer and such use will not be tolerated.
- O. No member of the department is authorized to copy any file (using any format or source) from the server without the authorization of the Chief of Police or otherwise in compliance with this SOP (e.g., OPRA, discovery, etc.).
- P. Records/administrative personnel will maintain a list of all DVDs that have been produced and distributed. If a request is made to use a video/audio file for training purposes then that request must be made in writing and approved by the Chief of Police or his/her designee. The Chief of Police will designate departmental personnel who are authorized to copy audio/video files from the server.

WALL TOWNSHIP POLICE DEPARTMENT <i>Standard Operating Procedure</i>			
CHAPTER: 18	SECTION: 5	# OF PAGES: 9	
SUBJECT: MOTOR VEHICLE IMPOUND & INVENTORY			
EFFECTIVE DATE: February 8, 2011	ACCREDITATION STANDARDS: 3.1.1f	REVISION DATE 02/29/14	PAGE # All
BY THE ORDER OF: Police Chief Robert Brice			
SUPERSEDES ORDER #:			

PURPOSE The purpose of this standard operating procedure is to provide officers with standardized, predetermined and nondiscriminatory procedures to follow whenever a motor vehicle is to be impounded or its contents inventoried.

POLICY It is the policy of the Wall Township Police Department that no vehicle shall be impounded as a matter of routine, convenience, or without a substantial law-enforcement need. Similarly, no inventory of the contents of a vehicle, or other receptacle contained within, may be conducted as a matter of routine, convenience, or as an exploratory investigative tool unless in compliance with SOP Chapter 14 Section 6 Search & Seizure.

PROCEDURES

I. General

- A. Motor vehicles shall not be impounded for purposes other than those defined by statute or ordinance, (e.g., not as a form of punishment, or as a pretext to conducting vehicle searches when probable cause does not exist or consent to search cannot be obtained).
- B. When an officer tows a motor vehicle for any reason, he/she shall assist the motorist in making arrangements for the safe transport of the driver and any passengers. Arrangements shall be liberally construed and include, but are not limited to:
 - 1. Transporting them to a phone;
 - 2. Making sure transportation is going to arrive;
 - 3. Bringing them to headquarters or other public place to make their own arrangements
- C. If the driver (or passenger) cannot arrange for transportation on his/her own, the officer should attempt to arrange transportation for him/her including, as a last resort, transportation to their home or nearest reasonably safe location.
- D. ***At no time shall operators or passengers of towed/impounded vehicles be left without assistance.***
- E. If a driver/owner or passenger(s) declines assistance with transportation and the vehicle is towed/impounded at the direction of an officer for any reason, the officer shall note their refusal on the CAD record of the incident.
- F. Impounding a vehicle that lawfully comes in possession or under the control of agency personnel and inventorying its contents are permitted solely for the:
 - 1. Protection of the owner's property; or
 - 2. Protection of the investigating officer and the agency against claims of lost or stolen property; or
 - 3. Protection of the investigating officer and others from potential danger; or
 - 4. Safeguarding of evidence in connection with the criminal activity.
- G. Once an officer determines that he/she will be impounding a motor vehicle, the officer will request the duty towing service and type of tow that is needed, (e.g., wheel lift, flatbed, etc.) through communications. The officer will also advise communications of the type of vehicle being impounded or towed along with the plate number from the vehicle. The dispatcher will then call the towing agency that is on call at that particular time.
 - 1. The officer will then advise the operator of the vehicle that his/her vehicle is being impounded by the Wall Township Police Department.