

	CRANFORD POLICE DEPARTMENT	
	Issuing Authority: Chief Ryan Greco	Effective Date: 08/30/2022
	Distribution: All Personnel	Pages: 11
General Order:		Special Order:
Personnel Order:		Memorandum:
Standard Operating Procedure: 22-01 (Revised)		Supersedes:
Subject: PREGNANT OFFICERS		

NJ Attorney General Protocols Regarding Pregnant Officers added to Policy

PURPOSE: The purpose of this policy is to provide options that allow for a pregnant officer to remain working in a full-time capacity and performing full-duty assignments, in combination with alternative duty assignments, for as long as reasonably possible. This policy seeks to ensure a woman's right to work free from discrimination and to protect the property interest she has in her job while guarding against the risks inherent in the performance of her duties.

POLICY: This agency recognizes that its diverse workforce is a valuable asset and that trained and experienced female police officers are a critical resource. Pregnancy is a temporary physical condition, unique to women, which may or may not affect an employee's ability to perform many of the usual duties of her job classification. This policy establishes procedures to modify full-duty assignments and, when needed, provide temporary, alternative duty assignments to eligible pregnant law enforcement officers when they are unable to safely perform all of the essential functions of their normal assignments. It is the policy of this department not to discriminate against a female employee based upon her decision to bear a child. It is further the policy of this department to remain in compliance with existing laws including:

- The Pregnancy Discrimination Act, which is an amendment to Title VII of the Civil Rights Act of 1964;
- Family and Medical Leave Act;
- Fair Labor Standards Act;
- Equal Employment Opportunity Commission Guidelines.
- NJ Law Against Discrimination

DISCUSSION:

To provide women the right to work in law enforcement and have children, management must ensure that any policy regarding pregnancy must embody these basic protections

- A. No policy may discriminate against an employee because of her pregnancy, childbirth, or related medical conditions.
- B. Women are entitled to equal treatment in the conditions, benefits, and privileges of employment, including the use of leave for pregnancy or related medical conditions.
- C. Pregnant women who can perform the essential functions of their jobs must be allowed to continue employment, and when disabled due to conditions related to

her pregnancy from performing these functions, must be treated the same as other temporarily disabled employees.

- D. Any decisions as to the fitness of a female employee to perform her essential functions shall be determined by the employee and medical personnel and not by department administrators or personnel.
- E. Furthermore, any opportunity to work in a temporary light-duty assignment during pregnancy shall be granted like this agency's existing policy permitting temporary light-duty for a non-job-related illness or injury.

PROCEDURE:

A. General Guidelines

1. This policy applies to all female law enforcement officers who have successfully met entry level probation requirements.
2. This policy is not intended to interfere with or diminish any rights or privileges to which an employee may be entitled under federal, state, or local law and any other agency policy or collective bargaining agreement.
3. If an employee is unable to work in any capacity due to medical complications, existing leave and disability protections and policies will apply.

B. Notification Procedures

For public safety and management planning purposes, an officer who becomes pregnant shall notify the chief law enforcement executive through an Officer's Report. This notification of pregnancy shall be made immediately upon confirmation and decision to continue the pregnancy. Written documentation must be provided by a medical practitioner, including an anticipated due date, if possible. The chief law enforcement executive should maintain this information as confidential in a medical file, to the extent permitted and/or required by law.

C. Full-Duty Option

1. During a pregnancy, an officer may be able to continue to work in her usual, full-duty assignment until some point during the pregnancy where the employee and her physician deem it is in the best interest of the employee and baby to do otherwise. Employees must confer with their personal physicians, providing him or her with the agency's job description that delineates the essential job functions of a law enforcement officer and a copy of this policy. It would also be beneficial for the physician to review the "Pregnancy" chapter of the ACOEM (American College of Occupational and Environmental Medicine) Guidance for the Medical Evaluation of Law Enforcement Officers.
2. Both the physician and the employee are expected to consider the risks and benefits of remaining on a full-duty status. The agency will not require an officer to accept a maternity duty assignment at this stage or to take leave, absent a compelling medical or public safety reason.
3. The agency will make every reasonable effort to avoid assigning full-duty pregnant employees to units in which the work involves the likelihood of encountering toxic chemicals, such as raids on clandestine drug labs or intensive traffic enforcement. Assignment of pregnant employees to units in which the work involves a high likelihood of suffering trauma should also be avoided.
4. During the pregnancy, it may become necessary for this agency to evaluate the employee's continuing ability to safely and effectively perform the essential functions of

her position. In such a case, the agency may consider whether the pregnancy creates an undue safety risk to the employee, co-workers, and/or the public. If the agency determines that the employee's condition unreasonably interferes with her ability to perform in a full duty capacity, she may be reassigned to maternity duty, as described below in section D. Absent unusual circumstances, the employee will not be required to take leave.

D. Maternity Duty

1. During a pregnancy, upon written recommendation of a physician, an employee may request a temporary reassignment to alternative duty. This assignment is referred to as "maternity duty" and is an alternative to the full-duty option described in section C. above. Generally, maternity duty will commence at some point during the second trimester.
 - a. Maternity duty will not include work that involves the likelihood of encountering toxic chemicals, such as raids on clandestine drug labs or intensive traffic enforcement, enforcement, or work that involves a high likelihood of suffering trauma.
 - b. Absent specific medical considerations, employees working maternity duty shall continue in a full-time working status. Consideration will be given to allowing for part-time assignments of employees whose medical condition may warrant such accommodation.
 - c. The need for uniform and equipment modifications during maternity duty will be considered, and accommodations should be made to the extent possible.
 - d. An officer working in a maternity duty status may retain possession of an agency issued firearm. The qualification modifications described in section C.4 apply.
 - e. During maternity duty there should generally be no contact with prisoners unless in emergency situations.
2. Maternity Duty – Defined
 - a. Maternity duty may consist of, but is not limited to, the following:
 - (1) Nonhazardous assignments
 - (2) Writing police reports
 - (3) Operating a police radio
 - (4) Interviewing persons
 - (5) Clerical functions
 - (6) Investigative functions that do not put the officer or others in harm's way/at risk
 - b. Maternity Duty assignments should avoid the following:
 - (1) Alternating shift work
 - (2) Defensive tactics or defensive tactics training
 - (3) Firearms training, except simulated training
 - (4) Patrol duties
 - (5) Extensive exposure to automobile exhaust fumes such as may be experienced with intensive traffic control/toll plaza/tunnel duty
 - (6) Standing for more than 30-minute intervals
 - (7) Lifting of more than 25 pounds
 - (8) Exposure to high concentrations of toxins, chemical or infectious agents, or controlled dangerous substances
3. The agency will consider any specific restrictions identified by the employee's physician.

Temporary reassignment of eligible pregnant members to maternity duty will be made consistent with the operational needs of the agency.

E. Uniform Modifications

1. Pregnant uniformed police officers who choose to remain on full duty may modify their uniform to accommodate their pregnancy. Any cost associated with the purchase of maternity uniforms is to be borne by the employee.
2. Pregnant police officers who choose to remain on full duty are not exempt from wearing body armor when engaged in field activities. Any cost associated with modifying body armor due to pregnancy is to be borne by the employee.
3. Pregnant uniformed police officers who choose to remain on full duty are not exempt from wearing their regulation duty belt or service weapon.
 - a. Pregnant police officers on a temporary light-duty assignment are exempt from wearing their body armor.
4. Pregnant uniformed police officers on a temporary light-duty assignment are exempt from wearing their regulation duty belt but must still carry their duty sidearm in an alternate holster approved by the department.
 - a. When the pregnancy progresses to the point where the wearing of a uniform is not feasible, the Chief of Police or designee may permit the wearing of plain clothes, but for a light-duty assignment.
5. When the pregnancy progresses to the point where the wearing of a sidearm is not feasible, the Chief of Police or designee may permit an exemption.

F. Firearms Qualifications

1. Pregnant police officers are exempt from the mandatory handgun qualification requirements. (This is permissible as indicated by the New Jersey Division of Criminal Justice Attorney General Guidelines.)
2. This exemption shall remain in effect until the employee is certified for full duty status.
3. Pregnant police officers beyond the mandatory handgun qualification period shall be required to surrender their department sidearm to the supervising firearms instructor or designee.
4. Pregnant police officers who have surrendered their department sidearm are prohibited from wearing an off-duty firearm at any time until they have been re-qualified by the supervising firearms instructor or designee.
5. The supervising firearm instructor shall ensure that the necessary notifications regarding the surrender of the firearm are made in a timely fashion.
6. Upon being certified for full duty, the officer shall be scheduled for handgun qualification by the supervising firearms instructor or designee.

G. Continuing Evaluation

1. Pregnant employees shall be permitted to work as long as they are able to perform their jobs and will not be subjected to special procedures to determine their ability to work. If an employee becomes unable to perform the functions of her maternity duty assignment, the agency may require her to take leave, in compliance with the Family and Medical Leave Act and other applicable law. If an officer has been temporarily absent from work as a result of a pregnancy-related condition and she recovers, she shall not be required to remain on leave until the baby's birth. The employee may elect to take such leave

medically warranted and in conformance with applicable employer regulations and procedures. The pregnant employee shall be treated the same as any other employee voluntarily seeking leave and/or sick pay because of any other physical condition.

H. Return to Work after Maternity Leave

1. Employee's responsibility when an employee who has been on an absence due to pregnancy plans to return to work, she shall do the following:
 - a. Request to meet with her commanding officer immediately upon returning to work.
 - b. Provide documentation of medical fitness for duty.
 - c. Assist her supervisor in identifying her individual needs, which may or may not include accommodations needed for lactation, such as a private room, use of a refrigerator and limiting exposure to toxic levels of heavy metals and other chemicals;
 - d. The employee's supervisor shall determine what training, if any, is needed prior to the employee being reintegrated back into her work shift.



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ATTORNEY GENERAL GUIDELINES

TO: All Law Enforcement Chief Executives and County Prosecutors

FROM: Matthew J. Platkin, Acting Attorney General

DATE: August 25, 2022

SUBJECT: Protocols Regarding Pregnant Officers

In 2020, Governor Murphy signed new legislation designed to ensure that every law enforcement agency in New Jersey is “comprised of law enforcement officers who reflect the diversity of the population of the community the agency is charged with protecting.” N.J.S.A. 52:17B-4.10 (the “Act”). Pursuant to the Act, in 2021, the Attorney General’s Office issued guidelines (“2021 Guidelines”), concerning diversity in recruiting and the collection of data on officer and applicant demographics.

Under the 2021 Guidelines, agencies submitted demographics of current officers to the Attorney General. That data collection showed an underrepresentation of women law enforcement officers. In 2021, women officers comprised ten percent of officers statewide, similar to national proportions. By rough comparison, over half of all New Jersey’s residents are women.

Increasing the representation of women in law enforcement requires a sustained focus on improving working conditions for women who choose to enter this profession. These supplemental Guidelines on providing reasonable accommodations to pregnant officers are an initial step in that effort. Pregnancy and breastfeeding can create unique professional challenges for workers across industries, and those challenges are exacerbated by the demands of a career in law enforcement. As a result, providing guidance to law enforcement agencies regarding appropriate protocols concerning pregnant officers will ease professional burdens, help recruit diverse officers, and remove obstacles to promotion and professional success.

The procedures laid out below apply various federal and state laws concerning treatment of pregnant employees to the law enforcement context. These Guidelines are intended to promote the Act’s goal of improving diversity among our law enforcement officers, including gender diversity, and are issued pursuant to the Act’s mandate. N.J.S.A. 52:17B-4.12.¹

¹ The terms “law enforcement agency” and “law enforcement officer” are defined as in the Act.



I. General principles

- A. ***Equal treatment.*** Under federal and state law, officers affected by pregnancy or breastfeeding must be treated the same for all employment-related purposes as other officers not so affected but similar in their ability to work. Agencies must provide reasonable accommodations when requested by pregnant or breastfeeding officers, unless doing so would pose an undue hardship to the agency under applicable law.²
- B. ***Accommodation requests generally.*** Pregnant officers should make accommodation requests through established state Law Against Discrimination (LAD) and federal Americans with Disabilities Act (ADA) processes with the agency's human resources unit. Agency and officer should then engage in an interactive process regarding the accommodation request.
1. The interactive process refers to the dialogue between agency and officer to determine if the officer requires a reasonable accommodation, and if so, what accommodation is appropriate under the circumstances. Communication with the officer is integral to the process.
 2. Per the LAD, N.J.S.A. 10:5-12(s), officers who become pregnant and request an accommodation based on a physician's advice have a right to reasonable accommodation, which may include breaks for bathroom use or increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules, and temporary transfers to less strenuous or hazardous work.
- C. ***Response to notification of pregnancy.*** Consistent with applicable law, after the agency is notified of an officer's pregnancy, the agency shall not reassign the officer to a modified duty status³ nor require the officer to take leave unless (i) requested by the officer or (ii) the officer is unable to perform the essential functions of the job (particular to their duty status) with reasonable accommodation and a temporary waiver of the essential functions would pose an undue hardship on agency operations.⁴
- D. ***No performance evaluation impact or penalties.*** Any reasonable accommodation, such as avoiding assigning a pregnant officer to certain tasks, measures concerning firearms qualification or firearms generally, or otherwise accommodating the officer, shall not have a negative impact on the pregnant officer's performance evaluation, nor shall the officer be penalized for requesting or using an accommodation.

² The terms "pregnancy or breastfeeding" are defined as in N.J.S.A. 10:5-12(s). References in these Guidelines to pregnant officers also include breastfeeding officers, where applicable.

³ The term "modified duty" refers to a temporary status performing work or tasks less than those of full duty. Examples of modified duty assignments at law enforcement agencies include clerical functions and interviewing persons (see Section V.C for additional examples).

⁴ See Delanoy v. Township of Ocean, 245 N.J. 384, 407-9 (2021). Under the LAD, an officer's inability to perform an essential function of the job does not, in and of itself, cause an accommodation for a pregnancy-related condition to pose an undue hardship on the agency. Id.

II. Continuing with full duty

- A. ***Conferring with health care provider.*** When deciding whether to continue in a full-duty assignment, the pregnant officer may confer with their health care provider and provide them materials from the agency's human resources, including, but not limited to: (1) these Guidelines and (2) the "pregnancy" chapter of the American College of Occupational and Environmental Medicine's guidance for treating law enforcement officers.
- B. ***Full-duty accommodations.*** If the pregnant officer makes a request to the agency's human resources unit or LAD/ADA coordinator to remain on full duty but avoid assignment to units in which the work may involve substances or situations that may pose a risk to the health of the officer or the pregnancy, the agency and officer should engage in an interactive process and the agency should communicate with the officer to determine whether a reasonable accommodation(s) is available under applicable law. This may involve a temporary transfer of units.

III. Uniform modifications

- A. ***Generally.*** Upon request by the pregnant officer to the agency's human resources unit, or LAD/ADA coordinator, the agency shall consider the need for uniform and equipment modifications during pregnancy, including uniform color, and the agency and officer should engage in an interactive process and communicate to determine whether a reasonable accommodation(s) is available under applicable law.
- B. ***Full duty.*** A pregnant officer on full duty may request modification of the officer's uniform to accommodate the pregnancy, including by purchasing pregnancy trousers and shirts through the agency's uniform supplier, and the agency and officer should engage in an interactive process and communicate to determine whether a reasonable accommodation(s) is available under applicable law. Any cost associated with that purchase shall be paid for in the same manner as any other uniform purchase.
- C. ***Modified duty.*** If a pregnant officer on modified duty requests an accommodation from wearing a uniform, including pregnancy trousers and shirts, the agency and officer should engage in an interactive process and communicate to determine whether a reasonable accommodation(s) is available under applicable law, which may include allowing the officer to wear plain clothes.
 - 1. If a pregnant officer on modified duty requests an exemption from wearing body armor or from wearing the officer's regulation duty belt, the agency and officer should engage in an interactive process and communicate to determine whether a reasonable accommodation(s) is available under applicable law.

IV. Firearms qualification

- A. ***Accommodations.*** A pregnant officer may choose to request an accommodation regarding

firearms qualification, including to not participate in a firearms qualification program until the officer is cleared for full-duty status post-pregnancy. Pregnant officers who fail to complete a firearms qualification test during the mandatory firearms qualification period shall be treated the same as any other officer who has not qualified. If a pregnant officer requests an accommodation regarding wearing their firearm, the agency and officer should engage in an interactive process and communicate to determine whether a reasonable accommodation(s) is available under applicable law. Agencies may not revoke firearms privileges solely because an officer becomes pregnant.

- B. ***Re-certification.*** Upon being cleared for full-duty post-pregnancy, an officer who has fallen beyond the firearms qualification period shall be scheduled for a qualification as soon as practicable.

V. **Modified-duty accommodation**

- A. ***Interactive process.*** Upon request by the pregnant officer, the agency shall consider transferring the officer to a modified duty assignment, if such transfer would not pose an undue hardship on agency operations. The agency and officer should engage in an interactive process and communicate to determine whether a reasonable accommodation(s) is available under applicable law, which may include the agency's request for medical documentation from the officer.

1. Regardless of whether modified or light duty status is generally offered by the agency, the LAD (N.J.S.A. 10:5-12(s)) requires agencies to consider any specific restrictions identified by a pregnant officer's health care provider, such as "temporary transfers to less strenuous or hazardous work," in providing a reasonable accommodation, unless it would pose an undue hardship on operations.

- B. ***Modified duty status hours.*** Absent the need for reduced hours as a reasonable accommodation, officers working modified duty shall maintain full-time hours.

- C. ***Examples of modified duty.*** Such modified duty may consist of, but is not limited to:

1. Writing police reports
2. Operating police radio
3. Interviewing persons
4. Clerical functions
5. Community and education outreach
6. Public information officer
7. Body-worn camera footage review, maintenance, and related functions
8. Computer operations

- D. ***Examples of assignments that could be subject to accommodation.*** Modified duty status may avoid the following tasks at the request of the pregnant officer, so long as it does not cause an undue hardship to the agency. This list is not meant to be exhaustive.

1. Alternating shift work
2. Defensive tactics or defensive tactics training
3. Firearms training, except simulated training
4. Patrol duties
5. Extensive exposure to automobile exhaust fumes such as may be experienced with intensive control/toll plaza/tunnel duty
6. Standing for more than a certain duration
7. Lifting more than a certain weight
8. Exposure to high concentrations of toxins, chemical or infectious agents, or controlled dangerous substances
9. Detainee contact

- E. ***Medical clearance for duty.*** If, after applying generally applicable medical clearance for duty requirements, including any physician opinion, a pregnant officer is determined unable to perform the essential functions of full duty status with reasonable accommodation and a temporary waiver of the essential functions would pose an undue hardship, the officer may be reassigned to a modified duty assignment. Pregnancy-related conditions may not be singled out for more rigorous procedures to determine ability to work.

VI. **Taking leave**

- A. ***Leave not initially required.*** Pregnant officers shall be permitted to continue working in either a full or modified duty status as long as they are able to with reasonable accommodation under applicable law. If a pregnant officer becomes unable to perform the essential functions of a full or modified duty status even with reasonable accommodation, and temporary waiver of the essential function(s) would pose an undue hardship, the officer will be permitted to take leave according to agency policies and applicable law.
- B. ***Temporary leave.*** Temporary leave, with a return to full or modified duty status upon medical clearance, may be a reasonable accommodation. For example, an officer who is medically cleared to return from temporary leave shall not be required to remain on leave and may return to full or modified duty status during the pregnancy or following pregnancy.
- C. ***Officer may seek leave.*** A pregnant officer may request to take leave during pregnancy and following pregnancy in conformance with applicable law and policies. The pregnant officer shall be treated the same as employees voluntarily seeking leave and/or sick pay because of a temporary disability.

VII. **Return to work**

- A. ***Medical clearance for return to duty.*** An officer returning to work after a pregnancy shall provide written documentation from the officer's health care provider indicating medical clearance for duty, consistent with the agency's general clearance for duty policy.

- B. ***Established return to work protocols.*** If the agency has established a general protocol for an officer's return to work after extended absence, that protocol should be followed for an officer returning to work after pregnancy or parental leave.
1. If no such policy has been established, and if requested by the officer, when an officer returns from an extended absence due to pregnancy or parental leave, the agency's human resources unit, or LAD/ADA coordinator, may meet with the officer to develop a reorientation program, to take into consideration the officer's circumstances. During that meeting, the officer should assist in identifying their individual needs, which may include accommodations requested for lactation (such as a private room and use of a refrigerator), limiting exposure to hazardous substances, uniform modifications, or a transition period back to full duty (e.g., to complete missed trainings).
- C. ***Lactation breaks.*** Per the LAD (N.J.S.A. 10:5-12(s)), reasonable break times shall be permitted for officers after pregnancy to express milk, unless the agency demonstrates the accommodation would pose an undue hardship.
1. Approved breaks should not be interrupted except in emergent circumstances.
 2. Per the LAD, agencies shall make available a suitable private room or other private location for lactation, other than a toilet stall, in close proximity to the work area.
- D. ***Bereavement leave.*** Agencies offering bereavement leave should consider making it available for pregnancy loss, consistent with applicable law and policies.

VIII. Other provisions

- A. ***Establishment of policy.*** Agencies without existing protocols relating to pregnant and breastfeeding officers should consider adopting agency-specific policies and practices consistent with these Guidelines, either by rule, regulation, or standard operating procedure.
- B. ***Rights preserved.*** These Guidelines are not intended to interfere with or diminish or enlarge any rights or privileges to which a law enforcement officer—whether covered by this policy or not—may be legally entitled under federal, state, or local law and any other agency policy or collective negotiations agreement.
- C. ***Non-enforceability by third parties.*** Nothing in these Guidelines shall be construed in any way to create any substantive right that may be enforced by any third party.
- D. ***Questions.*** These Guidelines provide a general framework for law enforcement agencies to implement the various federal and state laws that apply to the treatment of pregnant officers. Any questions regarding a specific application of those legal mandates should be directed to the agency's counsel that regularly provides labor and employment advice.

	CRANFORD POLICE DEPARTMENT	
	Issuing Authority: Chief Matthew R. Nazzaro	Effective Date: 07/12/2025
Distribution: All Personnel		Pages: 26
General Order:		Special Order:
Personnel Order:		Memorandum:
Standard Operating Procedure: 18-10 (Revised)		Supersedes:
Subject: DRUG TESTING POLICY		

Changes highlighted in bold and italics Page 4

PURPOSE:

The purpose of this policy is deterring illegal drug use by law enforcement officers. The policy provides the Department with a mechanism to identify and remove those law enforcement officers engaged in the illegal use of drugs. Because illegal drug use is inconsistent with the duties, obligations, and responsibilities of sworn law enforcement officers, the policy mandates that officers who test positive shall be terminated from employment.

POLICY:

The policy sets forth uniform methods and procedures for implementing and administering law enforcement drug testing. The policy further outlines the duties and responsibilities of the Department and Chief of Police with respect to the drug testing process. Every law enforcement agency under the authority of the Attorney General must implement a drug testing program consistent with Attorney General Law Enforcement Drug Testing Policy Revised December 2020.

The policy seeks to ensure that the employment rights of individual law enforcement officers are safeguarded consistent with legal principles. As a result, the policy sets forth procedures for the uniform collection, submission, and analysis of drug test specimens. The procedure further seeks to ensure the accuracy and reliability of the drug testing process. This Department will administer its drug testing program in a way that is fundamentally fair to individual law enforcement officers and is consistent with due process requirements.

PROCEDURE:

I. APPLICABILITY

A. Personnel:

1. Applicants for a full-time sworn law enforcement position in the Cranford Police Department.
2. Cranford Police Department law enforcement officer trainees subject to the Police Training Act while they attend a mandatory basic training course.
3. Sworn law enforcement members of the Cranford Police Department.
4. The Law Enforcement Drug Testing Policy does not apply to civilian employees of the Cranford Police Department. Testing of civilian employees falls under the reasonable suspicion doctrine and established drug testing policies and procedures consistent with the Township of Cranford Drug Testing Policy and collective bargaining rights when applicable.

B. Employment Status:

Drug testing may be categorized by the employment status of the individual being tested and the method by which the individual was selected for testing. These methods include applicant testing, trainee testing, and officer testing. Testing is required of all police applicants and trainees. Pursuant to AG Directive 2018-2, the Cranford Police Department is required to implement a random drug testing program for all sworn officers in their departments. Further, this agency has an independent obligation to undertake drug testing of individual officers and trainees when there is reasonable suspicion to believe that the officer or trainee is illegally using drugs.

1. Law Enforcement Applicant Testing

All applicants for a full-time sworn law enforcement position in the Cranford Police Department shall be required to submit to a drug test as a component of a pre-employment background investigation. Applicants may be tested multiple times if a significant amount of time has elapsed between the background investigation and the date of hire. Prospective employees will be drug tested as a condition of employment. A negative drug test result is a condition of employment. During the pre-employment process, the Cranford Police Department shall ensure that it complies with the provisions of the Americans with Disabilities Act (ADA) by refraining from making any medical inquiries. Therefore, the medication information form should not be used at the

applicant stage, unless a positive test result requires an explanation by the prospective employee.

2. Law Enforcement Trainee Testing

Individuals hired as law enforcement officers of the Cranford Police Department, who are required to attend and successfully complete a mandatory basic training course approved by the Police Training Commission are subject to drug testing during their attendance at the police academy. Trainees will be required to submit one or more urine specimens for drug testing while they attend a mandatory basic training course. All drug testing conducted during mandatory basic training will be conducted by the police academy staff under the rules and regulations adopted by the Police Training Commission. Individual trainees will also be required to submit a urine specimen for drug testing when there exists reasonable suspicion to believe that the trainee is illegally using drugs. A trainee shall be ordered to submit to a drug test based on reasonable suspicion only with the approval of the Chief of Police or his designee, or the police academy director.

3. Sworn Law Enforcement Officer Testing

Sworn law enforcement officers of the Cranford Police Department shall be ordered to submit a urine specimen for drug testing when they have been randomly selected to submit to a drug test. Random selection shall be defined as a method of selection in which each and every sworn law enforcement member of this Department, regardless of rank or assignment, has an equal chance to be selected for drug testing each and every time a selection is conducted.

Sworn law enforcement officers shall also be required to submit a urine specimen for drug testing when there exists reasonable suspicion to believe that the member is illegally using drugs. A law enforcement officer shall be ordered to submit to a drug test based on reasonable suspicion only with the approval of the Chief of Police, or his designee.

Urine specimens may also be collected from sworn members during a fitness for duty examination.

C. Types of Testing:

1. Random Testing

Random drug testing of all Cranford Police Department sworn law enforcement officers is required under Attorney General Directive 2018-02. "Random selection" is defined as

a method of selecting employees for drug testing in which every law enforcement member of the agency, regardless of rank or assignment, has an equal chance of being selected each and every time a selection is made. Random drug testing will be conducted twice each calendar year and each test will include 10 % of the total law enforcement personnel ***or eight (8) sworn law enforcement officers, whichever is greater***, including detectives and superior officers. ***Officers shall be exempt from random testing if they are out on leave of absence, extended workers' compensation leave, and/or deployed for military service.***

The Cranford Police Department will utilize the services of Ambassador Medical Services, Marlton, NJ to implement a random drug testing computerized program, which ensures that every sworn officer within the Department has an equal chance of being selected each and every time a selection takes place. The Internal Affairs Unit will be responsible for any administrative function of this program, including, but not limited to, submitting all required personnel information to Ambassador Medical Services so they can add and/or delete employees as necessary due to new hires, retirements, resignations, and termination.

The random selection process will be verified and documented. This Department will permit representatives of the affected collective bargaining units to witness the initial random drug testing process. All persons present for the random selection process are required to maintain the strict confidentiality of the process. Anyone who discloses the identity of an officer selected for random testing, or the fact that a random selection is scheduled to take place prior to the collection of urine specimens, will be subject to discipline.

2. Reasonable Suspicion

This Department must undertake drug testing when there is reasonable suspicion to believe a sworn law enforcement officer is engaged in the illegal use of controlled substances. Reasonable suspicion "requires objective facts which, with inferences, would lead a reasonable person to conclude that drug-related activity is taking or has taken place and that a particular individual is involved in that drug activity."

The reasonable suspicion standard is "less demanding" than the probable cause standard in two ways. First, the amount of evidence needed to satisfy the reasonable suspicion standard is less than that needed to satisfy the probable cause standard. Second, the type of information used to satisfy the reasonable suspicion standard may be "less reliable than that required to show probable cause." The following factors should be evaluated to determine the quality and relevance of the information acquired by the law enforcement agency:

- a. The nature and source of the information;
- b. Whether the information constitutes direct evidence or is hearsay in nature;
- c. The reliability of the informant or source;
- d. Whether corroborating information exists and the degree to which it corroborates the accusation; and
- e. Whether and to what extent the information may be stale.

Before the Chief of Police may order an individual officer to undergo reasonable suspicion testing, a written report documenting the basis for the test shall be prepared. Under emergent circumstances, approval may be given for a reasonable suspicion test on the basis of a verbal report. Should the Chief of Police wish to discuss whether the information they possess is sufficient to conduct reasonable suspicion testing, he should consult with the Union County Prosecutor's Office for advice.

3. Reasonable Suspicion Testing for Cannabis Use

Consuming or being under the influence of cannabis while at work or during work hours is strictly prohibited. Officers shall be tested for cannabis in the following situations:

- a. Upon reasonable suspicion of the officer's use of a cannabis item while engaged in the performance of the officer's duties, or
- b. Upon a finding of observable signs of intoxication related to the use of a cannabis item while engaged in the performance of the officer's duties.

In the above situations, the drug test shall include a physical evaluation by a Workplace Recognition Expert (WIRE) to determine the officer's state of impairment and urinalysis.

II. NOTIFICATION OF DRUG TESTING PROCEDURES

A. Applicants:

Applicants for the position of Patrolman within the Cranford Police Department shall be notified that the pre-employment process will include drug testing. The notification will also indicate that a negative result for any and all prescribed drugs is a condition of employment and that a positive test will: a) result in the applicant being dropped from consideration for employment; b) cause the applicant to be reported to the New Jersey State Police Central Drug Registry; and c) preclude the applicant from being considered for future law enforcement

employment for a period of two years from the date of the drug test. In addition, the notification will indicate that if the applicant is currently employed by another agency as a sworn law enforcement officer and the officer tests positive for illegal drugs use, the officer's employing agency will be notified of the test results and the officer will be terminated from employment and permanently barred from future law enforcement employment in New Jersey. Applicants shall be further informed that their refusal to submit to a drug test shall result in their no longer being considered for law enforcement employment in New Jersey.

B. Trainees:

All newly appointed Cranford Police Department Probationary Patrolmen shall be informed that drug testing is mandatory during basic training. Newly appointed officers shall also be informed that a negative result is a condition of employment and that a positive test will result in: a) the trainee being dismissed from basic training; b) the trainee's termination from employment; and c) inclusion of the trainee's name in the New Jersey State Police Central Drug Registry; and d) the trainee being permanently barred from future law enforcement employment in New Jersey.

Newly appointed officers shall be further informed that the refusal to submit to a drug test shall result in their dismissal from employment and a permanent ban from future law enforcement employment in New Jersey and inclusion of the trainee's name in the central drug registry maintained by the Division of State Police.

C. Sworn Law Enforcement Officers of the Cranford Police Department:

Sworn law enforcement officers will be ordered to submit to a drug test when there is a reasonable suspicion to believe that the officer is illegally using drugs as well as they are subject to mandatory random drug testing pursuant to Attorney General Directive 2018-2.

A negative result is a condition of employment as a sworn employee. A positive test will result in: a) the employee's termination from employment; b) inclusion of the employee's name in the New Jersey State Police Central Drug Registry; and c) the employee being permanently barred from future law enforcement employment in New Jersey.

Officers who refuse to submit to a drug test based on reasonable suspicion or random drug testing after being lawfully ordered to do so are subject to the same penalties as those officers who test positive for the illegal use of drugs. A sworn law enforcement officer who resigns or retires after receiving a lawful order to submit a urine specimen for drug testing and who does not provide the specimen shall be deemed to have refused to submit to the drug test.

III. SPECIMEN ACQUISITION PROCEDURES

A. Preliminary Acquisition Procedures:

1. Sworn law enforcement employees assigned to the Internal Affairs Unit or as assigned by the Chief of Police are hereby designated as monitors of the specimen acquisition process, thereby ensuring the monitor shall always be of the same sex as the individual being tested. If in the event there is no member of the same gender available that has been previously designated as a monitor, the Chief of Police or their designee will have the discretion to temporarily appoint another sworn law enforcement officer from the same Department to monitor the testing. In the event there is no member of the same gender available from the Cranford Police Department, this agency may request that a member of the same gender from another law enforcement agency serve as monitor of the process.
2. Prior to the submission of a urine specimen, an applicant for a law enforcement position shall execute a Drug Testing Applicant Notice and Acknowledgement form consenting to the collection of analysis of their urine for illegal drugs. The form shall also advise the applicant that a negative result is a condition of employment and that a positive test will result in the consequences outlined in Section IIA of this policy. Applicants are not required to complete a Drug Testing Medication Information form at this time.
3. Prior to the submission of a urine specimen, a trainee enrolled in a basic training course shall execute a "Drug Testing Trainee Notice and Acknowledgement" Form. The form shall also advise the trainee that a negative result is a condition of employment and that a positive test will result in the consequences outlined in Section IIB of this policy. The form shall also advise the trainee that the refusal to participate in the test process carries the same penalties as testing positive. Trainees shall complete a Drug Testing Medication Information Form listing all prescription medication, non-prescription (over-the-counter) medication, dietary supplements and nutritional supplements that were ingested by the officer during the past 14 days. The Drug Testing Medication Information Form shall be placed in an envelope which is sealed by the donor. The donor shall date and initial the seal, and write their unique identifier (Donor ID) on the envelope.
4. Prior to the submission of a urine specimen, a sworn law enforcement officer shall execute a "Drug Testing Officer Notice and Acknowledgement" Form. The form shall also advise the officer that a negative result is a condition of employment and that a positive test will result in the consequences outlined in Section IIC of this policy. The form shall also advise the officer that the refusal to participate in the test process carries the same penalties as testing positive. Sworn officers shall complete a Drug Testing Medication Information Form listing all prescription medication, non-prescription (over-the-counter) medication,

dietary supplements and nutritional supplements that were ingested by the officer during the past 14 days. The Drug Testing Medication Information Form shall be placed in an envelope which is sealed by the donor. The donor shall date and initial the seal, and write their unique identifier (Donor ID) on the envelope.

B. Monitor's Responsibilities

1. The monitors of the specimen acquisition process shall be responsible for:
 - a. Ensuring that all documentation is fully and accurately completed by the individual submitting the specimen (the donor).
 - b. Collecting specimens in a manner that provides for individual privacy while ensuring the integrity of the specimen. Individual specimens and forms shall be identified throughout the process by the use of donor identification numbers (Donor ID). At no time shall a name appear on any form or specimen container sent to the New Jersey State Toxicology Laboratory.
 - c. Complying with chain of custody procedures established for the submission and analysis of urine specimens by the New Jersey State Toxicology Laboratory.
 - d. Specimens shall be collected utilizing split collection kits supplied by the New Jersey State Toxicology Laboratory. Under no circumstances shall a specimen be collected and submitted for analysis in a specimen container that has not been approved by the New Jersey State Toxicology Laboratory. It is the responsibility of this Department to contact the New Jersey State Toxicology Laboratory to obtain the Split Specimen Kits and Forensic Urine Drug Testing Custody and Submission Forms (CSF).
 - e. Collecting and submitting urine specimens in accordance with procedures established by the New Jersey State Toxicology Laboratory.
2. In order to ensure the accuracy and integrity of the collection process, a monitor may:
 - a. Direct an individual officer who has been selected for drug testing to remove outer clothing (jackets, sweaters etc.), empty their pockets, and wash their hands under running water, before they produce a urine specimen.

- b. Add tinting agents to toilet water and secure the area where the urine specimens are to be collected prior to specimen collection.
3. If the monitor has a reason to believe that an individual officer will attempt to adulterate or contaminate a urine specimen, substitute another substance or liquid for their urine specimen, or otherwise compromise the integrity of the test process, the monitor may conduct a direct observation of the individual officer. If a monitor concludes that direct observation is necessary, he or she must document the facts supporting the belief that the officer will attempt to compromise the integrity of the test process before there can be direct observation.

C. Urine Specimen Collection Procedure:

1. Unless otherwise noted, all steps must be completed by the donor in the presence of the monitor.
2. The monitor completes the agency information, donor identification, and test information sections of the Custody and Submission Form (CSF).
3. The monitor allows the donor to select one NJ Medical Examiner State Toxicology Laboratory issued sealed split specimen collection kit.
4. The donor unseals the split specimen collection kit, removes the specimen bag and specimen containers from the specimen collection container, and places all items on a clean surface.
 - a. The specimen containers shall be kept closed/unsealed at this time.
 - b. The specimen collection container and specimen containers should be kept within view of both the donor and the monitor.
5. The monitor instructs the donor to void a specimen of at least 45 mL into the specimen collection container, to not flush the toilet, and return with the specimen container immediately after the specimen is produced.
6. The monitor checks the specimen for adequate volume and the temperature indicator strip on the specimen container within 4 minutes.
 - a. A color change between 90° and 100°F indicates an acceptable specimen temperature. The monitor indicates if the temperature is acceptable by marking either the "Yes" or "No" box in the specimen collection section of

the CSF. If a temperature strip does not indicate the acceptable temperature, the monitor must consider the possibility that the officer attempted to tamper with the collection.

- b. The monitor must follow the “shy bladder” procedure for donors that initially are unable to produce an adequate amount of urine (See Section D, “Shy Bladder” Procedure).
7. The monitor instructs the donor to split the collected specimen into the specimen containers.
 - a. The donor opens both specimen containers and pours at least 30 mL of urine from the collection container in the primary specimen container and at least 15 mL of urine from the collection container in the secondary specimen container.
 - b. The donor secures both specimen containers by placing and securing the lids/caps on the specimen containers.
8. The monitor instructs the donor to seal the specimen containers with tamper-evidence seals from the CSF.
 - a. The donor carefully removes the Bottle A Specimen Container Security Seal from the CSF and places it over the lid/cap and down the sides of the primary specimen container with the greater volume of urine (30 mL).
 - b. The donor carefully removes the Bottle B (SPLIT) Specimen Container Security Seal from the CSF and places it over the lid/cap and down the sides of the secondary specimen container with the lesser volume of urine (15 mL).
 - c. After the seals are placed on the specimen containers, the donor writes the collection date and his or her initials in the space provided on the security seals to certify that the specimen containers contain the specimen that he or she provided.
9. The monitor prints his/her name, signs and dates the monitor/agency acknowledgement section of the CSF.
10. The monitor instructs the donor to place both specimens in the front pouch of the specimen bag that contains the absorbent pad.

11. The monitor separates the white laboratory copy of the CSF, folds it, and places it in the rear pouch of the specimen bag along with the sealed medication information sheet, if provided.
12. The monitor seals the specimen bag by removing the release liner from the flap and folding the blue adhesive flap to cover the cross hatch slit opening.
13. Any remaining urine and the specimen collection container may be discarded.
14. The monitor will take possession of the sealed specimen bag and ensure that it is delivered to the NJ State Medical Examiner Toxicology Laboratory in a timely manner (See Section V. Submission of Specimens for Analysis below).

D. "Shy Bladder" Procedure

1. When a donor initially produces an inadequate amount of urine, the monitor must take the following steps:
 - a. Advise the donor to remain on the premises and under the supervision of the test monitor until the monitor is satisfied that the donor cannot produce a urine specimen.
 - b. While the donor is under supervision, allow the donor to drink up to 40 ounces of fluids distributed reasonably over a period of up to three hours in an attempt to induce the production of a specimen.
 - c. Under no circumstances, should multiple voids be combined to produce an adequate sample volume.
2. If the donor remains unable to provide a urine specimen after a reasonable period of time, the monitor may have the donor examined by a doctor to determine whether the inability to produce a specimen was the result of a medical or physical infirmity or constituted a refusal to cooperate with the drug testing process.

E. Split Specimen

1. A donor whose specimen tested positive may only challenge the positive test result by having the split specimen independently tested by an accredited laboratory. The first specimen will not be retested.

2. The split specimen will be maintained at the New Jersey State Toxicology Laboratory for a minimum of one year following the receipt of a positive drug test result from the laboratory by the Cranford Police Department.
3. The split specimen will be released by the New Jersey State Toxicology Laboratory under the following circumstances:
 - a. The Cranford Police Department is notified by the New Jersey State Toxicology Laboratory that the first specimen tested positive for a controlled substance;
 - b. The Cranford Police Department notifies the donor that the first urine specimen tested positive for a controlled substance; and
 - c. The Cranford Police Department is informed by the donor whose first specimen tested positive that he/she wishes to challenge the positive test result.
4. A representative of the second test laboratory may, in person, take possession of the second sample in accordance with accepted chain of custody procedures or the sample may be sent to the laboratory by commercial courier also following accepted chain of custody procedures.
5. Following testing of the split specimen, the independent laboratory will report the result of the second specimen drug test to the donor, to the Cranford Police Department, and to the medical review officer.

IV. SUBMISSION OF SPECIMENS FOR ANALYSIS

- A. The New Jersey State Toxicology Laboratory is the only facility approved for the analysis of law enforcement drug tests conducted under the Law Enforcement Drug Testing Policy. Law enforcement agencies are not permitted to use any other facility or laboratory for the purpose of analyzing urine specimens for illegal drug use by law enforcement officers.
- B. Urine specimens should be submitted to the New Jersey State Toxicology Laboratory as soon as possible after their collection. In the event specimens cannot be submitted to the laboratory within one working day of its collection, the law enforcement agency shall store the specimens in a controlled access refrigerated storage area until submission to the New Jersey State Toxicology Laboratory.

- C. Submission of specimens to the New Jersey State Toxicology Laboratory may be accomplished by personnel from the Cranford Police Department or commercial courier using "next day delivery." Specimens submitted by commercial courier must be packaged to ensure their integrity.
- D. The New Jersey State Toxicology Laboratory will inspect all documentation to ensure that it has been properly completed. Failure to include the appropriate documentation with each submission will cause the New Jersey State Toxicology Laboratory to delay conducting an analysis of the specimen or specimens until the missing documentation is submitted.
- E. In addition to ensuring that the appropriate documentation has been completed and submitted for each specimen, the New Jersey State Toxicology Laboratory shall inspect each specimen for damage and evidence of tampering. The New Jersey State Toxicology Laboratory may reject any specimen it has reason to believe has been tampered with or is damaged. If a specimen is rejected, the New Jersey State Toxicology Laboratory will notify the Cranford Police Department in writing with the reason for rejection clearly stated.

V. ANALYSIS OF SPECIMENS

- A. The analysis of the first specimen shall be done in accordance with currently accepted procedures adopted by the New Jersey State Toxicology Laboratory. These procedures shall include, but not be limited to, security of the test specimens, chain of custody, initial screening and confirmation testing, parent drug and metabolite cut-off levels and the issuance of test reports. In addition to the controlled substances listed below, the Cranford Police Department may randomly request during any testing period that urine specimens be analyzed for the presence of steroids. However, if testing for steroids, this must be announced prior to the random test process.
- B. The New Jersey State Toxicology Laboratory's drug testing procedures will screen specimens for the following controlled substances:
 - Amphetamines
 - Barbiturates
 - Benzodiazepines
 - Cocaine
 - Methadone
 - Opiates
 - Oxycodone/Oxymorphone
 - Phencyclidine
 - Marijuana/Cannabis (Only to be included in the testing process when: the

Officer is assigned to a federal task force, the officer holds a federally regulated license, which requires testing, or a commercial driver's license that is maintained and funded through the Cranford Police Department for official departmental use.); the law enforcement agency is specifically required to test by the terms of a federal contract or federal grant; or as outlined in the reasonable suspicion sections.

- C. The New Jersey State Toxicology Laboratory utilizes a two-stage procedure to analyze urine specimens:
1. In the first stage, all specimens will undergo an initial screening. The initial screening determines whether one or more of the nine substances listed and/or their metabolites are present at or above a designated cutoff. All presumptive positive specimens will undergo a second stage with a more specific type of testing.
 2. In the second stage, specimens will be tested by employing mass spectrometry detection for the definitive identification and quantitation of drugs and/or metabolites presumptively identified by the initial screen.
- D. When a specimen tests positive at both the initial stage and the second stage, a medical review officer assigned to the New Jersey State Toxicology Laboratory will review the test results together with the Medication Information Form submitted for the specimen. The medical review officer will seek to determine whether any of the substances listed on the form would explain the positive test result. The medical review officer may direct the agency that collected the sample to obtain further information from the individual being tested concerning the medications listed on the medical information form. The medical review officer will then issue a report indicating whether or not the sample tested positive due to a listed medication on the Medication Information Form.
- E. Applicants for law enforcement employment are not required to submit a Drug Testing Medication Information form with their specimen. Therefore, if an applicant tests positive, the Cranford Police Department, following notification from the New Jersey State Toxicology Laboratory, must have the candidate complete the Drug Testing Medication Information form listing all prescription medication, non-prescription (over-the-counter) medication, dietary supplements, and nutritional supplements that were ingested by the donor during the 14 days prior to the specimen collection. The Drug Testing Medication Information form shall be placed in an envelope which is sealed by the donor. The donor shall date and initial the seal, and write their Donor ID on the envelope. Once the form has been completed, the Cranford Police Department is responsible for transmitting the form to the New Jersey State Toxicology Laboratory. A review of the form will be conducted by the medical review officer as outlined above.

- F. In addition to the testing outlined above, urine specimens submitted to the New Jersey State Toxicology Laboratory may be tested for additional substances at the request of the Cranford Police Department. The New Jersey State Toxicology Laboratory has the ability through its own facilities, as well as facilities employed as references laboratories, to arrange drug testing for steroid abuse, as well as other currently abused substances.

VI. DRUG TEST RESULTS

- A. The New Jersey State Toxicology Laboratory will provide written test results for every urine specimen submitted for analysis. All efforts will be made to deliver these reports within 15 working days of the submission. Reports will be addressed to the contact person listed on the specimen submission record. Positive test results will be sent to the contact person by certified mail.
- B. In some cases, the New Jersey State Toxicology Laboratory will report that a specimen tested positive for a particular substance and that the information on the Medication Information form explains the test result. For example, the New Jersey State Toxicology Laboratory may report that a specimen tested positive for barbiturates and a prescription for that barbiturate was listed on the form by the officer. At this point, it is the responsibility of the Cranford Police Department to determine whether the officer had a valid prescription for that drug. Officers who do not have a valid prescription are subject to disciplinary action including, termination by the Cranford Police Department.
- C. Under no circumstances will the New Jersey State Toxicology Laboratory provide law enforcement agencies with verbal reports of drug test results. In addition, no individual or agency may ask the New Jersey State Toxicology Laboratory to conduct a second analysis of a specimen that has already been analyzed.

VII. CONSEQUENCES OF A POSITIVE TEST RESULT

- A. When an applicant tests positive for illegal drug use:
 - 1. The applicant shall be immediately removed from consideration for employment by the Cranford Police Department.
 - 2. The applicant shall be reported by the Cranford Police Department to the New Jersey State Police Central Drug Registry.

3. The applicant shall be precluded from consideration for future law enforcement employment by any law enforcement agency in New Jersey for a period of two years.
 4. Where the applicant is currently employed by another agency as a sworn law enforcement officer, the Cranford Police Department shall notify the officer's current employer of the positive test result. Under these circumstances, the officer's current employer is required to dismiss the officer from employment and also report his or her name to the New Jersey State Police Central Drug Registry.
- B. When a trainee tests positive for illegal drug use, subject to rules adopted by the Police Training Commission:
1. The trainee shall be immediately dismissed from basic training subject to rules adopted by the Police Training Commission and suspended from employment by the Cranford Police Department.
 2. Upon final disciplinary action by the Cranford Police Department, the trainee shall be terminated from employment as a law enforcement officer.
 3. The trainee shall be reported by the Cranford Police Department to the New Jersey State Police Central Drug Registry.
 4. The trainee shall be permanently barred from future law enforcement employment in New Jersey.
- C. When a sworn law enforcement officer tests positive for illegal drug use:
1. The officer shall be immediately suspended from all duties.
 2. The officer shall be administratively charged and, upon final disciplinary action, terminated from employment as a law enforcement officer.
 3. The officer shall be reported by the Cranford Police Department to the New Jersey State Police Central Drug Registry.
 4. The officer shall be permanently barred from future law enforcement employment in New Jersey.

VIII. CONSEQUENCES OF A REFUSAL TO SUBMIT TO A DRUG TEST

- A. Applicants who refuse to submit to a drug test during the pre-employment process shall be immediately removed from consideration for law enforcement employment and barred from consideration for future law enforcement employment for a period of two years from the date of the refusal. In addition, the Cranford Police Department shall forward the applicant's name to the New Jersey State Police Central Drug Registry and note that the individual refused to submit to a drug test.
- B. Trainees who refuse to submit to a drug test during basic training shall be immediately removed from the academy and immediately suspended from employment. Upon a finding that the trainee did in fact refuse to submit a urine sample, the trainee shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the Cranford Police Department shall forward the trainee's name to the New Jersey State Police Central Drug Registry and note that the individual refused to submit to a drug test.
- C. Sworn law enforcement officers who refuse to submit to a drug test order in response to reasonable suspicion or random selection shall be immediately suspended from employment. Upon a finding that the officer did in fact refuse to submit a urine sample, the officer shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the Cranford Police Department shall forward the officer's name to the New Jersey State Police Central Drug Registry and note that the individual refused to submit to a drug test. Please note that if there is no valid reason why an officer cannot produce a specimen, the officer's actions will be treated as a refusal. In addition, a sworn law enforcement officer who resigns or retires after receiving a lawful order to submit a urine specimen for drug testing and who does not provide the specimen shall be deemed to have refused to submit to the drug test.

IX. RESIGNATION/RETIREMENT IN LIEU OF DISCIPLINARY ACTION

A sworn law enforcement officer who tests positive for illegal drug use or refuses to submit to a drug test, and who resigns or retires in lieu of disciplinary action or prior to the completion of final disciplinary action, shall be reported by the Cranford Police Department to the New Jersey State Police Central Drug Registry and shall be permanently barred from future law enforcement employment in New Jersey.

X. RECORD KEEPING

- A. The Cranford Police Department Internal Affairs Unit shall maintain all records relating to the drug testing of applicants, trainees and law enforcement officers.

B. The Cranford Police Department's drug testing records shall include but not be limited to:

1. All drug testing:

- a. The identity of those ordered to submit urine samples;
- b. The reason for that order;
- c. The date the urine was collected;
- d. The monitor of the collection process;
- e. The chain of custody of the urine sample from the time it was collected until the time it was received by the New Jersey State Toxicology Laboratory;
- f. The results of the drug testing;
- g. Copies of notifications to the subject;
- h. For any positive result, documentation from the officer's physician that the medication was lawfully prescribed and does not render the officer unfit for duty; and
- i. For any positive result or refusal, appropriate documentation of disciplinary action.

2. Random drug testing, the records shall also include the following information:

- a. A description of the process used to randomly select officers for drug testing;
- b. The date selection was made;
- c. A copy of the document listing the identities of those selected for drug testing;
- d. A list of those who were actually tested; and
- e. The date(s) those officers were tested.

C. Drug testing records shall be maintained with the level of confidentiality required for internal affairs files pursuant to the New Jersey Internal Affairs Policy and Procedures.

XI. CENTRAL DRUG REGISTRY

A. The Cranford Police Department shall notify the New Jersey State Police Central Drug Registry of the identity of applicants, trainees, and sworn law enforcement officers who test positive for the illegal use of drugs; are found to be consuming or being under the influence of cannabis while at work/training or during work/training hours; or refuse an order to submit to a drug test.

- B. A sworn law enforcement officer who tests positive for illegal drug use; is found to have been consuming or being under the influence of cannabis or marijuana while at work or during work hours; or refuses to submit to a drug test, and who resigns or retires in lieu of disciplinary action or prior to the completion of final disciplinary action, shall be reported by the Cranford Police Department to the New Jersey State Police Central Drug Registry and shall be permanently barred from future law enforcement employment in New Jersey.
- C. Notifications to the New Jersey State Police Central Drug Registry shall include the following information as to each individual:
1. Name and address of the Cranford Police Department, and contact person;
 2. Name of the individual who tested positive;
 3. Last known address of the individual;
 4. Date of birth;
 5. Social Security Number;
 6. SBI number (if known);
 7. Gender;
 8. Race;
 9. Eye color;
 10. Substance the individual tested positive for, the circumstances of the officer being found to have been consuming or being under the influence of cannabis or marijuana while at work or during work hours, or circumstances of the refusal to submit a urine sample;
 11. Date of the drug test or refusal;
 12. Date of final dismissal or separation from the Cranford Police Department; and
 13. Whether the individual was an applicant, trainee or sworn law enforcement officer.
- D. The certification section of the notification form must be completed by the Chief of Police and notarized with a raised seal.
- E. Notifications to the New Jersey State Police Central Drug Registry shall be sent to:
- Division of State Police
State Bureau of Identification
Central Drug Registry
P.O. Box 7068
West Trenton, New Jersey 08628-0068
- F. Information contained in the New Jersey State Police Central Drug Registry may be released by the Division of State Police only under the following circumstances:

1. In response to an inquiry from a criminal justice agency as part of the background investigation process for prospective or new personnel; and
2. In response to a court order.

ATTACHMENT A

DRUG TESTING

APPLICANT NOTICE AND ACKNOWLEDGMENT

I, _____, understand that as part of the pre-employment process, the _____ will conduct a comprehensive background investigation to determine my suitability for the position for which I have applied.

I understand that as part of this process, I will undergo drug testing through urinalysis. I understand that a negative drug test result is a condition of employment. I understand that if I refuse to undergo the testing, I will be rejected from employment.

I understand that if I produce a positive test result for illegal drug use, I will be rejected for employment.

I understand that if I produce a positive test result for illegal drug use or refuse to take the test, that information will be forwarded to the Central Drug Registry maintained by the Division of State Police. Information from that registry can be made available by court order or as part of a confidential investigation relating to employment with a criminal justice agency.

I understand that if I produce a positive test result for illegal drug use and am not currently employed as a sworn law enforcement officer, I will be barred from future law enforcement employment in New Jersey for two years from the date of the test. After this two-year period, the positive test result may be considered in evaluating my fitness for future criminal justice employment.

I understand that if I am currently employed as a sworn law enforcement officer and I produce a positive test result for illegal drug use, my current law enforcement employer will be notified of the positive test result. In addition, I will be dismissed from my law enforcement position and I will be permanently barred from law enforcement employment.

I have read and understand the information contained on this "Applicant Notice and Acknowledgment" form. I agree to undergo drug testing through urinalysis as part of the pre-employment process.

Signature of Applicant

Date

Signature of Witness

Date

ATTACHMENT B

DRUG TESTING

TRAINEE NOTICE AND ACKNOWLEDGMENT

I, _____, understand that as part of the program of training at the _____, I will undergo unannounced drug testing by urinalysis either through a random drug testing procedure or where there is reasonable suspicion to believe I am illegally using drugs or am under the influence of a controlled dangerous substance or cannabis during work/training hours.

I understand that a negative drug test result is a condition of my continued attendance at the above listed training program. I understand that if I refuse to undergo the testing, I will be dismissed from the training program and from my law enforcement position.

I understand that if I produce a positive test result for illegal drug use, I will be dismissed from the academy.

I understand that if I produce a positive test result for illegal drug use, the academy will notify my employer of the positive test result. In addition, I will be permanently dismissed from my law enforcement position.

I understand that if I produce a positive test result for illegal drug use or refuse to take the test, that information will be forwarded to the Central Drug Registry maintained by the Division of State Police. Information from that registry can be made available by court order or as part of a confidential investigation relating to employment with a criminal justice agency.

I understand that if I produce a positive test result for illegal drug use, I will be permanently barred from serving as a law enforcement officer in New Jersey.

I have read and understand the information contained on this "Trainee Notice and Acknowledgment" form. I agree to undergo drug testing through urinalysis as part of the academy training program.

Signature of Trainee

Date

Signature of Witness

Date

ATTACHMENT C

DRUG TESTING

OFFICER NOTICE AND ACKNOWLEDGMENT

I, _____, understand that as part of my employment with _____, I am required to undergo unannounced drug testing by urinalysis either through a random drug testing procedure or where there is reasonable suspicion to believe I am illegally using drugs or am under the influence of a controlled dangerous substance or cannabis during work hours.

I understand that a negative drug test result is a condition of my continued employment as a sworn officer at the above listed department.

I understand that if I produce a positive test result for illegal drug use, it will result in my termination from employment.

I understand that if I refuse to undergo testing, it will result in the same penalties as a positive test for the illegal use of drugs.

I understand that if I produce a positive test result for illegal drug use or refuse to take the test, the information will be forwarded to the Central Drug Registry maintained by the Division of State Police. Information from that registry can be made available by court order or as part of a confidential investigation relating to my employment with a criminal justice agency.

I understand that if I produce a positive test result for illegal drug use, I will be permanently barred from future employment as a law enforcement officer in New Jersey.

I understand that if I resign or retire after receiving a lawful order to submit a urine specimen for drug testing and do not provide the specimen, I shall be deemed to have refused to submit to the drug test.

I have read and understand the information contained on this "Officer Notice and Acknowledgment" form. I agree to undergo drug testing through urinalysis as a condition of my continued employment as required by law.

Signature of Officer

Date

Signature of Witness

Date

ATTACHMENT D

DRUG TESTING MEDICATION INFORMATION

As part of the drug testing process, it is essential that you inform us of all medications you have taken in the last fourteen (14) days. Please *carefully* complete the information below.

Check all that apply:

_____ A. During the past 14 days I have taken the following medication prescribed by a physician:

	Name of Medication	Prescribing Physician	Date Last Taken
1			
2			
3			

_____ B. During the past 14 days, I have taken the following non-prescription medications (cough medicine, cold tablets, aspirin, diet medication, nutritional supplements, etc.)

	Name of Medication	Date Last Taken
1		
2		
3		

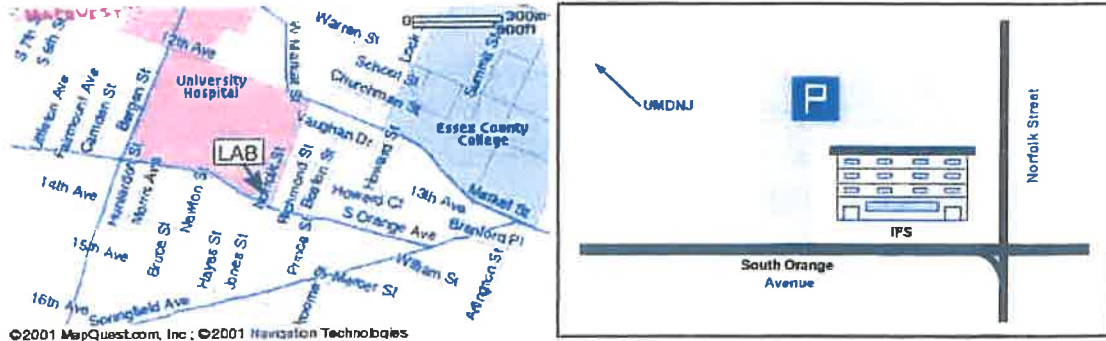
_____ C. During the past 14 days, I have taken NO prescription or non-prescription medications.

Donor ID and Initials

Date

ATTACHMENT E

Directions to



State Toxicology Laboratory
Edwin H. Albano Institute of Forensic Science (IFS)
 325 Norfolk Street
 Newark, New Jersey
 973-648-3915

From Garden State Parkway North:

1. Take Exit 144, South Orange Avenue.
2. Make a right on South Orange Avenue.
3. Continue about 25 blocks to intersection at Bergen Street (UMDNJ campus is on left.)
4. Continue down South Orange Avenue past traffic light to driveway on left before two story brick building (IFS).

From Garden State Parkway South:

1. Take Exit 145, East Orange.
2. Take 1-280 East to first exit (Newark).
3. Make a right on First Street. This becomes Bergen Street.
4. Continue to fifth traffic light at South Orange Avenue.
5. Make a left.
6. Continue down South Orange Avenue past traffic light to driveway on left before two story brick building (IFS).

From New Jersey Turnpike North:

1. Take Exit 14, Newark.
2. After toll plaza, take 1-78 West (express or local).
3. Take Exit 56, Hillside Avenue.
4. Continue on Hillside Avenue to end at Avon Avenue.
5. Make left on Avon Avenue.
6. Continue one block to traffic light on Irvine Turner Blvd.
7. Make right on Irvine Turner Blvd. (which becomes Jones St.) and continue to traffic light at South Orange Avenue.
8. Turn left and enter first driveway on right behind two story brick building (IFS).

From New Jersey Turnpike South:

1. Take Exit 15W to 1-280 West to Exit 14B, Clifton Avenue.
2. At the traffic light, make a left.
3. Continue on Clifton Avenue to eighth traffic light at South Orange Avenue and Norfolk Street.
4. Turn right and enter first driveway on right behind two story brick building (IFS).

ATTACHMENT F**NOTIFICATION TO THE CENTRAL DRUG REGISTRY**

AGENCY SUBMITTING					
AGENCY			PHONE		
ADDRESS		CITY	STATE	ZIP	
CONTACT PERSON		TITLE	PHONE		
PERSON TO BE ENTERED					
LAST NAME	FIRST NAME	INITIAL	GENDER	RACE	EYE COLOR
THIS PERSON WAS: ☐ APPLICANT ☐ TRAINEE					
☐ SWORN OFFICER- RANDOM ☐ SWORN OFFICER- REASONABLE SUSPICION					
ADDRESS					
CITY		STATE	ZIP		
DOB	SSN	SBI NUMBER (IF KNOWN)			
REASON FOR NOTIFICATION					
THE PERSON LISTED ABOVE ☐ TESTED POSITIVE FOR _____; (IDENTIFY SUBSTANCE)					
☐ REFUSED TO SUBMIT A URINE SAMPLE; OR					
☐ UNDER THE INFLUENCE WHILE ON DUTY/DURING WORK/TRAINING HOURS.					
DATE OF THE DRUG TEST OR REFUSAL			DATE OF FINAL DISMISSAL OR SEPARATION FROM AGENCY		
<u>CERTIFICATION (Must be completed by Chief or Director. Must be notarized with raised seal)</u>					
I hereby affirm that the above information is true and correct to the best of my knowledge.					
_____ Print Name		_____ Title		_____ Signature	
Sworn and subscribed before me this _____ day of _____, _____.					
(Seal) _____					

Mail to: Division of State Police
Records and Identification Section
P.O. Box 7068
West Trenton, New Jersey 08628-0068

	CRANFORD POLICE DEPARTMENT	
	Issuing Authority: Chief Ryan Greco	Effective Date: 01/05/2024
	Distribution: All Personnel	Pages: 6
General Order:		Special Order:
Personnel Order:		Memorandum:
Standard Operating Procedure: 09-01 (Revised)		Supersedes:
Subject: MODIFIED DUTY POLICY		

Changes in bold italics

POLICY:

It shall be the policy of the Cranford Police Department to establish the authority for temporary modified duty assignments and procedures for granting temporary modified duty to eligible personnel within this department. This policy is designed to enable injured personnel to return to work in a limited capacity until such time as the individual is released by a physician for regular duty. This policy is designed to foster self-esteem of personnel who have been injured on the job and to help police personnel return to meaningful work. This policy shall be administered by the Chief of Police.

DEFINITIONS:

Eligible Personnel: For the purpose of this policy, any full-time member of the Cranford Police Department to include civilian or sworn members injured in an off-duty or job-related injury/accident, who is temporarily unable to perform the regular assignment but is capable of performing alternative assignments.

Family Medical Leave Act (FMLA): Federal law providing for up to 12 weeks of annual leave for workers in addition to leave provided by this department - due to illness, injury or certain other family conditions/situations.

Modified Duty: Temporary work assignments that are limited in nature and require reduced or restricted physical exertion on the part of the employee.

PURPOSE:

The workers' compensation laws provide post wages and medical expenses to police personnel who are injured as a result of an on-the-job accident, injury, or occupational disease. Workers' compensation is designed to protect police personnel and their dependents against the hardship from injury or death arising from the work environment. All permanent police personnel are covered by workers' compensation insurance. In an effort to continue to provide innovation and quality service to police personnel the following policy will be enacted. This policy is designed to assign duties and responsibilities of police personnel covered by the

workers compensation laws which are consistent with specific medical restrictions, which will provide the Cranford Police Department with increased efficiency from its work force, as well as provide higher self-esteem for affected worker.

This policy is intended for police personnel who have been injured on the job, and who, under medical authorization may return to work in a limited capacity. If deemed in the best interest of the employee or the department, assignments may be made and/or changed at any time upon the approval of the treating physician and the Chief of Police.

This policy is also intended for police personnel who have been injured while off-duty and in a manner not related to their work, and who, under medical authorization may return to work in a limited capacity. If deemed in the best interest of the employee and the department, assignments may be made and/or changed at any time with the approval of the treating physician and the Chief of Police.

Issues arising under the American with Disabilities Act (ADA) or the New Jersey Law against Discrimination (LAD) are not covered by this policy. Those issues shall be handled in accordance with law.

It is the objective of this policy to return police personnel to work that have been injured, whether on or off the job. Police personnel may temporarily perform duties to assist the Cranford Police Department in providing services to the general public. The job duties must have requirements consistent with police personnel's health limitations as certified by a physician. Furthermore, it is the intent of this agency:

1. To lower the rate of absenteeism.
2. To minimize the negative psychological impact due to being out of work, and to provide a transition and adjustment for returning to work.
3. To create a safe work environment and sound safety practices.
4. To reduce disruption of the work schedule.
5. To assist police personnel in returning to their regular job duties at full capacity.
6. To increase the productivity of the Cranford Police Department.

In order to assist the Cranford Police Department to continue to provide services to the citizens of Cranford, it is the Cranford Police Department's policy to have police personnel, who are not totally disabled, come to work and perform functions that they are able to perform.

PROCEDURE:

A. Work Related Injury

1. Police personnel injured on the job are required to be examined by a worker's compensation authorized physician. Police personnel will be required to report to the

physician with their job description to enable the physician to ascertain whether the police personnel may be temporally reassigned until the police personnel have been medically cleared to return to full duty. The Cranford Police Department will not accept a non-workers compensation authorized physician recommendation nor will the Cranford Police Department reimburse police personnel under this policy for treatment by a non-workers compensation authorized physician.

2. The physician's report (s) shall be reviewed to determine appropriate reassignment.
3. There shall be regular communication among the Chief of Police, police personnel, the authorized physician and the workers' compensation carrier throughout the course of treatment and recovery.
4. The Chief of Police shall maintain all documentation regarding the injured police personnel.
5. In the event the injured police personnel are temporarily reassigned, a complete review shall be performed by the office of the Chief of Police to determine the appropriateness of continuing the modified duty assignment.
6. It shall be the responsibility of the Cranford Police Department to notify the workers' compensation carrier of this policy.
7. All reassignments under this policy are temporary. There is no permanent modified duty.
8. The Cranford Police Department reserves the right to require the police personnel returning from temporary reassignment under this policy to submit to a fitness-for-duty examination.
9. Officers on temporary modified duty are prohibited from engaging in off-duty employment in which they may reasonably be expected to perform law enforcement functions for which they have been determined physically or mentally unable to perform on behalf of this department and that form the basis for their temporary modified duty assignment.
10. Depending upon the nature and extent of the disability, an officer on temporary modified duty may be prohibited or restricted from wearing the departmental uniform, carrying the service weapon or otherwise limited in employing police powers as determined by the Chief of Police so long as such limitations are consistent with the provisions approved by the specific modified duty responsibilities to all officers/employees approved for such assignment.

11. Employees assigned to modified duty are required to report the use of any medication, prescribed or over-the-counter, that may affect the performance of their duties. It is the employee's responsibility to question their physician and/or pharmacist regarding potential side effects of medications.
12. Modified duty assignments shall not be made for disciplinary purpose.
13. Officers may not refuse temporary modified duty assignments that are supported by and consistent with the recommendations of the attending physician and the Chief of Police.

B. Off-Duty Injury

1. An officer that is injured in an off-duty and/or non-work-related capacity may be permitted to perform modified duty if released for such duty by a Township approved doctor or the officer's attending physician, at the discretion of the Chief of Police.
2. Officers will be responsible and accountable for any and all tasks assigned to them by a supervisor.
3. For officers who are on modified duty for a non-work-related injury or accident, physical therapy or scheduled doctor visits must be completed during off-duty time. If physical therapy must be done during the normal work hours, that officer must take compensatory time or other accrued time.
4. Once an officer on modified duty has completed a task or assignment that was given to them, they will report to their respective supervisor for additional tasks or assignments.
5. All modified duty assignments that are not the result of work-related injuries are temporary in nature. They are limited to a period of three months. ***After the first three-month period, requests to extend modified duty assignments that are not the result of work-related injuries are to be made in writing on an Officer's Report addressed to the Office of the Chief.*** The Chief of Police or his/her designee may extend an employee's modified duty assignment at his/her discretion for an additional three months. The only exception to these time frames is female officers on modified duty due to pregnancy.
6. The maximum number of personnel on modified duty for injuries that are not work related at any one time under this policy shall be three officers.
7. Officers on temporary modified duty are prohibited from engaging in off-duty employment in which they may reasonably be expected to perform law enforcement functions for which they have been determined physically or mentally unable to

perform on behalf of this department and that form the basis for their temporary modified duty assignment.

8. Depending upon the nature and extent of the disability, an officer on temporary modified duty may be prohibited or restricted from wearing the departmental uniform, carrying the service weapon or otherwise limited in employing police powers as determined by the Chief of Police so long as such limitations are consistent with the provisions approved by the specific modified duty responsibilities to all officers/employees approved for such assignment.
9. Employees assigned to modified duty are required to report the use of any medication, prescribed or over-the-counter, that may affect the performance of their duties. It is the employee's responsibility to question their physician and/or pharmacist regarding potential side effects of medications.
10. Modified duty assignments shall not be made for disciplinary purpose.
11. The decision to grant modified duty is in the sole discretion of the Chief of Police. He may revoke this policy and/or not grant modified duty at his sole discretion.
12. The same medical provider who initially qualified the officer for modified duty is the authority who will furnish the report indicating the officer's fitness for return to full duty status. In cases involving a non-work-related injury, the expense of qualifying an officer for modified duty and/or the return to full duty will be borne by the employee.

Temporary Modified Duty Assignments

Temporary modified duty assignments may be drawn from a range of technical and administrative areas that include by are not limited to the following:

1. Administrative functions (e.g. report review, special projects)
2. Clerical functions (e.g. filing, data entry)
3. Desk Assignments (e.g. serving as Communications Officer, assisting in operation of Communication Center)
4. Training assignments

Temporary reassignments will be handled on a case-by-case basis.

Upon request by the Chief of Police, supervisors may be requested to provide a list of assignment that are in need of being done which feasibly may be completed by an employee on modified duty.

There is no restriction on the location or type of temporary reassignment, provided it is consistent with the limitation detailed by the authorized physician and assists in continuing to provide services to the Township of Cranford.

In addition to considerations for assignments, decisions on temporary modified duty assignments shall be made based upon the availability of an appropriate assignment given the applicant's knowledge, skills and abilities, availability of modified duty assignments, and the physical limitations imposed on the employee.

Every effort shall be made to assign officers to positions consistent with their rank and pay classification. However, where deemed appropriate, personnel may be assigned to positions designated for personnel of lower rank or pay classification. Officers assigned shall:

1. Retain the privileges of their rank but shall answer to the supervisory officer of the unit to which they are assigned with regard to work responsibilities and performance; and
2. Retain the pay classification and related benefits of the position held prior to their assignment to temporary modified duty.



CRANFORD POLICE DEPARTMENT

Issuing Authority: Chief Matthew R. Nazzaro

Effective Date: 02/07/2024

Distribution: All Personnel

Pages: 23

General Order:

Special Order:

Personnel Order:

Memorandum:

Standard Operating Procedure: 24-01

Supersedes:

Subject: OFFICER-INVOLVED SHOOTING AND USE OF DEADLY FORCE INVESTIGATIONS

Added Press Inquiry Guidance Letter from NJOAG

PURPOSE

The purpose of this standard operating procedure (SOP) is to provide standardized procedures for any incident involving police officers involved in deadly force encounters with or without the use of a firearm, or where deadly force is employed with no injury, or where any injury to a person results from the use of a firearm by a law enforcement officer. This general order also applies to instances when police officers discharge firearms intentionally in other than training or recreational purposes and in all instances when police officers unintentionally discharge a firearm for any reason.

POLICY

It is the policy of the Cranford Police Department to adhere to the tenets of applicable New Jersey Attorney General guidelines and directives and applicable guidelines and directives issued by the Union County Prosecutor's Office involving officer-involved shootings or other officer-involved deadly force encounters. These standard operating procedures also apply to instances where a police officer employs deadly force with no injury, where any injury to a person results from the use of a firearm by a law enforcement officer, in all instances when police officers intentionally discharge their firearm in circumstances other than training or recreational purposes, and in all instances when police officers unintentionally discharge a firearm for any reason.

PROCEDURES

I. DEFINITIONS

a. As used in this general order, the following terms are defined:

- i. Law enforcement officer means any law enforcement officer operating under the authority of the laws of the State of New Jersey; a Township of Cranford police officer.
- ii. Principal of the investigation or principal means a law enforcement officer whose conduct is the subject of the investigation conducted pursuant to this general order and those directives issued by the New Jersey Attorney General or the Union County Prosecutor.
- iii. Use-of-force investigation or investigation means an investigation conducted pursuant to *Attorney General Law Enforcement Directive 2020-13*:
 1. Any use of force by a law enforcement officer involving death or serious bodily injury to any person; or
 2. When deadly force is employed with no injury; or
 3. When any injury to any person results from the use of a firearm by a law enforcement officer; or
 4. When a law enforcement officer discharges a firearm intentionally in other than training or recreational purposes; or
 5. When a law enforcement officer unintentionally discharges a firearm for any reason.
- iv. These terms include an investigation of the use of such force by an officer while acting in the performance of official duties or exhibiting evidence of his/her authority notwithstanding that the officer was not on duty when the force was used.
- v. These terms do not include a criminal investigation of the use of force by an officer who was not acting in performance of official duties or exhibiting evidence of his/her law enforcement authority (e.g., while committing an act of domestic violence, etc.).

II. INITIAL AT-SCENE RESPONSIBILITIES AND PROCEDURES

- a. To the extent possible under the circumstances, the officer involved in the incident shall secure the scene. The first arriving officers after the discharge shall relieve the involved officer and secure the scene. NOTE: there may be more than one scene to protect and preserve.
 - i. Except as explained in section II.a.ii below, preserve all scenes for evidence without removing items. All scenes must remain guarded until

- completely processed by the Union County Prosecutor's Office Homicide Task Force (HTF), the Division of Criminal Justice, the New Jersey State Police, or their designee(s).
- ii. If a suspect's weapon is involved and prudence requires that it must be rendered safe and immediately secured (e.g., large crowd, inclement weather, etc.), take possession of the weapon and make it safe. Mark the spot where the weapon was located and preserve the area for processing. Keep any ammunition separate once removed from the firearm.
 - iii. Identify and secure any other potential evidence.
 - b. Request BLS/ALS for any injured parties. Render first aid to the extent of training. If the injured person is under arrest, secure him/her with handcuffs. To the extent possible:
 - i. Maintain an open airway;
 - ii. Control bleeding.
 - iii. If the subject is in handcuffs, beware of the potential for positional asphyxia.
 - c. Secure the subject's firearm/weapon and accessories (e.g., gun, ammo, holster, etc.).
 - d. Maintain situational awareness. There may be other shooters or threats nearby. Beware of any gathering crowd. Keep people away from the scene and maintain scene integrity.
 - e. Broadcast details to Communications. Include information related to:
 - i. Condition of the involved officer(s);
 - ii. Condition of the involved subject(s);
 - iii. Preliminary assets required (e.g., additional personnel, supervisory presence, BLS, ALS, fire department, Division of Criminal Justice, Union County Prosecutor's Office, etc.).
 - f. Locate, identify and ask any witnesses to remain on scene. See section V of this SOP for investigative protocols involving witnesses.
 - g. If the officer is injured, the first responding officer shall effectuate immediate transportation to an emergency trauma center.
 - h. Subsequent responding officer should initiate a crime scene log and note ingress and egress of all persons.

III. SUPERVISORY RESPONSIBILITIES

- a. The on-duty supervisor shall respond to the scene to take initial command.
 - i. Ensure that the scene is secured;
 - ii. Ensure that medical assistance is provided to the injured;
 - iii. Assemble additional personnel, as needed;
- b. If necessary, secure the officer's firearm or another weapon that was used in the incident. If securing the firearm, also secure the officer's BWC. Such process shall be performed discreetly to the extent possible. **If not immediately necessary**, securing the involved officer's firearm or other weapon that was used will be ordinarily performed by the Division of Criminal Justice or the Union County Prosecutor's Office (**see section VI of this SOP**). The firearm and BWC are to be treated as evidence and shall be secured as soon as possible. The chain of custody must be documented. This section should be considered the exception to section VII of this SOP.
- c. Supervisors shall not subject involved officers to detailed questioning and shall instruct the officers to limit their verbal report to the basic account including, but not limited to:
 - i. To determine whether other actors are involved
 - ii. To determine whether there may be other injured persons;
 - iii. To determine whether there are potential witnesses;
 - iv. To determine whether there are any other crime scenes or potential evidence.
- d. Designate one of the responding backup units to document the actions taken at the scene and what is relayed by the involved officer(s). **DO NOT** order a detailed report from the officer(s) directly involved in a deadly force incident. Only the Union County Prosecutor's Office or the Division of Criminal Justice can order such reports.
- e. As soon as practicable, the on-scene field supervisor shall initiate or cause communications to make the following notifications:
 - i. The Chief of Police;
 - ii. Operations Captain;
 - iii. Administrative Captain;
 - iv. Investigative Division Commander;
 - v. Detective Bureau Supervisor;
 - vi. Additional personnel as needed;

- f. The highest-ranking supervisor at the scene shall:
 - i. Ensure that scene integrity is maintained.
 - ii. Ensure that all field supervisors' responsibilities have been completed.
 - iii. Ensure that the notification to the shooting response team response team has been made.
 - iv. Ensure that there is supervisory coverage available to handle standard call volume.

IV. HANDLING INVOLVED PERSONNEL IMMEDIATELY FOLLOWING THE EVENT:

- a. Agency personnel shall provide first aid and communicate emotional support and reassurance to the involved officer and other personnel who may have been traumatized by the event. The emotional support should be focused on calming physical and emotional stress and supporting the officers' sense of safety.
- b. A member of the Cranford Police Department shall accompany the involved officer to a secure location or medical facility, as appropriate, and remain with the officer until otherwise directed. During the time immediately after the incident, the involved officer will not be subject to any direct questioning or discussion of the incident except as is absolutely necessary to the on-scene investigation and/or at the direction of the lead investigative team.
- c. Anticipated investigative and administrative processes should be explained to the officer(s) involved, and the officer should be kept informed regarding the progress of the investigation, as these actions can reduce stress and anxiety levels of the officer.
- d. The officer directly involved in the incident will be directed not to discuss the incident with anyone who is not part of the lead investigative team, including any accompanying or other law enforcement personnel.
- e. Any officer involved in the incident shall be instructed not to wash his/her hands or apply antibacterial sanitizer products (e.g., Purell, etc.) until a member of the lead investigative team grants permission to do so. Due consideration shall be given to the necessity of the officer undergoing decontamination in the event of the presence of bloodborne pathogens.
- f. Law enforcement personnel at the scene shall be directed not to verbalize any opinions they may have with anyone who is not part of the investigative team, and not to discuss any aspect of the incident or investigation with any

unauthorized personnel unless specifically authorized to do so by the Division of Criminal Justice, Union County Prosecutor or his/her designee.

- g.** The involved officer should be provided the opportunity to contact his/her family members as soon as possible. If the officer is physically capable, it is best for the officer him/herself to contact family members, and no one else should initiate contact with the officers' family members prior to the officer making direct contact, unless the officer requests it.
- h.** If the officer involved in the incident is injured or requires hospitalization, the agency that employs the officer shall make arrangements to transport the spouse or other immediate family members to the hospital. Whenever possible, the designated transporting officer should be someone who is a close friend of the officer involved.

 - i.** The incident commander shall assign an agency representative to remain at the involved officer's home to care for minor children or family members who may have special needs and/or require extra-ordinary attention during the absence of the spouse/parent/caregiver.
 - ii.** Officers who were on-duty, but not involved in the event should also be encouraged to contact their family members as soon as possible to advise them of the event but that they were not involved. However, no information related to the investigation shall be revealed or discussed during this contact.
- i.** An agency representative should:

 - i.** Discourage the use of caffeine or other stimulants or depressants unless administered by a licensed medical professional;
 - ii.** Not initiate any questioning of the officer(s) related to the event, but should advise the officer that a detailed debriefing will be conducted at a later time;
 - iii.** Advise the officer(s) not to discuss the incident with anyone except a personal or agency attorney or someone from the lead investigative team.
- j.** The involved officer shall be given at least two (2) consecutive days leave with pay immediately following the event. This leave allows the officer to arrange his/her natural coping skills to manage the emotional impact of the event prior to his/her return to work or for providing requisite written report and statements related to the event. The agency should also consider granting a period of leave for other officers and personnel who were impacted by the event.

- k.** It is imperative that the involved officer as well as other agency personnel be advised that this leave is a matter of routine standardized procedure and is not to be interpreted as any type of disciplinary action or should any such inferences be drawn. Furthermore, any press releases issued by or authorized by the lead investigative agency or the Union County Prosecutor or his/her designee shall also indicate that this leave is in accordance with this SOP.
- i.** Normally, an officer involved in this type of event should not return to work in any capacity until he/she has been cleared to return to a full duty assignment. However, if prior to obtaining authorization to return to work full duty, the officer requests to return to work in a light or modified duty capacity or any equivalent status, and the treating licensed mental health care provider concurs with this request, the agency shall make reasonable attempts to accommodate the officer. This is with the assumption that the agency has an agency provision/policy that allows personnel who are not currently fit for full duty service to return in a capacity that is less than full duty capacity.

 - 1.** If the officer does return to work in a less than full duty capacity, he/she shall be assigned to a position within the police station that will minimize the risk of the likelihood that he/she will be involved in a subsequent use of force event while the current investigation is on-going.
 - 2.** If authorization has been given to rearm the officer, the temporary assignment may be in uniform. If no authorization to rearm the officer has been given, the officer shall be assigned to a plain-clothes assignment at the police department.
- l.** The officer(s) may be required to attend a confidential diffusion, formal debriefing and subsequent counseling with peer support members or a mental health professional prior to returning to duty. This debriefing should be as soon as practical following the incident, but not prior to giving an official statement to the Union County Prosecutor's Office of Division of Criminal Justice.
- m.** All personnel at the scene, including communications personnel, should attend a group debriefing, generally within 72 hours following the incident. The officer(s) who had engaged in the actual shooting may or may not want to attend this session, as there are different emotional issues involved. Follow up sessions for personnel may be appropriate.
- n.** An agency designated licensed mental health care provider will be responsible for conducting a return to full duty assessment of the involved officer(s) and making a recommendation to the employing agency regarding the officer's

return to duty, or in worst case scenario, advising the agency that the officer can no longer perform the duties of a law enforcement officer.

V. INVESTIGATIVE PROTOCOLS

- a.** The Internal Affairs Commander (or his/her designee) or the Investigative Division Commander (or his/her designee) shall immediately notify the Union County Prosecutor's Office and Division of Criminal Justice in any of the following circumstances:
 - i.** An officer intentionally discharges a firearm in the performance of his/her duties, resulting in bodily injury or death to any person, caused by a projectile from that firearm; or
 - ii.** An officer unintentionally discharges a firearm resulting in bodily injury or death to any person caused by a projectile from that firearm. This includes another officer and/or the officer discharging the firearm; or
 - iii.** An officer uses any mechanical force or physical force in the performance of his/her duties resulting in the death of another person as a direct result of such force.
 - iv.** During regular business hours, directly notify a Union County Prosecutor's Office supervisor and Division of Criminal Justice.
- b.** The Division of Criminal Justice will normally conduct the subsequent investigation into the use of deadly force.
- c.** When the Division of Criminal Justice becomes the lead investigating agency, a shooting response team consisting of DCJ Investigators and members of the New Jersey State Police Major Crimes Unit shall normally conduct the investigation.
- d.** When a state investigator, deputy attorney general, or assistant attorney general, or any other law enforcement officer employed by a state or federal agency is involved in a use of force incident, the Union County Prosecutor's Office Homicide Task Force (UCHTF) will generally conduct the subsequent investigation unless otherwise directed by the Attorney General.
- e.** When a member of the New Jersey State Police or a member of any agency supervised by the New Jersey State Police is involved in a use of force incident, DCJ is normally the lead investigating agency, but DCJ may refer the case to the Union County Prosecutor's Office.
- f.** The at-scene incident commander shall exercise good crime scene management skills. Restrict entry to the inner perimeter. Assign personnel to keep and

maintain a detailed crime scene log noting the names and reasons for any access to the inner perimeter. Include:

- i. All law enforcement personnel (name, rank, agency, and assignment);
 - ii. First supervisor at the scene (name, rank, agency, and assignment);
 - iii. All emergency service workers (e.g., EMS, MICU, fire department, DPW); include (names, ranks/job titles, agency, and assignment).
- g. The lead investigative team will coordinate all aspects of the investigation and direct any and all investigative actions initiated.
- h. All personnel need to be mindful that the investigative process and concerns over legal and administrative matters can significantly contribute to the stress and anxiety of the involved officer. Subject to the approval by the lead investigative agency, the involved officer should be provided information regarding the process and open lines of communications maintained, which can assist in lowering this stress and anxiety.
- i. The involved officer may be required to give critical information to the lead investigative team soon after the event occurs. He/she may be allowed a reasonable amount of time to gather and compose him/herself prior to giving a formal statement. Individual reactions vary and this may be anywhere from a couple of hours to a couple of days. These facts may include, but not be limited to the following:
 - i. Number and description of suspects;
 - ii. Method and direction of flight, if known;
 - iii. Description of weapons involved;
 - iv. Type of force used by suspects as well as officers;
 - v. Location of significant events, relevant evidence and potential witnesses.
- j. The Cranford Police Department shall assist the lead agency in the investigation. Some investigative responsibilities include:
 - i. Preserve all pertinent radio transmissions and telephone calls and immediately restrict access to the BWC and MVR.
 - ii. Investigate collateral issues involving, but not limited to, rules, regulations, procedures, training protocols.
 - iii. Locate and identify witnesses.

VI. EVIDENTIARY DISARMING OF THE INVOLVED OFFICER(S):

- o. While this section deals specifically with the officer(s) who actually discharged a firearm or used a mechanical force weapon, it may, based upon the circumstances of the event, be expanded to other officers who were on the scene, but did not discharge their firearms or use their mechanical force weapons. The scope of the evidentiary disarming decision rests with the lead investigative agency.
 - i. The officer involved shall be relieved of his/her firearm (or mechanical force weapons) and all magazines as soon as is practicable, as these items are now evidence. **Unless exigent circumstances demand otherwise, the shooting response team or a CPD supervisor shall complete firearms and magazine collection.** This action shall be done in a discrete manner and out of view from the public. It is recommended that this action be completed at the medical facility and not at the shooting scene. The fact that the officer is being relieved of his /her weapon shall in no way be interpreted as the officer did anything neither wrong, nor should any inferences be drawn as a result of this action. This fact should be made perfectly clear to the officer, and he/she should be advised that this action is merely required pursuant to standardized procedure. **The officer's BWC shall also be collected and turned over to the lead investigator.**
 - ii. The weapon shall be made safe in accordance with standard firearms safety practices, and secured in the same condition it was in immediately after the incident occurred (e.g., no alteration of the number of rounds in the firearm or any magazine on the officer's person, no cleaning of the firearm).
 - iii. Making of the weapon safe should be done with at least two officers present to confirm the condition of the firearm when the officer was relieved of it. Once made safe, the firearm shall be surrendered to the lead agency evidence technician, who will then secure it in accordance with their evidentiary policies. Thereafter, at the direction of the lead investigative agency, designated personnel shall conduct an ammunition count of the rounds that were in the officer's firearm(s) at the time of the disarming, as well as all of the officer's magazines.
 - iv. As soon as practicable, officers who were on the scene at the time of the event, but who indicate that they did not discharge a firearm shall also have their firearms inspected by the proper authority (designated by the lead investigative agency) to conduct an ammunition count and to confirm that the firearms have not been recently discharged.
 - v. Furthermore, if during the inspection there is reasonable suspicion that the firearm has been fired or if there are missing rounds of ammunition

in any of the magazines, the inspecting officer shall seize the firearm and process it in accordance with evidentiary procedures.

VII. SEIZURE OF OTHER POTENTIAL EVIDENTIARY ITEMS

- a. When there is an officer involved shooting or deadly force event, there may be a number of items seized as part of the investigative process other than the officer's firearm.
- b. Examples of items that may be seized include, but are not limited to, the clothing and equipment worn by the officer at the time of the event (e.g., the duty weapon belt, the entire uniform or portion thereof the shoes, the body armor).
- c. Other examples include, but are not limited to: mobile video recordings (MVR), body worn camera recordings (BWC), agency CCTV recordings, radio and telephone recordings, etc.
 - i. The assistant prosecutor or deputy attorney general his/her designee overseeing a police use of force investigation may in the exercise of sound discretion authorize a civilian or law enforcement witness to be given access to or view an MVR/BWC recording of the incident under investigation.
 - ii. To ensure the integrity of investigations of law enforcement-involved shootings and other use of force incidents and to avoid possible contamination of a witness's personal recollection of events that could undermine his or her credibility as a witness, notwithstanding any other provision of this policy, no civilian or law enforcement witness, (including the principals) of the investigation, shall be given access to or view an MVR/BWC recording of the incident, or an MVR/BWC recording of the response or on-scene investigation of the incident, without the expressed prior approval of the assistant prosecutor, assistant or deputy attorney general, or their designees.
 - 1. At the direction of the Chief of Police or their designee, MVR/BWC recordings shall be immediately restricted from view by the Records Custodian as this is a "Law Enforcement Incident" as outlined in Attorney General Guideline 2019-4.
 - 2. A message shall be broadcast via PowerDMS indicating that this agency was involved in a "law enforcement incident" and access to any recordings is strictly prohibited unless so authorized by the DCJ and Chief of Police.

VIII. POST EVENT MEDICAL EXAMINATION AND INITIAL MENTAL HEALTH ASSESSMENT

- a. Even if the involved officer(s) have not sustained a physical injury, he/she shall be taken as soon as reasonably possible to the designated medical facility to undergo both a medical examination to determine his/her physiological condition and initial mental health assessment to determine the mental stability of the officer at that particular point in time.
 - i. An EMS unit or a police vehicle shall provide transportation.
 - ii. An officer from this agency shall accompany the involved officer in the EMS unit to offer reassurance to the injured officer that the employing agency is concerned about his/her wellbeing and is there to support him/her.
- b. Medical examination:
 - i. Physical injury: If the involved officer has a serious or life threatening injury, immediately transport him/her to the appropriate medical facility for treatment by a licensed health care provider.
 - ii. No visible physical injury: Although the officer may not have any visible physical injuries, there are other medical conditions that may be occurring that are not visible to the naked eye but that may pose a significant health risk to the officer and that can only be identified through a medical examination by a licensed health care provider. For example, it would be expected that the officer's blood pressure elevated significantly during the actual event. However, it may not have returned to a medically accepted level within a reasonable time afterwards and could pose a significant health risk to the officer if not identified and treated in a timely manner. This is only one example of a number of medical conditions that may occur during these high anxiety events that require a timely medical assessment in order to control the condition.
- c. Initial mental health assessment:
 - i. While at the medical facility for treatment, a licensed mental health care provider from the medical facility will conduct an initial mental health assessment to determine if the officer does or does not pose a threat to himself/herself or others. Prior to any rearming action, the agency shall confer with the Union County Prosecutor, DCJ Deputy Attorney General or his/her designee, as he/she retains final authority related to the rearming of an officer at this stage or any other stage of the process. Subject to any patient privacy waiver requirements, the Union County

Prosecutor, DCJ Deputy Attorney General or his/her designee may speak directly to the mental health care provider prior to authorizing the rearming of the officer

ii. Rearming is not opposed:

1. If the assessment reveals that the officer does not pose a risk to him/herself or others, the officer may be rearmed prior to exiting the medical facility or as soon thereafter as possible. Subject to the approval of the Union County Prosecutor, DCJ Deputy Attorney General, or his/her designee, the officer may be rearmed. Approval to rearm the officer(s) shall be sought by a member of the Command Staff
2. All pertinent information related to the issuance of a new firearm to the officer shall be documented in accordance with agency general orders.
3. The rearming shall occur in a private setting with only law enforcement personnel present.
4. If at any time during this process the officer indicates that he/she prefer not to be rearmed, this request shall immediately be honored. However, the officer may rescind this declination at any time; and subject to the approval of the Union County Prosecutor, DCJ Deputy Attorney General, or his/her designee, the officer may be rearmed.
5. NOTE: If after the initial assessment rearming has been authorized, but upon subsequent assessments/evaluations/counseling it is determined that the involved officer has regressed and now does in fact pose a safety risk to him/herself or others, immediate disarming shall occur.

iii. Rearming is opposed:

1. If the assessment determines that the involved officer does in fact pose a threat to him/herself or others, the officer shall not be rearmed. The assessor shall provide written documentation to the Chief of Police that indicates that in the assessor's professional opinion that the officer does in fact pose a risk to him/herself or others. The Chief of Police or his designee will then ensure that the Union County Prosecutor or Office of the Attorney General or his/her designee is notified as soon thereafter as possible.
2. A supervisor or member of the shooting response team shall explain to the officer that it is in his/her best interest and that the decision may be amended once the officer participates in the requisite post event debriefing.
3. Based upon the assessment, if the involved officer is going to be disarmed, the agency should consider taking custody of any personally owned firearms for safekeeping, as well as the officer's

firearm ID (FID) card. Seek voluntarily surrender of personal weapons for safekeeping, until a determination is made that the officer no longer poses a safety risk to him/herself or others. If the officer refuses to voluntarily surrender his/her personal weapons, then the agency shall consider both initiating court action to authorize the seizure of the weapons for safekeeping and ordering the officer to surrender the personal weapons.

IX. REPORTING REQUIREMENTS

- a. Supervisors shall not require the involved officer(s) to complete a police report narrative describing the incident. Only the lead investigative team (UCPO or DCJ) can order such reports. Statements taken by the Union County Prosecutor's Office or the Division of Criminal Justice can suffice as the case narrative.
 - i. Assisting personnel are still required to complete a detailed report concerning their observations and actions.
 - ii. All involved officers or their place the on-duty supervisor are required to complete *Use of Force* reports.
 - iii. Other emergency service personnel (e.g., EMS, MICU, fire department) may be required to provide statements.
- b. Have investigative personnel diagram the scene(s).
- c. Have investigative personnel take photographs or electronically record the scene(s).
- d. Ordinarily, the Union County Prosecutor's Office or the Division Of Criminal Justice will not request that an officer involved in a deadly force incident that is subject to an investigation under Attorney General Guidelines be called upon to provide such a statement earlier than the expiration of two sleep cycles subsequent to the incident in question, but in some cases it will.
 - i. The requirement to wait for the expiration of two sleep cycles before a statement is given is applicable only to those officers that have actually discharged a weapon or used deadly force upon a person.
 - ii. This requirement shall not apply to officers that may have been involved in the incident, but who did not discharge their weapons or use lethal force upon the person.
 - iii. This requirement shall apply only to investigations concerning the use of force as expressly called for under *Attorney General Directive 2020-13* . It is not applicable to any other investigation of a law enforcement officer under circumstances not set forth in this general order.

- e. The involved officer(s) shall cooperate fully and to any extent requested by the Union County Prosecutor's Office or any other law enforcement agency as relates to its investigation.
 - i. This shall include, but will not be limited to responding to questions and inquiries, which will permit the Union County Prosecutor's Office or Division of Criminal Justice to establish probable cause to search or arrest, the providing of the officer's firearm, uniform and/or clothing and any other evidence requested by the Union County Prosecutor's Office or the Division of Criminal Justice.
 - ii. This applies strictly and exclusively to the providing of a formal statement and shall in no way apply to the providing of information generally, including the providing of evidence to the Union County Prosecutor's Office or lead investigative agency, which shall not be impeded nor altered in any way by this general order.
- f. Prior to speaking with the lead investigative team, the officer involved in the police shooting and/or use of deadly force shall not confer with or speak with any other officers, witnesses or persons concerning the incident in question, except for his or her attorney, which they are free to retain at their own choosing.
- g. To ensure the utmost public confidence in the manner in which an investigation proceeds requires that the subject officer not confer with or speak with other persons involved in the investigation, and not confer with any individuals under any circumstances and wherein the conversation relates to the incident in question.
 - i. In the event that normal law enforcement operations require that the officer confer with individuals that may have been involved in the shooting, the shooting response team shall make a record of such conversation. The record must indicate the time and date when such conversation took place, as well as the nature of the conversation.
 - ii. This record shall automatically be provided to the Union County Prosecutor's Office or Division of Criminal Justice. It is the responsibility of the subject officer, members of this department, as well as other individuals and officers conferring with the subject officer to strictly comply with the provisions of this general order.

X. CRITICAL INCIDENT STRESS MANAGEMENT:

a. For purposes of this section, the following terms are defined:

- i. Blue Heart Law Enforcement Assistance Program ensures that officers wounded or involved in traumatic incidents receive counseling, care and support. BHLEAP is operated by Cop-2-Cop.
- ii. Cop-2-Cop is a crisis intervention hotline operating 24/7 staffed by volunteer retired law enforcement officers and mental health professionals. Cop-2-Cop operates under the auspices of UMDNJ and provides clinical assessment for officers and their families and has considerable expertise in suicide response.
- iii. Critical incident is any event that has a stressful impact sufficient to overwhelm the usually effective coping skills of either an individual or group.
- iv. Defusing is a peer driven group process integrating crisis intervention strategies. Defusing is a shortened version of a debriefing and takes place immediately or relatively soon after a critical incident.
- v. Debriefing is a structured, peer driven, and clinician monitored group discussion of a critical incident that integrates crisis intervention strategies with educational techniques for coping with stress.
- vi. External support is a chaplain or physician who is not a licensed mental health professional, but who provides mental health intervention services to agency personnel.
- vii. New Jersey Crisis Intervention Response Network (CIRN) is a statewide system that delivers multi-component crisis intervention services for all first responders. A team is deployed by a call from a first responder, supervisor, or department and consists of a peer and mental health professional (1-866-657-2473).
- viii. New Jersey Critical Incident Stress Management Team (NJCISM) is a statewide system that delivers peer support to any member of emergency services. A deployed team consists of a peer counselor and a mental health provider when the situation dictates (1-609-685-3833).
- ix. Peer support personnel are licensed or non-licensed volunteer members of the New Jersey Critical Incident Stress Team.
- x. Post-traumatic stress disorder (PTSD) is an anxiety disorder that can result from exposure to short term severe stress, or the long-term build-up of repetitive and prolonged milder stress.

b. Critical Incident Stress Management (*refer to the Cranford Police Department Critical Incident Stress Management SOP for specific deployment details*).

- i. NJCISM and CIRN are available to any emergency service agency that requires them to deal with critical incidents that include, but are not limited to shootings, fatal crashes, fires, and loss of life, both civilian and co-workers.
- ii. NJCISM and CIRN provide services to assist employees who may be having difficulty in coping with what they have experienced at highly traumatic events and to provide support and education about critical incident stress.
- iii. NJCISM and CIRN Teams are available 24 hours a day, 7 days a week.
- iv. The symptoms of a stressful reaction to a traumatic event may be acute, occurring at or shortly after an incident, or delayed, occurring hours, days, or weeks after the event.
- v. Physical symptoms may include, but are not limited to:
 - 1. Nausea;
 - 2. Vomiting;
 - 3. Dizziness;
 - 4. Weakness;
 - 5. Fainting;
 - 6. Headaches;
 - 7. Visual difficulties;
 - 8. Hearing problems;
 - 9. Tremors;
 - 10. Twitches;
 - 11. Profuse sweating
 - 12. Chills;
 - 13. Thirst;
 - 14. Rapid heart rate;
 - 15. Increased blood pressure;
 - 16. Chest pains; (chest pains, difficulty breathing and/or shock should never be simply treated as related to critical incident stress. Prompt medical attention should be sought.
- vi. Cognitive symptoms may include, but are not limited to:
 - 1. Confusion;
 - 2. Poor attention span;
 - 3. Poor concentration;
 - 4. Inability to remember;
 - 5. Disorientation;
 - 6. Time/space problems;
 - 7. Heightened/lowered alertness;
 - 8. Intrusive images;
 - 9. Nightmares/flashbacks;
 - 10. Disturbed thinking.
- vii. Behavioral symptoms may include, but are not limited to:

1. Personality changes;
2. Withdrawal;
3. Activity changes;
4. Appetite increase/loss;
5. Increased startled reflex;
6. Hyper alertness;
7. Suspiciousness;
8. Substance abuse;
9. Family problems;
10. Job problems;
11. Erratic behavior;
12. Mood swings;
13. Communication changes;
14. Emotional outbursts.

- c. NJCISM and/or CIRN may be called in any of the following scenarios:
 - i. The death of or serious injury to a police employee in the line of duty;
 - ii. Any incident involving a fatality because of an officer's actions, including but not limited to a motor vehicle crash, or officer involved shooting;
 - iii. A mass casualty incident;
 - iv. The sudden death of a child;
 - v. The death of a victim after prolonged rescue efforts;
 - vi. The death of a victim who resembles a loved one;
 - vii. An extreme high-risk event;
 - viii. A high visibility event that draws considerable media or public attention;
 - ix. Any other event that occurs that produces significant and unusual stressors and the involved employee(s) display(s) symptoms of critical incident stress, either at the scene or at a later time.
- d. Physical, cognitive and emotional problems that may occur are normal reactions to critical incident stress and can affect any employee no matter how much time they have on the job or what they may have experienced in the past.
- e. The purpose of having the NJCISM or CIRN teams involved in or at any incident will have nothing to do with affixing responsibility or blame upon an employee.
- f. All matters discussed with involved employees will be kept strictly confidential. No notes or other records will be made of any defusing or debriefing and no reports or communications will be made. No discussions will be conducted between this or any other agency regarding the incident.

- g.** The only time that confidentiality will be breached is when an involved employee expresses tendencies to injure themselves or others.
- h.** Although the procedures set forth in this section deal with the recommended response to an on-duty shooting incident, these tenets can be applied to just about any critical incident scenario. These guidelines are not intended to be a rigid protocol. Common sense and good judgment will dictate the application of these guidelines in a flexible manner that is appropriate to the situation.
- i.** The objective of these guidelines is to provide information on how to constructively support officer(s) involved in a critical incident and diminish emotional trauma. Extensive field experience has shown that following these guidelines reduces the probability of long-lasting emotional problems resulting from a critical event.
- j.** Although police officers involved in a shooting will normally be sequestered, those who have wounded or killed someone should have someone remain with them until the Union County Prosecutor's Office or Division of Criminal Justice can conduct interviews. The Chief of Police or his/her designee should assign a "Resiliency Officer" trained in critical incident stress management for this task, if available. A resiliency trained member from another law enforcement jurisdiction may also be used. The resiliency trained person shall provide aid and assistance as needed, but shall avoid discussion of the facts of the incident with personnel involved in the incident.
- k.** The COP-2-COP Intervention Hotline (1-866-COP-2COP) is a free, confidential, 24-hour hotline available for all public safety employees and their family members. The Hotline is designed to assist employees and family members who may be experiencing depression, anxiety, or any type of stress. The hotline provides confidential help and referrals to their clients. Reason to call include, but are not limited to:

 - i.** Depression;
 - ii.** Work stress;
 - iii.** Anxiety;
 - iv.** Marital issues;
 - v.** Substance abuse;
 - vi.** Legal issues;
 - vii.** Family problems;
 - viii.** Loss/grief;
 - ix.** Violent/aggressive behavior;
 - x.** Medical problems.

- I. The COP-2-COP Intervention Hotline is not only a 24-hour hotline. It also offers other services for employees and their families.
 - i. **PEER SUPPORT** - A peer support group is available 24 hours, 7 days a week. The staff consists of full-time employees and volunteers who are trained and/or experienced in the public safety field.
 - ii. **CLINICAL ASSESSMENTS** - The program has developed an extensive assessment program that enables the staff to successfully determine the correct procedure for initial callers. The hotline has adapted a responsive callback program, which provides a ten-day follow up call after the initial contact.
 - iii. **STRESS MANAGEMENT** - The Stress Management Program is a workshop offered by the clinicians to requesting agencies. The program can run anywhere from one to three hours long and is offered mainly as an educational program that enables management to be able to identify signs of stress and warnings of suicide. The clinicians from the program developed the curriculum in accordance with the ICISF (International Critical Incident Stress Foundation) general guidelines.
 - iv. **REFERRALS** - To assure that all persons receive appropriate assistance beyond the abilities of the staff, the program has comprised a list of over 110 network clinical providers throughout New Jersey. Additionally, there are twelve out-of-state providers, administrative/legal services and practitioners. Seven of those providers also offer inpatient treatment programs if necessary
- m. Counseling may be mandatory when an employee's job performance is adversely affected due to personal problems. Employees are responsible for their job performance, and in certain circumstances, the department may require an employee to participate in counseling as a condition of employment resulting from disciplinary action.
- n. Communications between employees, supervisors, the Chief of Police, and counselors or professional agencies as a result of this general order are to be kept strictly confidential, except to the degree necessary to protect the safety of the employee and/or others, or to protect the security of department property. Any information concerning a medical or other condition, which is covered under the *Americans with Disabilities Act of 1990*, shall be kept in a separate medical file in accordance with ADA guidelines.



State of New Jersey

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TAHESHA L. WAY
Lt. Governor

January 28, 2025

All New Jersey Law Enforcement Executives
via email only

Re: Responding to Press Inquiries Following Fatal Police Encounters

Dear Prosecutors, Chiefs, Sheriffs, and Directors:

The Attorney General recognizes the responsibility of law enforcement chief executives to address the public safety concerns of their communities. In the aftermath of a critical incident, the prompt dissemination of information often serves to calm the community and maintain trust in local law enforcement agencies. This can often be accomplished through the thoughtful use of press releases and social media messaging. The purpose of issuing a press release, social media message or pre-recorded statement by a law enforcement executive after a fatal police encounter or critical incident should be strictly limited to the following areas of focus:

- Assuring the public that there is no active or ongoing threat to the public at large;
- Informing the public of areas to avoid to facilitate law enforcement response or alleviate traffic congestion;
- Identifying the agency responsible for investigation of the incident.

The below press release template may be used by state, county and municipal law enforcement agencies involved in a fatal police encounter or death-in-custody that is being investigated by the Attorney General's Office of Public Integrity and Accountability ("OPIA"), in accordance with Attorney General's Law Enforcement Directive 2019-4 (<https://www.nj.gov/oag/dcj/agguide/directives/ag-Directive-2019-4.pdf>).



Law enforcement agencies must refrain from including any statements that may impact the investigation, including but not limited to, identifying any individuals involved in the incident, attributing culpability or lack thereof to any parties involved or expressing support for, condemnation of, or approval/disapproval of actions taken before, during, or after the incident.

Any agency seeking to provide additional information not contained in the template below must first confer with, and obtain approval from, the Attorney General's Communications Office.

Fatal Incident in [City/Borough/Township]

1. On [Date, at approximately time], in [City/Borough/Township], a police encounter occurred in the vicinity of [general location – not specific address] resulting in [#] individuals sustaining [life threatening / fatal] injuries.
2. [Optional: # members of [police department] were removed from the scene for medical treatment. Their injuries appear to be [life threatening / not life threatening] at this time].
3. [Optional: The involved officer(s) were not injured during this incident.]
4. As the safety and well-being of our community are our top priorities, please know there is no active or ongoing threat to the public.
5. [Optional: The scene of the incident has been secured by law enforcement.]
6. [Optional: Residents should avoid [location of road closures].
7. This incident is being investigated by the New Jersey Office of the Attorney General, and I cannot comment on the facts or circumstances of that investigation. The Office of the Attorney General will provide updates on the status of their investigation at an appropriate time.

The information contained below may be included in agency press releases or in response to press inquiries received at any law enforcement agency related to a fatal police encounter investigation:

The Attorney General's Office of Public Integrity and Accountability ("OPIA") is investigating the circumstances of this death. A 2019 statute, N.J.S.A. 52:17B-107(a)(2), requires that the Attorney General's Office conduct all investigations when a person's death occurs during an encounter with a law enforcement officer acting in the officer's official capacity or while the decedent is in custody. The results of all such investigations must be presented to a grand jury to determine if the evidence supports the return of an indictment against the involved officer or officers. The purpose of this law is for the public to have confidence that the investigation is done fully, fairly, impartially, and independently of any potential bias.



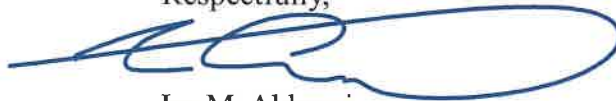
All media inquiries concerning this incident should be directed to the Attorney General's Communications Office at OAGPress@njoag.gov.

Further information on OPIA's processes for investigating fatal police encounters are below:

The Independent Prosecutor Directive is posted on the Attorney General's website and is available here: [Independent Prosecutor Directive](#)

OPIA's standard operating procedures for grand jury presentations of investigations involving fatal police encounters are also posted on the Attorney General's website, and are available here: [OPIA Grand Jury SOPs](#)

Respectfully,

A handwritten signature in blue ink, appearing to read 'Isa M. Abbassi', with a large, stylized loop at the end.

Isa M. Abbassi
Executive Director

CC: Matthew J. Platkin, Attorney General
Lyndsay V. Ruotolo, First Assistant Attorney General
Nicholas Kormann, Deputy First Assistant Attorney General
Drew Skinner, Executive Director of OPIA
Sharon Lauchaire, Communications Director

