

New Jersey Statutes Title 40A.

Municipalities and Counties 40A § 14-146.11

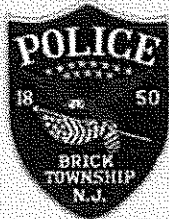
a. A person shall not commence the duties of a special law enforcement officer unless the person has successfully completed a training course approved by the commission and a special law enforcement officer shall not be issued a firearm unless the officer has successfully completed the basic firearms course approved by the commission for permanent, regularly appointed police and annual requalification examinations as required by subsection b. of section 7 of P.L.1985, c. 439 (C.40A:14-146.14). There shall be three classifications for special police officers. The commission shall prescribe by rule or regulation the training standards to be established for each classification. Training may be in a commission approved academy or in any other training program which the commission may determine appropriate. The classifications shall be based upon the duties to be performed by the special law enforcement officer as follows:

(1) Class One. Officers of this class shall be authorized to perform routine traffic detail, spectator control, and similar duties. If authorized by ordinance or resolution, as appropriate, Class One officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances, and violations of Title 39 of the Revised Statutes. The use of a firearm by an officer of this class shall be strictly prohibited and a Class One officer shall not be assigned any duties which may require the carrying or use of a firearm.

Article XX Special Law Enforcement Officers

§ 2-137. Performance of duties.

A special law enforcement officer shall be under the supervision and direction of the Chief of Police and shall perform his or her duties only in the Township unless in fresh pursuit of any person pursuant to Chapter 156 of Title 2A of the New Jersey statutes.

BRICK TOWNSHIP POLICE DEPARTMENT GENERAL ORDER			
VOLUME: 2	CHAPTER: 11	# OF PAGES: 7	
SUBJECT: SPECIAL LAW ENFORCEMENT OFFICERS			
BY THE ORDER OF: Chief James Riccio		ACCREDITATION STANDARDS: 2.6.1	
EFFECTIVE DATE: September 15, 2021		SUPERSEDES ORDER #: V2C11 (06/20/2011) (01/16/2017)	

PURPOSE The purpose of this general order is to maintain policy and procedures for a special law enforcement officer program to enhance the services provided to the public by the Brick Township Police Department

POLICY It is the policy of the Brick Township Police Department to maintain a special law enforcement officer program to supplement and not supplant the regular police department in accordance with the requirements of N.J.S.A. 40A: 14-146.8, et seq., and Township of Brick Municipal Code.

The Brick Township Police Department recognizes that the proper utilization of special law enforcement officers (SLEO) enhances the agency's ability to provide the community with the highest possible level of law enforcement services.

The Brick Township Police Department will utilize SLEO personnel in ways to help deliver more economical and effective police services.

PROCEDURES

I. GENERAL

- A. Special law enforcement officer (SLEO) means any person appointed pursuant to N.J.S.A. 40A: 14-146.8, et seq., to temporarily or intermittently perform duties similar to those performed regularly by members of a police force of a local unit, or to provide assistance to a police force during unusual or emergency circumstances.
 - 1. SLEO personnel are considered part-time employees and can be terminated for cause after adequate hearing, unless the appointment is for four months or less, in which event the appointment may be revoked without cause or hearing (N.J.S.A. 40A: 14-146.14).
 - 2. Under no circumstances do the contents of this general order intend to create a contract for any purpose of a guarantee of continued employment between the Township of Brick and SLEO personnel.
 - 3. SLEO personnel do not have the guaranteed procedural or personnel rights as described in township ordinances, the township employee manual, or this department's rules and regulations that may apply to other employees or members of the department.
 - 4. The number of SLEO I personnel shall not exceed 25.
- B. SLEO personnel shall be included in the agency's organizational chart and are subordinate to the division, bureau, or unit commander assigned.
- C. Township of Brick Code § 2-126 et seq. authorizes special law enforcement officers.
- D. Minimum qualifications for SLEO personnel:
 - 1. Must be legally permitted to work in the United States;
 - 2. Must be a resident of the State of New Jersey during the term of appointment;
 - 3. Must be at least 18 years of age;
 - 4. Must be able read, write and speak the English language well and intelligently and have a high school diploma or its equivalent;
 - 5. Must be sound in body and of good health and be able to perform the physical functions of the duties assigned;
 - 6. Must successfully pass a physical fitness test as determined by the Chief of Police;
 - 7. Must be of good moral character and shall not have been convicted of any crime or offense involving moral turpitude.

- E. No person shall be appointed to be a SLEO if he/she:
 - 1. Serves as a special law enforcement officer in another jurisdiction;
 - 2. Serves as a full-time, permanently appointed law enforcement officer in another jurisdiction;
 - 3. Serves as a public official with responsibility for setting law enforcement policy in this township;
 - 4. Serves as a public official exercising authority over the budget in this township;
 - 5. Serves as a public official exercising authority over the supervision of the police personnel in any jurisdiction
- F. Any person who at any time prior to appointment had served as a duly qualified, fully-trained, full-time officer in any municipality of this State and who was separated from that prior service in good standing, shall be eligible to serve as a SLEO. The PTC may waive the basic training requirements with regard to any such person eligible to be appointed as a SLEO.
- G. SLEO personnel may only be appointed to assist regular police officers and may not be employed, used, or deployed to replace or substitute for regular police officers of this department, or in any way diminish the number of full time officers employed.
- H. SLEO personnel in good faith carrying out, and complying with, or attempting to comply with rules and regulations made and promulgated or performing any authorized service shall have and possess all the rights, privileges and immunities conferred upon regular officers by the laws of this state.
- I. When on duty, SLEO personnel are covered by state and federal statutes for compensation insurance in case of death or personal injury.
- J. SLEO personnel are provided with public liability protection equal to that provided to regular police officers.

II. SELECTION PROCESS

- A. Prior to appointment, prospective SLEO personnel shall complete and return a comprehensive employment application.
 - 1. All applicants shall be fingerprinted and subjected to a background investigation, including, but not limited to:
 - a. Verification of qualifying credentials;
 - b. A review of any criminal or traffic record;
 - c. Verification of at least three personal references;
 - d. A check of the NJ Domestic Violence Registry;

- e. A check of the NJSP Central Drug Registry.
- 2. Applicants must successfully undergo the same psychological testing that is required of all full-time police officers or a testing process for SLEO approved by the Police Training Commission pursuant to N.J.S.A. 52:17B-70.
- 3. Must successfully pass a drug screening test pursuant to *New Jersey Attorney General's Law Enforcement Testing Policy* and *General Order V2C6 Drug Testing*.
- 4. Applicants must successfully pass a medical examination in accordance with PTC guidelines. Such medical examination must be documented on a *PTC Medical Certification Form* (PTC 8A).
- B. Appointments are made by the Mayor upon recommendation by the Chief of Police, who shall certify the eligibility and qualifications of all applicants, in writing, prior to appointment.
- C. Following appointment, the Chief of Police or his/her designee shall forward the following documents to the PTC. PTC forms are available at www.njptc.org:
 - 1. *Request for Waiver of Training Form* (Form PTC-15);
 - 2. Documentation confirming date of appointment (e.g., Resolution, signed letter from the appointing authority, or signed copy of personnel action form). Note: oaths of office are not acceptable.
 - 3. *Notice of New Appointment* (NONA) form;

III. TRAINING

- A. All SLEO personnel must successfully complete a PTC approved basic training course before commencing duties.
 - 1. The PTC may waive basic training consistent with subsection I.F and N.J.A.C. 13: 1-8.4.
 - 2. If the applicant is a retired law enforcement officer, the PTC may require him/her to complete portions of the basic training course (e.g., applicant has been separated from the police service in excess of 3 years and may need to retake use of force training, etc.).
- B. SLEO personnel are also required to attend other mandatory training made necessary by their assignment or duties. Those training topics required under the New Jersey Attorney General's mandatory in-service training requirements shall be provided; see *General Order V5C1 Training*. These topics include, but are not limited to:
 - 1. Unlawful harassment in the workplace.
 - 2. Right to know.
 - 3. Ethics.

4. Bloodborne pathogens.
5. First Aid / CPR / AED / Narcan administration.
6. Hazardous materials awareness.
7. Other topics mandated by the Chief of Police.
8. Use of force refresher (with the same frequency as regular officers).
9. Weapons proficiency (with the same frequency as regular officers).

IV. APPOINTMENT, TERMS, REGULATIONS, AND DUTIES

- A. SLEO I are authorized to perform routine traffic detail, spectator control and similar duties. SLEO I have the power to issue summonses for violations of municipal ordinances and violations of N.J.S.A. 39: 1-1 et seq.
 1. SLEO I are prohibited from carrying and using a firearm and no SLEO I shall be assigned any duties that may require the carrying or use of a firearm.
 2. SLEO I personnel shall not be primary response personnel, except for duties authorized by Township of Brick Municipal Code § 2-126 et seq.
 3. SLEO I are authorized to carry the following mechanical force weapons while on duty only after demonstrating proficiency in the use of these weapons with the same frequency as regular police officers:
 - a. Monadnock expandable baton;
 - b. Oleoresin capicum aerosol.
 4. SLEO I are authorized to utilize handcuffs and other restraining devices consistent with this department's directives and only after demonstrating proficiency in the use of these devices.
 5. SLEO I duties include, but are not limited to:
 - a. Traffic direction and control;
 - b. Parking enforcement;
 - c. Booking room duties;
 - d. Court security;
 - e. Spectator control at special events;
 - f. Crowd control;
 - g. General clerical duties as directed by the Chief of Police or his/her designee.

- B. SLEO personnel must be appointed by the Township Council for a term not to exceed one year.
- C. Reappointment is not guaranteed at the expiration of the one-year term.
- D. Prior to annual reappointment, SLEO personnel shall undergo a supplemental criminal history check to ensure a non-disqualifying criminal record.
- E. SLEO personnel are not members of the regular police force and their powers and duties shall cease at the expiration of the term for which appointed.
- F. SLEO personnel shall not perform any duties other than authorized by the Chief of Police.
- G. SLEO personnel shall not leave any assigned detail/assignment without notification to and permission from the Chief of Police or his/her designee.
- H. Regular police officers shall not abdicate their authority and responsibilities to a SLEO. When a regular police officer is present, the regular officer is responsible for any decisions made and/or actions taken.
- I. SLEO personnel shall be deemed on duty only when they are performing the public safety functions on behalf of the Township of Brick and/or when receiving compensation as established by township ordinance or resolution.
- J. SLEO personnel are subject to all rules, regulations, policies, procedures, and general orders of this department.
- K. SLEO personnel are prohibited from using their identification card, badge, or affiliation with the Brick Township Police Department for any financial gain, advantage, or other unethical purpose.
- L. The watch commander is responsible for inspecting all SLEO personnel to verify fitness for duty prior to the start of any SLEO detail.

V. UNIFORMS AND EQUIPMENT

- A. At all times when carrying out a law enforcement function, SLEO personnel will be attired in the uniform that corresponds to their assignment and in possession of required equipment. No uniform item will be worn, or equipment carried, which has not been approved by the Chief of Police.
- B. The SLEO uniform shall prominently display a patch that clearly indicates the status as a SLEO I.
- C. Badges shall clearly distinguish SLEO personnel from regular police officers.
- D. SLEO personnel are only permitted to carry their department-issued equipment (e.g., mechanical force weapons, handcuffs, etc.) when on duty.

VI. DOCUMENTATION

- A. SLEO personnel shall complete all reports and forms required by their assignment prior to reporting off duty.
- B. SLEO personnel shall be issued a badge number, which shall be used on all documentation.

VII. SUPPLEMENTAL

- A. SLEO personnel shall not be permitted to work in excess of statutory limits except in a declared state of emergency requiring their presence.
- B. SLEO III personnel can work without limitation on their hours.
- C. SLEO personnel as subject to the same drug screening procedures established for regular police officers; see *General Order V2C6 Drug Testing*.
- D. SLEO personnel are responsible for all uniform traffic tickets and summonses issued and are required to follow all orders and directives issued by the appropriate courts, including court appearances, both municipal court and superior court.
- E. SLEO personnel shall be permitted to access the DMS program to read and sign for all rules, regulations, policies, procedures, general orders, or directives issued by the Chief of Police or his/her designee and to partake of any training or testing programs mandated or offered by the Chief of Police or designee. The DMS system administrator shall be promptly notified of any SLEO personnel who are not reappointed or otherwise terminated so that access can be adjusted.
- F. SLEO personnel shall receive annual performance evaluations in accordance with this department's general order on performance evaluations.
 - 1. These evaluations shall be completed by the officer's immediate supervisor with input from other supervisors and completed to the fullest extent.
 - 2. The completed performance evaluations will be used as a reference when determining reemployment and during future background investigations by other law enforcement agencies.
- G. SLEO personnel shall be paid at a rate established by township ordinance. Training shall be scheduled in lieu of normal work assignment hours so as not exceed the maximum weekly work hours established by ordinance. Note: required DMS training, testing, and review of any general order as required by the Chief of Police is considered a condition of continued employment and is not subject to reimbursement or remuneration except where authorized by the Chief of Police.