Mahwah Police Department – Policies and Procedures	Number 080:40:05
Subject **Career Development**	
Issue Date 02142001	Effective Date 10012007
Revisions a. 02142006, b. 10012007, c. Reviewed 12/2011 SgtRC, d. Reviewed 2/2015 LtJD, e. Reviewed 06/2018 D.Lt.GB	
Page 1 of 4.	Accreditation Number 33.8.1-.3

I. BACKGROUND

Employees of the Police Department are our most valuable asset. On their performance the welfare of the Department and community depend. We must increase the prestige and level of performance of our Officers and encourage them to continue their law enforcement careers. The career development process must stress actual job performance combined with professional growth and development. In addition, as Officers are promoted, the skills necessary to perform at a given level change to require supervisory, management and administrative skills and knowledge. The Department will utilize specialized training to develop these skills and increase officer knowledge.

II. POLICY

It is the policy of this Department that Career Development and the availability of Higher Education be governed in the following manner.

III. ACTION

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A. CAREER DEVELOPMENT PRACTICES AND PROCEDURES

1. The primary objective of the career development program is to encourage the improvement of personal skills, knowledge, and abilities of all personnel in order to successfully meet Department tasks.
2. Participation in the career development program is voluntary.
3. All sworn personnel shall have equal access to training and development opportunities.
4. The aim of career development is to highlight specific opportunities for individual growth at all levels and to improve overall job satisfaction and performance. The career development program furthers professional growth and capabilities of Officers in both their present and future roles within the Department.
5. The principal components of the career development program are:
    a. Career counseling in conjunction with the performance evaluation system.
    b. In-service training including mandated as well as enhanced skill, knowledge, abilities training in law enforcement skill areas.
6. The Training Section of the Department will have the responsibility of annually evaluating the career development plan and to recommend such plan revisions as may be required.

7. The Training Section will have authority and responsibility for the overall administration of the career development program and will coordinate all activities in reviewing and recommending revisions to the plan.

B. **CAREER DEVELOPMENT PROGRAM OBJECTIVES**

1. Provide opportunity for all Officers to develop their careers. Based on equal employment opportunity and affirmative action objectives, special training and development opportunities for minority personnel will be provided on an as need basis.
2. Provide opportunity for each employee to acquire one new law enforcement skill annually, when feasible.
3. Ensure that all employees complete mandated in-service training in a timely manner, preferably through utilization of training opportunities that will enhance career growth.
4. Provide career developmental counseling and guidance to each Officer annually in conjunction with the performance evaluation process.
5. Provide employees who possess certification in a particular skill area, e.g., radar operator/instructor, etc., with opportunities to renew their certification and/or increase their skills.
6. Provide employees who possess law enforcement skill with opportunities to continue their growth and improve their skills in that area.
7. Utilize as required, the counseling services of other agencies in individual career development including such agencies as:
    a. Area Police Academies;
    b. Mahwah Police Department will provide personal counseling on an as need basis;
    c. Colleges: area colleges provide counseling for employees interested in higher education;
    d. In-house: various supervisors and officers offer counseling in specialized areas of expertise.

C. **CAREER COUNSELING**

1. Career counseling is a vital component of the career development program. Additionally, counseling is an integral part of employee performance evaluation, the supervisory process in dealing with positive discipline, and the process of setting and achieving both Departmental and individual goals and objectives.
2. Supervisors in annual counseling (performance evaluation) sessions should identify individual employee strengths and weaknesses and assist the employee in developing a plan of self-improvement and setting a timetable for performing key activities, and then, ensuring Departmental support as required and evaluating employee attainment as part of the rating process. The performance evaluation form will be used as a checklist for this process with comment being made as the attainment of mutually agreed upon objectives, on the evaluation form for the individual.
3. Individual Officers are responsible for self-analysis and identification of skill areas or other developmental goals they would like or need to fulfill. Officers should counsel freely with their supervisor and may at any time identify career needs in written memos sent through channels to the Training Section or to the Chief of Police.

D. **DEVELOPMENTAL TRAINING**

1. All Officers are required to complete state mandated in-service training each year. This includes training conducted by an outside agency or training conducted by Department personnel.

2. Skill areas training which assists in developing career specialties and enhancing the overall potential of the employee for upward mobility is an essential part of the career development process. The nature of the job demands placed upon Police Officers requires that they be generalists and able to deal with a wide range of duties. However, each Officer should develop new areas of interest and specialization and, in turn, be able to share these with other Officers not possessing these particular skills.
4. New Supervisors will be provided specialized training in supervision, management, and specialized functional areas depending on assignments.
5. The Training Section Officer will maintain on file written records of all proficiency, career specialty and skill areas in training of personnel.
6. Temporary assignments are part of the developmental process. Temporary assignments are made by the Chief of Police in order to accomplish specific short-term projects.
7. Educational leave for extended periods of time, i.e., FBI National Academy, shall be authorized by the Chief of Police.
8. It is the policy of the Mahwah Police Department to afford every sworn member of the Department a college education if he/she desires. The educational program was designed to give the Officers an incentive for attending college, which in the long run, upgrades the educational level of the Department. The goal of this program is to encourage involved members to achieve a minimum of a bachelor's degree from an accredited college/university. Said incentives include:

a. Tuition reimbursement as per contractual agreement.

b. Officers obtaining a college degree shall be presented with a Departmental Educational Award.

E. **POLICE OFFICER BASIC PERFORMANCE SKILL/ABILITIES**

1. Raters will evaluate each Officer using the current performance evaluation form.
2. If an Officer goes into a new assignment during an evaluation period, he will receive a joint performance evaluation for both his old and new supervisor through a combined effort. Similarly, if a supervisor is changed during an evaluation period, performance evaluations will be done through a joint effort of both the old and new supervisor.

F. **CAREER SKILL DEVELOPMENT**

All positions in the Department call for specialized training and the development of skills. Police Officers at all levels should build specialty skill areas as part of their individual career development. Commanders/supervisors and Training Officers will recommend officers for training course attendance, subject to officer availability/manpower.

1. Specialized training provided to personnel includes the following:

a. Development and/or enhancement of the skills, knowledge, and abilities particular to the specialized training.

b. Management, administration, supervision, personnel policies, and support services of the function component.

c. Performance standards of the function or component.

d. Departmental policies, directives, procedures, and rules and regulations specifically related to the function or component.

e. Supervised on-the-job training.

2. Where personnel are assigned to a specialized component (i.e., any division, such as Detective Bureau, for which skills are required in addition to knowledge and abilities gained in basic or other in-service training), training will be initiated at the first available

opportunity. In -house training will serve as a temporary stopgap until formalized training becomes available. In all cases, orientation training will take place immediately upon assignment to the specialized position.

3. Each Commander/supervisor should attempt to create a number of skill specialists on each Tour, who are not only available to perform in these specialized skill areas, but who can teach these skills to other members of the tour. Subsequent opportunities for advanced skills development should be sought for officers having achieved a basic skill performance level. Subsequent opportunities for additional related training should be provided to both refresh and expand the skills area.

Mahwah Police Department – Policies and Procedures	Number 090:05:05
Subject **Performance Evaluation**	
Issue Date 11042002	Effective Date 11042002
Revisions: a. 12292009 Chief JB, b. 11242011SgtRC, c. 03022015LtHH, d Reviewed 06/2018 D.Lt.GB	
Page 1 of 5.	Accreditation Number 35.1.1-.8

I. BACKGROUND

Performance evaluation is an essential and integral part of the Township's personnel management program. The formal performance evaluation system is designed to:

1. evaluate employees objectively based on job related and behaviorally anchored criteria.
2. allow supervisors and employees to discuss goals and approaches to accomplishing goals.
3. counsel employees on work standards and expected levels of job performance.
4. recognize and encourage outstanding job performance.
5. identify and lead to correction of work deficiencies.
6. support personnel actions, such as, promotions and demotions, transfers and reemployment, disciplinary actions including suspensions and dismissals.

II. POLICY

It is the policy of this Department that all members, both sworn and civilian be familiar with the performance evaluation system.

III. ACTION

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A. **DEFINITIONS**

The Mahwah Police Department's performance evaluation procedure includes:

1. Detailed instruction concerning measurement definitions and categories for appraising performance.
2. Procedures for the use of the form.
3. Responsibilities of the rater, including:
   a. Reading of the performance evaluation guide provided with the performance evaluation form.
   b. Ensuring that subordinates are available for counseling and signature of the form.
   c. Evaluation of each subordinate according to the same fair and impartial standards.
   d. Proper execution of the performance appraisal form and signing his/her name in the designated space.
4. The Chief of Police is responsible for the administration of the performance appraisal procedure, including the training of raters. This training is accomplished at regularly scheduled staff meetings.

B. **ANNUAL EVALUATION**

Annual performance reviews are conducted for all full time employees, both sworn and civilian with submittal of completed evaluations to the Chief of Police not later than April 30. In addition, supervisors may submit special evaluations at any time to recognize outstanding performance or unsatisfactory performance without waiting for the annual review cycle.

Supervisors should not wait until a performance rating is due to recommend the separation or demotion of an unsatisfactory probationary employee who does not respond to counseling and additional instruction. The supervisor should initiate corrective action as soon as it is concluded that the employee will not be able to meet the requirements of the position.

C. **EVALUATION OF NEW HIRE EMPLOYEES**

1. Sworn Officers:
   Probationary sworn officers will be rated in accordance with the Field Training Officer program guidelines (see SOP **080:20:15** Field Training Program) for the duration of the FTO program. At the conclusion of the FTO program the probationary officer will be evaluated quarterly by his or her immediate squad supervisor. This will continue until the end of the officer's probationary period. At the conclusion of the probationary period the squad supervisor will be submit a final evaluation of the employee to be forwarded to the Patrol Division Commander.
2. Non-Sworn Employees:
   All civilian non-sworn employees will be evaluated quarterly by his or her immediate supervisor for the duration of their probationary person. At the conclusion of the probationary period the supervisor will submit a final evaluation of the employee to be forwarded to the Patrol Division Commander.

D. **EVALUATION CRITERIA**

Performance evaluations measurement definitions are specific to the assignment of the employee during the rating period.

E. **EVALUATION COMPONENTS**

Performance evaluations will be documented on performance appraisal forms and cover a specific period. The actual dates covered by the evaluation are shown on the face of the form. Performance of the employee prior to or following the rating period should be excluded from the rating for that period.

F. **UNSATISFACTORY PERFORMANCE**

Any employee whose performance is deemed to be unsatisfactory will be so counseled in writing by their supervisor at least 90 days before the end of the annual rating period. The supervisor should be prepared to substantiate ratings at the unsatisfactory level, to advise the employee of unsatisfactory performance and to define actions that should be taken to improve performance. If unsatisfactory performance continues, this information should be included in the evaluation report at the end of the 90-day period.

G. **EXPLANATORY COMMENTS**

Raters are urged to include specific, concrete examples that illustrate the employee's performance and recommendations for improvement in the comments section on all performance reports. Vague, general comments that repeat the rating dimension and description are not acceptable.

Substantiating comments are **required for each dimension** that is rated as (A) Distinguished Performance, (B) Exceeds Expectation, (C) Meets Expectation, (D) Below Expectation, (1) Needs Improvement or (N/A) Not Applicable.

H. **SUPERVISORY RESPONSIBILITY**

The Chief of Police will designate the individuals who shall serve as Rater and Reviewer for the employees in various units of the department.

An employee's Rater normally will be his/her immediate supervisor. The Rater's responsibility is to prepare the tentative rating as accurately and objectively as possible.

The Rater's supervisor normally will serve as Reviewer. The Reviewer's responsibility is to review ratings for consistency of standards and cooperation with the intent of the rating program.

Any disagreement between a Rater and Reviewer will be resolved by a discussion between the two. If changes are agreed upon, a new evaluation report will be prepared. In rare cases where agreement cannot be reached, the Reviewer's supervisor will be consulted. The Reviewer does not have the authority to make unilateral changes on an evaluation report without expressed approval of the Reviewer's supervisor.

The Chief of Police will maintain a general review of ratings to encourage uniform standards throughout the department.

I. **EMPLOYEE CONSULTATION**

At the conclusion of the rating period an interview will be conducted between the employee and the Rater. This should be viewed as a two way training session whereby both parties are permitted to express themselves and explain reasons for past performance. The interview will also include counseling for improvement of future performance to include:

1. results of the performance evaluation just completed;
2. level of performance expected, rating criteria or goals for the new reporting period;

3. career counseling relative to such topics as appropriate for the employee's position.

One of the most vital parts of the rating program is the discussion of the performance report between the employee and the Rater. A brief, effective discussion can encourage an employee to greater effort and clear up misunderstandings.

Should a Rater give an employee their rating without talking it over with them, the employee may easily misconstrue its contents. The employee may conclude (at times correctly) that the supervisor has little interest in them as a person. The same negative results can occur where a hasty, superficial discussion takes place.

Raters should have definite purposes in mind when planning and conducting a rating discussion. Some of the more important purposes are:

1. to let the employee know how well they have met job requirements during the period.
2. to give them credit and praise for special effort and above average results.
3. to discuss specific ways of upgrading less than "Outstanding" performance.
4. to eliminate hidden misunderstandings.
5. to discuss ways of helping an employee who is interested in advancement to prepare for higher responsibilities.
6. to give special help to probationary employees.

The suggestions below make for more productive discussions of performance reports.

1. Try to pick a time when the cooperative feeling is strong, and hold the talk in private
2. Spend two or three minutes to prepare in advance for the talk. Jot down the special points you wish to cover. Review appropriate records and notes.
3. Try to put the employee at ease. Strive for an informal, positive atmosphere. Start with favorable performance factors wherever appropriate.
4. Point out that the rating forms are treated as confidential matter. Stress that an important purpose of the program is to help the employee further their career with the Department.
5. Use a factual approach. Talk about the employee's performance, not the employee. Do not permit yourself to be drawn into an argument. Avoid a negative approach which consists entirely of criticism and fault finding.
6. Emphasize the specific steps the employee should take to improve work or conduct. Ask for their suggestions as to what they can do.
7. Give the employee a chance to ask questions and express feelings about their job situation. It is not necessary to comment on everything the employee may bring up. Listen carefully to what they have to say.
8. Conclude the discussion by summarizing the important points of agreement and the specific steps that are to be taken to improve performance. End on a positive, encouraging note.

J. EMPLOYEE COMMENTS AND SIGNATURE

The employee will review the performance appraisal form in the presence of the Rater and at that time question any items not understood.

The employee is required to sign the performance evaluation form. This signature is not an indication of agreement with the Raters evaluation, but merely indicates that the employee has seen and reviewed the performance appraisal form. If the employee refuses to sign, this should be noted on the signature line.

If the employee does not agree with the evaluation he/she has the right to write and attach comments, if desired.

K. **EMPLOYEE COPY**
Distribution of the completed performance evaluation is as follows:

1. Original to employee's personnel file.
2. Copy to the employee.
3. Copy to Rater/Reviewer (Office) file.

L. **APPEAL PROCESS**
Since an employee's performance report may influence many vital personnel decisions affecting the employee, it is important that he/she have the right to an impartial appear if requested. However, only dimensional ratings of "Unsatisfactory" are subject to appeal.

In view of the nature of performance rating appeals, the special procedure below had been established. Accordingly, appeals of performance reports will not be subject to review as grievances.

Upon the written request of a permanent employee within ten (10) days after receipt of an evaluation report, the Chief of Police will appoint a three man review committee of supervisors who are not a part to the performance report under appeal. The committee will conduct an informal hearing and make a written report and recommendation to the Chief of Police.

The Chief of Police will review the report and present a decision to the employee in writing within 15 days of the appeal request.

M. **RETENTION**
Performance evaluation reports will be filed permanently in the employee's departmental personnel file.

N. **RATER EVALUATION**
Each vertical level of supervision, to include the Chief of Police, will evaluate, review and sign each performance appraisal form. Raters will be evaluated regarding the fairness and impartiality of the ratings given, their participation in counseling rated employees and their ability to carry out the Rater's role in the performance evaluation system. The supervisors will ensure that the Raters apply rating uniformly.

Mahwah Police Department – Policies and Procedures		Number 095:10:31
Subject Amber Alert Plan—Abducted Children		
Issue Date 09062002	Effective Date 09062002	
Revisions: a. 12302011 LtJD, b. 03022015 LtGB, c. Reviewed 07/2018 D.Lt.GB		
Page 1 of 2.	Accreditation Number 41.2.6.1(n/a)	

I. BACKGROUND

To insure the proper handling of abducted children investigations, the New Jersey State Police have instituted specific guidelines and procedures that have been set forth to guide local, county, and state authorities.

II. POLICY

It is the policy of this Department that all members adhere to the following guidelines and procedures.

III. ACTION

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A. AMBER ALERT PLAN

The amber alert plan is a voluntary, cooperative program between the law enforcement community and the broadcast media to send an emergency alert, called "Amber Alert", to the public when a child has been abducted and it is believed that the child's life is in grave danger.

The purpose of the amber alert plan is not to override existing systems, but rather to supplement those systems already in place. It is requested that all law enforcement agencies participate in this plan and utilize the following protocols.

Activation Protocol

Amber alerts are intended for serious cases of child abduction, where the child's life is in imminent danger of serious bodily harm or death. Amber alerts are not intended for all missing child incidents, runaways, or child custody situations. All law enforcement must work together to ensure amber alerts are not abused. Abuse will lead to lack of confidence by law enforcement and the public.

1. The child must be under the age of 18.
2. The child must be in danger of serious bodily harm or death.
3. There must have been a short enough delay between the time the child was last seen and the time the child was reported missing to believe an amber alert will help locate the child.
4. There must be enough descriptive information to believe an amber alert will help locate the child.

B. ACTIVATION PROCEDURES

When a law enforcement authority believes that an abducted child may fit the criteria for activating an amber alert, they will immediately gather all relevant information, and forward same to the New Jersey State Police Operational Dispatch Unit via telephone (609-882-2000 ext. 6311) or NJSP ROIC at 609-963-6900. The investigating agency shall immediately enter the abducted child into NCIC and send a NJLETS message File 08. The File 08 message should include a request to activate the amber alert under the PF-3 text entry code.

> *****Effective 8/19/2002, entering the words "amber alert" in the PF-3 text entry field will cause the missing person File 08 message to stop and alarm at the NJ CJIS control point (NJSP Operational Dispatch Unit-Central). Care should be taken that only messages where an agency is requesting an amber alert activation contain this verbiage. *****

Upon verification by the New Jersey State Police, the NJLETS message detailing the information will be re-broadcasted immediately to all receivers. Simultaneously, an emergency alert message will be sent via television and radio. A National Attack Warning Alert System (NAWAS) and SPEN broadcast will be sent to alert law enforcement as to the amber alert and NJLETS message. A New Jersey State Police Missing Persons Unit detective will respond to offer any assistance as needed.

All NAWAS and SPEN receivers shall immediately make appropriate notifications.

C. DEACTIVATION PROCEDURES

Upon locating the abducted child, the reporting authority will immediately contact the New Jersey State Police Operational Dispatch Unit advising them of the cancellation. This will be accomplished through the NJLETS system, as well as a telephone call to the Operational Dispatch Unit (609-882-2000 ext. 6311). The Operational Dispatch Unit will immediately cancel the alert, utilizing the same method previously used to send the alert. In addition, an NJLETS message will be sent, and the Missing Persons Unit will also be notified.

Mahwah Police Department – Policies and Procedures		Number 095:10:35
Subject **Missing or Unidentified Children**		
Issue Date 11012005	Effective Date 11012005	
Revisions a. 10272008, b. 01052012 Sgt Harry Hunt c. 03/02/2015 Lieutenant Bussinelli 2/02/16 Chief James Batelli		
Page 1 of 2.	Accreditation Number 41.2.7	

I. BACKGROUND

The National Child Search Assistance Act of 1990 mandates law enforcement's immediate response to reports of missing children and the prompt entry of descriptive information in the NCIC missing persons file.

II. POLICY

It is the policy of this department to thoroughly investigate all reports of missing runaway, or unidentified children. In addition, this agency holds that every child reported in any missing status will be considered at risk until significant information to the contrary is confirmed. The term missing child will include all persons who are younger than 18 years of age and whose whereabouts are unknown to his or her parent, guardian or responsible person.

III. ACTION

A. INITIAL CONTACT WITH THIS AGENCY

Upon contact with the reporting person of a missing child the Tele-communicator will be responsible for the following:

1. Dispatching an officer to the scene of the report and ensuring that the supervisor is notified of the incident. The handling of missing children over the telephone is not permissible due to accurate assessments of risk to the child cannot be made. NOTE: The National Child Search Assistance Act of 1990 mandate law enforcement's immediate response to reports of missing children, and prompt entry of descriptive information into the NCIC file.

2. Transmitting appropriate radio alerts and notifications to surrounding agencies via SPEN and the Bergen County Alert Radio (critical information for this initial broadcast would include the child's name, age, height, weight, hair and eye color, clothing, location of last contact, possible destination and, if applicable, a description of the possible abductor and vehicle used).

3. Searching of agency records for previous incidents or related information.

B. IMMEDIATE INVESTIGATION

The first officer assigned to the report of a missing child will be responsible for the following:

1. Obtaining a description of the missing child including a recent photograph(s) and/or videotape(s) utilizing the NCIC missing persons form as well as any item(s) that contains the missing child's DNA. Additional descriptive information should be provided to the communications center for broadcast updates.

2. Verifying that the child is actually missing by searching the house or place of reporting, or last known location.

3. Identifying the circumstances of the disappearance including when, where and by whom the missing child was last seen.

4. Interviewing individuals who last had contact with the missing child

5. If applicable, obtaining a description of the suspected abductor, possible destination and vehicle description.

6. Identifying and interviewing everyone at the scene and conducting a thorough search of the area.

C. SUPERVISOR RESPONSIBILITIES

The supervisor of the officer assigned to the report of a missing child will be responsible for the following:

1. Obtaining a briefing from the first officer at the scene and determining if additional personnel and resources would be needed to assist in the investigation.

2. Establishing a command post and determining if activation of the AMBER Alert system (SOP 095:10:31) is appropriate.

3. Upon receipt of a report of a missing child, the agency receiving the report shall notify its country CART leaders (Child Abduction Response Team) of the report, and shall begin a missing child investigation. The agency receiving the report shall remain the lead agency unless or until the county prosecutor determines otherwise. AG Directive 2008-4.

4. Organizing and coordinating search efforts and ensuring that detailed descriptive information has been provided to the communications center for dissemination.

5. Ensuring a missing person entry is entered into NCIC 2000 as soon as possible with all applicable information as well as any photographs that were obtained.

6. Ensuring a TRAX message has been disseminated to all applicable agencies.

D. FOLLOW-UP INVESTIGATIVE RESPONSIBILITIES

The investigator assigned to follow-up the report of a missing child will be responsible for the following:

1. Conducting a thorough and timely follow-up investigation.

2. Obtaining a briefing from agency personnel who were at the scene.

3. Verifying the accuracy of all descriptive information and conducting a neighborhood investigation.

4. Obtaining and acting on any information related to recent family dynamics.

5. Evaluating the need for additional resources and specialized services.

6. Completing investigative reports documenting the facts and circumstances of the investigation.

E. RECOVERY

The officer assigned to the recovery or return of a missing child will be responsible for the following:

1. Verifying that the located child is actually the reported missing child.

2. Arranging for intervention services, if indicated, in conjunction with the Juvenile Officer.

3. Adding supplemental information to the Investigation Report describing the child's activities while missing and the circumstances of the recovery/return.

4. Ensuring the NCIC Missing Person file entry and TRAX message is completed and all alerts cancelled.

Mahwah Police Department – Policies and Procedures	Number 095:10:36
Subject **Attorneys Charged with Criminal Offenses**	
Issue Date 09062002	Effective Date 09062002
Revisions: a. 12262011 SgtRC, b. Reviewed 3/2015 DetGB	
Page 1 of 1.	Accreditation Number 41.2.7.1(None)

I. BACKGROUND

The New Jersey Supreme Court's Office of Attorney Ethics (OAE) has requested that all County Prosecutors notify them whenever a New Jersey attorney is charged with a criminal offense, disorderly person's offense, petty disorderly person offense, or a second or subsequent motor vehicle charge involving the use of drugs and/or alcohol.

II. POLICY

It is the policy of this department that all members adhere to the below listed guideline regarding attorneys charged with criminal offenses.

III. ACTION

A. REPORTING

In order to comply with the OAE's request, all police officers must notify the Bergen County Prosecutor's Office whenever an individual believed to be an attorney has been charged as stated above. The Tour Commander or Supervisor will call the Office of the Bergen County Prosecutor, Special Investigations Section. In addition to being advised, they will also need to have a faxed copy of the complaint or motor vehicle summons.

If you believe that a particular defendant may be an attorney but you are not certain, please provide the requested information and the Prosecutor's Office will determine whether the individual is, in fact, a licensed New Jersey Attorney.

Mahwah Police Department – Policies and Procedures		Number 095:10:40
Subject **Stray Dogs—Housing**		
Issue Date 02142001	02142001	
Revisions: a. 12282011 Capt. RPS b.022615Lt. PT		
Page 1 of 1.	Accreditation Number None (41.2.8)	

I. BACKGROUND

Due to the common practice of stray dogs being housed in the kennel at the Department of Public Works complex, either at the direction of Police officials or if residents take it upon themselves to place the strays in the pens, it has become necessary to issue policy to insure the humane treatment and expeditious removal by animal officials of said animals.

II. POLICY

It is the policy of this Department that all members adhere to the following to insure humane treatment of dogs housed in the kennel at the Department of Public Works complex as well as their expeditious removal.

III. ACTION

A. **HOUSING**: The complex at the Department of Public Works is available for utilization for housing stray dogs. They will remain unlocked for easy accessibility.

B. **PROCEDURES FOR HOUSING**:

1. Any time a resident responds to the Station with a stray dog, the working Supervisor, or an officer designated by the working Supervisor, shall assist that resident in securing the animal in the vacant kennel. This will insure the safety of the resident and will prevent the escape of any other animals housed in the pen.
2. If the resident responds during normal business hours, the Communications/Desk Officer shall immediately notify the TYCO Animal Control (Pager 201-229-7784/ Deer Removal- 201-652-4554) as to the fact that we do have a stray which is in need of pick-up. (NOTE: The telephone numbers and business hours are those as listed in the Desk Information Book).
3. If the resident responds during non-business hours, the Communications/Desk Officer shall note the need for a pick-up on the "Notification Sheet". The next Communications/Desk Officer who works during TYCO's busniess hours shall, at the earliest possible time, make the necessary notification.

C. **CHECKING OF THE KENNELS/FEEDING THE ANIMALS – RESPONSIBILITY**:

1. The "Stand-By Person" for the Department of Public Works will be responsible for feeding the animals placed in the kennel. It is the responsibility of the Desk Personnel to contact the "Stand-By Person" when the animal is placed in the kennel after hours.

Mahwah Police Department – Policies and Procedures	Number 095:15:05
Subject **Patrol Vehicle Markings**	
Issue Date 12022002	Effective Date 12042002
Revisions: a. Reviewed 12/2011 RC, b. Reviewed 07/2018 D.Lt.GB	
Page 1 of 1.	Accreditation Number 41.3.1

I. BACKGROUND

Conspicuously marked patrol cars are readily identified as law enforcement agency vehicles from every view and from a long distance, even at night. Conspicuous marking increases safety, serves as a warning to potential violators and provides citizens with a feeling of security.

II. POLICY

It is the policy of this department that all vehicles used in routine or general patrol services be conspicuously marked and that unmarked vehicle be equipped with operational emergency lights and a siren.

III. ACTION

All patrol vehicles utilized by this agency for routine or general patrol will be equipped with marking that include exterior mounted emergency lights (rooftop and/or lightbars), our agency name and the emergency telephone number (9-1-1) in reflective material on the sides and rear of the vehicle. Patrol vehicles will also be equipped with a public address system, exterior spotlights and alley lights.

Mahwah Police Department – Policies and Procedures		Number 095:15:15
Subject **Seat Belt Policy**		
Issue Date 01312001	Effective Date 01312001	
Revisions: a. Reviewed 12/2011 RC, b. Reviewed 07/2018 D.Lt.GB		
Page 1 of 1.	Accreditation Number 41.3.3	

I. BACKGROUND

With the issuance of New Jersey Statutes, Title 39, Chapter 3, Section 76.2f, it has become necessary to issue policy concerning the wearing of seat belts while riding in department vehicles.

II. POLICY

It is the policy of this department that all personnel abide by the New Jersey Statutes and wear seat belts whenever riding in a department vehicle.

III. ACTION

The driver and all passengers in a department vehicle shall utilize the safety restraining devices contained within the vehicle (lap belt and/or shoulder harness). This includes police officials, citizen passengers and prisoners. The supervisor, for specific situations in which the efficiency of the operation outweighs the safety benefit, can authorize exceptions to this policy.

Mahwah Police Department – Policies and Procedures		Number 160:30:05
Subject **Medical and Health Care Services**		
Issue Date 11012002	Effective Date 10012007	
Revisions a. 10012007 b. Revised 05/30/2018 JNB		
Page 1 of 2.	Accreditation Number 72.6.1-.5	

I. BACKGROUND

Emergency health care may become a necessity for a detainee held in the holding facility or detention cell. Procedures for accessing that care are outlined below.

II. POLICY

It is the policy of this Department that all members familiarize themselves with the below listed guidelines regarding medical and health care services for detainees.

III. ACTION

A. EMERGENCY HEALTH CARE

In the event that a detainee is in need of emergency health care the desk officer/dispatcher will immediately request that the Mahwah Ambulance Corps respond to headquarters for treatment and transportation of the detainee to the nearest New Jersey medical facility. In instances where the problem would require the attention of the Mobile Intensive Care Unit, the desk officer/dispatcher will notify MICOM as well. The officer finding the detainee in need of medical assistance will notify the Tour Commander of the situation and if necessary, assist the detainee prior to the ambulance's arrival. Every attempt should be made to have a second officer accompany the initial officer into the occupied cell when rendering basic life support assistance. All weapons should be secured prior to entering the occupied cell as the situation may be a ruse in order to affect an escape.

B. FIRST AID EQUIPMENT

A fully stocked first aid kit is located in the secure portion of the holding/processing area of the cell. This equipment is for the treatment of detainees who are in need of immediate medical attention and prior to arrival of the ambulance/paramedics. The first aid kit should be inspected weekly along with the condition of the detention cells. Any deficiencies should be replenished from the medical storage closet and any major problems with the first aid kit brought to the attention of the Operations Division Commander.

C. RECEIVING SCREENING

When a detainee is admitted to the detention facility, a medical screening shall be conducted in order to determine whether or not the detainee is in need of immediate medical attention or prolonged treatment of a chronic illness, etc. The arresting/processing officer shall determine:

a. the current health of the detainee
b. any medication taken by the detainee
c. the behavior of the detainee, including state of consciousness and mental status
d. body deformities, trauma markings, bruises, lesions, jaundice, ease of movement, etc.

e. asking the detainee if any medical assistance is needed or if there are any other medical problems that we should be aware of.

If the investigating officer determines that any of the above conditions exist, appropriate action should be taken, including transportation to a medical facility. If none of the above conditions exist, the officer should process the detainee as usual and either secure the detainee in the detention cell or release the detainee ROR or to another agency.

D. **MEDICAL SERVICES**

Procedures for gaining access to medical services are posted in areas used by detainees. It is important that detainees know that emergency health care services are available to them. The posting is located in the processing area of the holding cell and explain that emergency services should be requested through the Police Department and will be provided by the Mahwah Ambulance Corps.

E. **MEDICATION - DISPENSING OF**:

1. Under normal circumstances, no member of this Department shall dispense/administer medication of any type to a prisoner. This includes insulin to diabetics. In circumstances where a prisoner is incarcerated and prescribed medication needs to be dispensed/administered, the prisoner will be transported to a medical facility for the proper dispensing of the medication. A prisoner who is a diabetic shall be questioned as to the required frequency of medication as well as when the last insulin dose was administered. Any medication required and the time it needs to be administered shall be noted on the Prisoner Log Sheet, and the information passed from shift commander to shift commander. Transportation of a prisoner requiring medication to a medical facility shall be done in accordance with Departmental policy.

2. Exceptions to the Dispensing/Administering of Medication to a Prisoner:

a. **ACUTE ASTHMATIC ATTACK**: If a prisoner has an inhaler and is in distress, the officer will allow him/her to take sprays from the inhaler for temporary relief. The prisoner should then immediately be transported to a medical facility for further care/evaluation.

If, however, the prisoner is having continuous and/or severe respiratory difficulty, the Ambulance Squad and a Paramedic Unit will be immediately dispatched to the station to provide advanced life support capability.

b. **PRISONERS WITH NITROGLYCERINE PILLS FOR HEART CONDITION**: Should a prisoner be in possession of heart pills (nitro) and expresses a need for same, he/she shall be allowed to take one (1) pill and will then immediately be transported to a medical facility for further care/evaluation. If, however, the prisoner is noted to be in marked distress, the Ambulance Squad and a Paramedic Unit will immediately be dispatched to the station to provide advanced life support capability.

c. **SPECIAL MEDICATION**: Special medication will be provided if the need for the medication is verified by the detainee's physician.

Mahwah Police Department – Policies and Procedures	Number 95:15:36
Subject Electronic Messaging	
Issue Date 09272001	Effective Date 03232001
Revisions: a. 01072012 LtSB b.022615Lt.JD, c. 08/2018 D.Lt. GB	
Page 1 of 3.	Accreditation Number 54.1.1

I. BACKGROUND

It is the purpose of this policy to provide officers with guidance on the proper use of personal computers and related electronic messaging systems utilized in this department for purposes of disseminating electronic mail, utilizing services of the Internet and related electronic message transmission, recording and storage devices.

II. POLICY

The availability and use of the personal computer within the work environment have provided many opportunities for enhancement of productivity and effectiveness. These technologies also entail the opportunity for rapid transfer and broad distribution of sensitive information that can also have damaging effects on this department, its members, and the public if not managed properly. Therefore, it is the policy of this department that all members abide by the guidelines set forth herein when using personal computers and the services of both internal and external databases and information exchange networks, and where applicable, voice mail, mobile digital terminal, and related electronic messaging devices.

III. ACTION

A. DEFINITIONS

1. Electronic Messaging Device (EMD): for purposes of this order, electronic messaging devices include personal computers, electronic mail systems, voice mail systems, paging systems, electronic bulletin boards and Internet services, mobile digital terminals, and facsimile transmissions.

B. ELECTRONIC MESSAGING DEVICES

1. Transmission of electronic messages and information on communications media provided for members of this department shall be treated with the same degree of propriety, professionalism, and confidentiality as official written correspondence or public records.
2. This department encourages authorized and trained personnel with access to EMD's to utilize these devices whenever necessary. However, use of any of these devices is a privilege that is subject to revocation.
3. EMD's and their contents are the property of this department and intended for use in conducting official business with limited exceptions noted elsewhere in this order.
4. Members are advised that they do not maintain any right to privacy in EMD equipment or its contents, to include personally owned software that is loaded into departmental equipment.

5. The department reserves the right to access any information contained in EMDs and may require members to provide passwords to files that have been encrypted or password protected when they believe it has been misused or a rule and regulations has been violated.
6. The department reserves the right to access, for quality control purposes and/or for violations of this policy, electronic and voice transmissions of members conducting business of this department.
7. Accessing or transmitting materials (other than that required for police business) that involves the use of obscene language, images, jokes, sexually explicit materials or messages that disparage any person, group or classification of individuals, is prohibited whether or not a recipient has consented to or requested such material.
8. Confidential, propriety, or sensitive information may be disseminated (or made available through shared directories or networked systems) only to individuals with a need and a rights to know and when there is sufficient assurance that appropriate security of such information will be maintained. Such information includes but is not limited to the following:

   a. Transmittal of personnel information, such as salary, performance reviews, complaints, grievances, misconduct, disciplinary information, medical records, or related employee information.
   b. Criminal history information and confidential informant master files, identification files, or related information.
   c. Intelligence files and information containing sensitive tactical and undercover information.

9. No member shall access or allow others to access any file or database unless that person has a need and a right to such information. Additionally, personal identification and access codes shall not be revealed to any unauthorized source.
10. An EMD is designed and intended to conduct business of this department and is restricted to that purpose. Installation of or access to software for purely entertainment purposes is prohibited. Exceptions to business use include the following:

   a. Infrequent personal use of these devices may be permissible if limited in scope and frequency, if in conformance with other elements of this order, and if not connected with a profit-making business enterprise or the promotion of any product, service, or causes that has not received prior approval of this agency.
   b. Personnel may make off-duty personal use of agency computers for professional and career development purposes when in keeping with other provisions of this policy and with prior knowledge of an appropriate supervisor.

C. **IMPORTING/DOWNLOADING INFORMATION AND SOFTWARE**

Members shall not download or install on their personal computer or network terminal any file (including sound and video files and files attached to e-mail messages), software, or other materials from the Internet or other external sources without taking prescribed steps to preclude infection by computer viruses.

   1. Material shall be downloaded to floppy or **thumb drive** and scanned for viruses prior to being entered into any personal or shared system
   2. In no case shall external materials or applications be downloaded directly to any shared (network) drive. When in doubt, members shall consult the system manager for guidance.

3. Privately owned software may not be loaded on any agency computer without prior approval from the system manager or the rank of Captain and above.
4. Members shall observe copyright restrictions of any documents, images, or sounds sent through or stored on electronic mail.
5. Any hardware enhancements or additions to agency-owned equipment must be approved and authorized by the system administrator. The system administrator is responsible for determining proper installation procedures.
6. Members shall not permit unauthorized persons to use this agency's electronic mail system.
7. To avoid breaches of security, members shall log off any personal computer that has access to the agency's computer network, electronic mail system, the Internet, or sensitive information whenever they leave their workstation.

Mahwah Police Department – Policies and Procedures		Number 095:15:45
Subject USE OF AUTOMATED LICENSE PLATE READERS		
Issued by: Chief James Batelli		
Issue Date 10202011		Effective Date 10202011
Revisions a. Reviewed 2/2015 LtJD		Review Date: 10202011, 072018 D.Lt.GB
Page 1 of 12	Accreditation Number (None)	

I. PURPOSE AND SCOPE

A. Reasons for Promulgating Uniform Statewide Guidelines

The purpose of these Guidelines is to provide direction to the members of the Mahwah Police Department on the appropriate use of Automated License Plate Readers (ALPRs) and the data that are collected by these devices and stored for future law enforcement use. These Guidelines are not intended to serve as a comprehensive operational manual. Rather, they are meant to ensure that ALPRs and ALPR-generated data are used in an appropriate manner and only for *bona fide* public safety purposes.

The following Guidelines are promulgated pursuant to Attorney General Law Enforcement Directive 2010-5, should be interpreted and applied so as to achieve the following objectives:

(1) To ensure that "BOLO lists" (the compilation of targeted license plates that an ALPR is "on the lookout" for) that are programmed into the internal memory of an ALPR or that are compared against stored ALPR data are comprised only of license plates that are associated with specific vehicles or persons for which or whom there is a legitimate and documented law enforcement reason to identify and locate, or for which there is a legitimate and documented law enforcement reason to determine the subject vehicle's past location(s) through the analysis of stored ALPR data;

(2) To ensure that data that are captured by an ALPR can only be accessed by appropriate law enforcement personnel and can only be used for legitimate, specified, and documented law enforcement purposes;

(3) To permit a thorough analysis of stored ALPR data to detect crime and protect the homeland from terrorist attack while safeguarding the personal privacy rights of motorists by ensuring that the analysis of stored ALPR data is not used as a means to disclose personal identifying information about an individual unless there is a legitimate and documented law enforcement reason for disclosing such personal information to a law enforcement officer or civilian crime analyst; and

(4) To ensure that stored ALPR data are purged after a reasonable period of time so as to minimize the potential for misuse or accidental disclosure.

B. Non-Enforceability of Rights by Third Parties

These Guidelines impose limitations on the exercise of law enforcement discretion and the use of and access to ALPR-related data that may extend beyond the requirements of the United States and New Jersey Constitutions, and federal and state statutory law. Nothing in these Guidelines should be construed in any way to create any rights beyond those established under the Constitutions, statutes, and regulations of the United States and the State of New Jersey. The provisions of these Guidelines are intended to be implemented and enforced by the Mahwah Police Department, the New Jersey Office of Homeland

Security and Preparedness, the Bergen County Prosecutor's Office, and the Department of Law and Public Safety, and these provisions do not create any rights that may be enforced by any other persons or entities.

II. DEFINITIONS (As used in these Guidelines):

"Automated License Plate Reader" or "ALPR" means a system consisting of a camera, or cameras, and related equipment that automatically and without direct human control locates, focuses on, and photographs license plates and vehicles that come into range of the device, that automatically converts digital photographic images of scanned license plates into electronic text documents, that is capable of comparing scanned license plate text data with data files for vehicles on a BOLO (be on the lookout) list programmed into the device's electronic memory, and that notifies police, whether by an audible alert or by other means, when a scanned license plate matches the license plate on the programmed BOLO list. The term includes both devices that are placed at a stationary location (whether permanently mounted or portable devices positioned at a stationary location) and mobile devices affixed to a police vehicle and capable of operating while the vehicle is in motion. "BOLO (Be on the Lookout)" or "BOLO situation" refers to a determination by a law enforcement agency that there is a legitimate and specific law enforcement reason to identify or locate a particular vehicle, or, in the case of a post-scan BOLO, there is a legitimate and specific reason to ascertain the past location(s) of a particular vehicle.

"BOLO list" sometimes referred to colloquially as a "hot list," is a compilation of one or more license plates, or partial license plates, of a vehicle or vehicles for which a BOLO situation exists that is programmed into an ALPR so that the device will alert if it captures the image of a license plate that matches a license plate included on the BOLO list. The term also includes a compilation of one or more license plates, or partial license plates that is compared against stored license plate data that had previously been scanned and collected by an ALPR, including scanned license plate data that is stored in a separate data storage device or system.

"Initial BOLO list" refers to the BOLO list that was programmed into an ALPR at the time that the device was being used to scan license plates in the field.

"Post-Scan BOLO list" refers to a BOLO list that is compared against stored data collected by an ALPR, including scanned license plate data that has been transmitted to another device or data storage system.

"Stored data" refers to all information captured by an ALPR and stored in the device's memory or in a separate data storage device or system. The term includes the recorded image of a scanned license plate and optical character recognition data, a contextual photo (i.e. a photo of the scanned vehicle and/or occupants), global positioning system ("GPS") data (when the ALPR is equipped with a GPS receiver) or other location information, and the date and time of the scan. The term applies to both alert data and non-alert data that has been captured and stored by an ALPR or in a separate data storage device or system.

"Alert data" means information captured by an ALPR relating to a license plate that matches the license plate on an initial BOLO list or a post-scan BOLO list.

"Immediate alert" refers to an alert that occurs when a scanned license plate matches the license plate on an initial BOLO list and that is reported to the officer operating the ALPR, by means of an audible alarm or by any other means, at or about the time that the subject vehicle was encountered by the ALPR and its license plate was scanned by the ALPR.

"Non-encounter alert" refers to an immediate alert where the officer operating the ALPR is instructed to notify the agency that put out the BOLO without initiating an investigative detention of the subject vehicle or otherwise revealing to the occupant(s) of that vehicle that its location has been detected or that it is the subject of law enforcement attention (*e.g.,* a Violent Gang or Terrorist Organization File (VGTOF) alert).

"Personal identifying information" means information that identifies one or more specific individuals, including an individual's name, address, social security number, vehicle operator's license number, or biometric records. The term includes personal identifying information that is included within the data comprising a BOLO list, as well as personal identifying information that is learned by checking a license plate scanned by an ALPR against the Motor Vehicle Commission database or any other data system that contains personal identifying information.

"Scan" refers to the process by which an ALPR automatically focuses on, photographs, and converts to digital text the license plate of a vehicle that comes within range of the ALPR. "Authorized user" means a sworn or civilian employee of a law enforcement agency who has been authorized by the chief of the agency, or by the Attorney General or a county prosecutor or his or her designee, to operate an ALPR, or to access and use ALPR stored data, and who has successfully completed training provided by the agency on the agency's ALPR policy and on these Guidelines.

"Designated supervisor" means a superior officer assigned by the chief of Police to oversee and administer, or to assist in overseeing and administering, the agency's use of ALPRs and stored ALPR data. A law enforcement agency may have more than one designated supervisor.

"Chief" of a department or agency means the highest ranking sworn officer of a law enforcement agency.

"Post-Scan BOLO query" refers to the process of comparing a post-scan BOLO list against stored ALPR data.

"Crime scene query" refers to the process of accessing and reviewing stored ALPR data that had been originally scanned at or about the time and in the vicinity of a reported criminal event for the purpose of identifying vehicles or persons that might be associated with that specific criminal event as suspects, witnesses, or victims.

"Criminal event" means a specific incident, or series of related specific incidents, that would constitute an indictable crime under the laws of the State of New Jersey, whether or not the incident(s) have occurred or will occur within the State of New Jersey. The term includes an attempt or conspiracy to commit a crime, or actions taken in preparation for the commission of the crime, such as conducting a surveillance of the location to identify and evade or thwart security measures, or conducting a rehearsal of a planned crime. The term includes two or more separate criminal acts or episodes that are linked by common participants or that are reasonably believed to have been undertaken by a criminal organization or as part of an ongoing conspiracy.

"Crime trend analysis" refers to the analytical process by which stored ALPR data is used, whether alone or in conjunction with other sources of information, to detect crime patterns by studying and linking common elements of recurring crimes; to predict when and where future crimes may occur; and to link specific vehicles to potential criminal or terrorist activity. The term includes an automated process in which a computer program analyzes stored data to identify potentially suspicious activity or other anomalies involving one or more scanned vehicles and where such automated analysis is done without disclosing personal identifying information about any individual to an authorized user or any other person except as may be authorized pursuant to Section 9.2.3 of these Guidelines.

III. DEPLOYMENT OF ALPRS

A. <u>Restricted Uses</u>

An ALPR and data generated by an ALPR shall only be used for official and legitimate law enforcement business.

B. <u>ALPR Scanning Limited to Vehicles Exposed to Public View</u>

An ALPR shall only be used to scan license plates of vehicles that are exposed to public view *(e.g.,* vehicles on a public road or street, or that are on private property but whose license plate(s) are visible from a public road, street, or a place to which members of the public have access, such as the parking lot of a shopping mall or other business establishment).

C. <u>Supervisory Approval of All ALPR Deployments</u>

An ALPR shall not be deployed in the field unless the deployment has been authorized by the Chief of Police or his designee. Such authorization may be given for repeated or continuous deployment of an ALPR *(e.g.,* mounting the device on a particular police vehicle, or positioning the ALPR at a specific stationary location), in which event the deployment authorization shall remain in force and effect unless and until rescinded or modified by the Chief of Police or his designee.

D. <u>Trained Operators and Analysts</u>

A sworn officer or civilian employee of the department may operate an ALPR or access or use ALPR stored data only if the person has been designated as an authorized user by the Chief of Police or his designee, and has received training from the department on the proper use and operation of ALPRs, and procedures governing the use of ALPRs and ALPR data issued by the department pursuant to this General Order.

E. <u>Access and Use Authorization</u>

Each individual authorized by this department to operate an ALPR and/or access ALPR stored data will receive a secure, person-specific, log-on user identification and password. As all operation of ALPR equipment and access of ALPR data is logged and recorded, this secure, person-specific, log-on user identification and password shall only be used by the assigned user and shall not be shared, transferred, or used by any other individual(s).

IV. MAINTENANCE OF RECORDS

<u>A. Records Documenting the Deployment of ALPRs</u>

The Bergen County Prosecutor's Office shall maintain a written or electronic record that documents the following information:

- Date and time when the ALPR was deployed;
  - Whether the ALPR was mobile, or was stationed at a fixed specified location;
  - The identity of the operator, as identified by the operator's log-on user identification and password;
  - Whether ALPR data was transferred to any other database or data storage device or system.

B. Records Documenting the Use of Stored ALPR Data

The Bergen County Prosecutor's Office shall maintain a record of all access to stored ALPR data, which may be automated, and shall document the following information:

- The date and time of access, and, in the case of access to stored non-alert data, the type of access authorized by Section IX of these Guidelines (i.e., post-scan BOLO query, crime scene query, or crime trend analysis);
- The authorized user who accessed the stored data as identified by the operator's log-on user identification and password; whether an automated software program was used to analyze stored data;
- The designated supervisor who reviewed and approved any disclosure of personal identifying information based upon crime trend analysis when such approval is required by Section IX(E) of these Guidelines, as identified by the operator's log-on user identification and password;
- The designated supervisor who approved any use of an automated crime trend analysis computer program that would automatically alert and disclose personal identifying information in accordance with Section IX(E), as identified by the operator's log-on user identification and password;
- Any other information required to be documented pursuant to Section IX or any other provision of these Guidelines.

C. Maintenance of Records

All written or electronic records of ALPR activity and access to ALPR data shall be maintained by the Bergen County Prosecutor's Office for a period of five years, and shall be kept in a manner that makes such records readily accessible to any person authorized to audit the department's use of ALPRs and ALPR-generated data.

V. CONTENT AND APPROVAL OF BOLO LISTS

A. Criteria for and Examples of Legitimate BOLO Situations

A license plate number or partial license plate number shall not be included in an ALPR initial BOLO list unless there is a legitimate and specific law enforcement reason to identify or locate that particular vehicle, or any person or persons who are reasonably believed to be associated with that vehicle. A license plate or partial license plate number shall not be included in a Post-Scan BOLO list unless there is a legitimate and specific law enforcement reason to ascertain the past locations(s) of that particular vehicle or of any person or persons who are reasonably believed to be associated with that vehicle. Examples of legitimate and specific reasons include, but are not limited to: persons who are subject to an outstanding arrest warrant; missing persons; AMBER Alerts; stolen vehicles; vehicles that are reasonably believed to be involved in the commission of a crime or disorderly persons offense; vehicles that are registered to or are reasonably believed to be operated by persons who do not have a valid operator's license or who are on the revoked or suspended list; vehicles with expired registrations or other Title 39 violations; persons who are subject to a restraining order or curfew issued by a court or by the Parole Board, or who are subject to any other duly issued order restricting their movements; persons wanted by a law enforcement agency who are of interest in a specific investigation, whether or not such persons are themselves suspected of criminal activity; and persons who are on any watch list issued by a State or federal agency responsible for homeland security.

B. Batch Downloading of BOLO List Data

BOLO list information may be downloaded in batch form from other databases including, but not limited to the National Crime Information Center (NCIC), National Insurance Crime Bureau, United States Department of Homeland Security, and Motor Vehicle Commission database.

C. Updates to BOLO Lists

An initial BOLO list may be revised at any time. In the event that an initial BOLO list is constructed, in whole or in part, with sets of data downloaded from another database, so as to account for any changes that may have been made in the data maintained in those other databases, updates to the initial BOLO list shall, in the case of a mobile unit attached to a police vehicle, be made at the start of each shift, and in the case of an ALPR positioned at a stationary location, be made as frequently as is practicable, and on not less than a daily basis. Information concerning any license plate that is referenced in an AMBER Alert activated by the New Jersey State Police shall be added to the initial BOLO list as expeditiously as possible, and shall remain in the initial BOLO list until the AMBER Alert expires or is withdrawn.

D. Special Instructions for Immediate Alert Response

When practicable, the reason for placing a vehicle on BOLO list shall be included with the BOLO and shall be disclosed to the officer who will react to an immediate alert. If for any reason an officer reacting to an immediate alert should not initiate an investigative detention *(e.g.,* where the license plate was included in the BOLO list because the department or any other agency wanted to be notified of the location of the subject vehicle without alerting the driver/occupants that they are the subject of law enforcement attention, such as in the case of Violent Gang or Terrorist Organization File (VGTOF) alert), to the extent feasible, the information attached to the license plate on the BOLO list shall be entered in such a way as to cause the ALPR to clearly designate an immediate alert as a **"non-encounter"** alert, and shall provide specific instructions to the officer as to who to notify of the alert. See Section 6, infra.

VI. POLICE ACTIONS IN RESPONSE TO AN IMMEDIATE ALERT

When an officer operating a vehicle equipped with an ALPR receives an immediate alert, the officer shall take such action in response to the alert as is appropriate in the circumstances. An officer alerted to the fact that an observed motor vehicle's license plate is on the BOLO list may be required to make a reasonable effort to confirm that a wanted person is actually in the vehicle before the officer would have a lawful basis to stop the vehicle. See, State v. Parks, 288 N.J. Super. 407 (App. Div. 1996) (police do not have reasonable suspicion to justify a stop based on a computer check that shows that the operator's license of the registered owner of the vehicle is suspended unless the driver generally matches the owner's physical description *(e.g.,* age and gender).

An officer reacting to an immediate alert shall consult the database to determine the reason why the vehicle had been placed on the BOLO list and whether the alert has been designated as a non-encounter alert. In the event of a non-encounter alert, the officer shall follow any instructions included in the alert for notifying the law enforcement or homeland security agency that had put out the BOLO. See Section 5.4, supra.

VII. SECURITY OF STORED ALPR DATA

A. Physical Security and Limited Access

All ALPR stored data shall be kept in the Bergen County Prosecutor's Office secure data storage system with access restricted to authorized persons. Access to this stored data shall be limited to the purposes described in Section IX of these Guidelines.

B. Differentiation of Stored Positive Alert Data From Non-Alert Data

Stored ALPR data shall be maintained electronically by the Bergen County Prosecutor's Office in such a manner as to distinguish alert data from non-alert data so as to ensure that access to and use of non-alert data and any disclosure of personal identifying information resulting from the analysis of non-alert data occurs only as may be authorized pursuant to section IX of these Guidelines. Positive alert data will, as appropriate, be transferred to the appropriate active investigation file, see also Section 9.1, infra, in accordance with the department's evidence or records management procedures.

VIII. RETENTION PERIOD AND PURGING OF STORED DATA

The Bergen County Prosecutor's Office shall, pursuant to the provisions of Section XIII of these Guidelines, establish and enforce procedures for the retention and purging of stored ALPR data in accordance with this Section. ALPR stored data shall be retained for a period of five years, after which, the data shall be purged from the agency's data storage device or system. The Bergen County Prosecutor's Office may purge ALPR data before the expiration of the five-year retention period only if the data has been transferred to the State Police Regional Operations Intelligence Center (R.O.I.C.) or any other system that aggregates and stores data collected by two or more law enforcement agencies in accordance with the provisions of this General Order/policy. Any ALPR data transferred to another agency, shall indicate the date on which the data had been collected by the ALPR so that the receiving agency may comply with the five-year retention and purging schedule established in this Section. See also Section X(A) and X(B), infra.

IX. LIMITATIONS ON ACCESS TO AND USE OF STORED ALPR DATA

A. Access to Positive Alert Data

A trained police officer/civilian employee, who is authorized to use/access ALPR equipment and/or data, may access and use stored ALPR alert data as part of an active investigation or for any other legitimate law enforcement purpose, including but not limited to a post-scan BOLO query, a crime scene query, or crime trend analysis via Bergen County Prosecutor's Office. Record shall be made of the access to the data, that documents the date of access, and the identity of the authorized user, as identified by the operator's log-on user identification and password. A trained police officer/civilian employee need not obtain approval from the chief or designated supervisor, or Attorney General or county prosecutor or designee, for each occasion on which he or she accesses and uses stored ALPR data. Once positive alert data has been accessed and transferred to an investigation file, it shall not be necessary thereafter to document further access or use of that data pursuant to this General Order/Directive.

B. Access to Non-Alert Data

Access to and use of stored non-alert ALPR data is limited to the following three purposes: a post-scan BOLO query, a crime-scene query, and crime trend analysis. An authorized user does not need to obtain approval from the chief or a designated supervisor, or Attorney General or county prosecutor or designee, for each occasion on which he or she accesses and uses stored non-alert data pursuant to this Section.

C. Post-Scan BOLO Query

A trained police officer or civilian police employee, who is authorized to use/access ALPR equipment and/or data, is authorized to compare a post-scan BOLO list against stored ALPR data where the results of the query might reasonably lead to the discovery of evidence or information relevant to any active investigation or ongoing law enforcement operation, or where the subject vehicle might be placed on an active initial BOLO list. (For example, a trained police officer or civilian police employee may review stored non-alert data to determine whether a specific vehicle was present at the time and place where the ALPR data was initially scanned for the purpose of confirming or dispelling an alibi defense, or to develop lead information for the purpose of locating a specified vehicle or person. A trained police officer or civilian police employee may also check stored data to determine whether a vehicle that was only recently added to an initial BOLO list had been previously observed in the jurisdiction before it had been placed on an initial BOLO list.)

D. Crime Scene Query

(1) A trained police officer or civilian police employee who is authorized to access and use ALPR equipment and/or data, may access stored non-alert data where such access might reasonably lead to the discovery of evidence or information relevant to the investigation of a specific criminal event as defined in these Guidelines. Note that if the trained police officer or civilian police employee has reason to believe that a specific person or vehicle was at or near the location of the specific crime at the time of its commission, non-alert stored data might also be examined under the authority of Section IX(A) as part of post-scan BOLO query.

(2) A crime scene query may not be conducted to review stored non-alert data based on general crime patterns (i.e., e.g., to identify persons traveling in or around a "high crime area"), but rather is limited to situations involving specific criminal events as that term is defined in these Guidelines.

(3) The crime scene query of non-alert stored data shall be limited in scope to stored non-alert data that is reasonably related to the specified criminal event, considering the date, time, location, and nature of the specified criminal event. For example, a crime that reasonably involves extensive planning and possible "rehearsals," such as a terrorist attack, would justify examining stored non-alert data that had been scanned and collected days or even weeks or months before the criminal event, and that may have been scanned at a substantial distance from the site of the crime or intended crime (e.g., at any point along a highway leading to the intended crime site). A spontaneous crime, in contrast, might reasonably justify examination of stored non-alert data that was scanned and collected on or about the time of and in closer physical proximity to the criminal event.

(4) A trained police officer or civilian police employee, who is authorized to access and use ALPR equipment and/or data, shall document the specific crime or related crimes constituting the criminal event and the date(s) and location(s) of the specific crime(s).

E. <u>Crime Trend Analysis</u>

(1) A trained police officer or civilian police employee, who is authorized to use/access ALPR equipment and/or data, may access and use stored non-alert data for purposes of conducting crime trend analysis, as that term is defined in these Guidelines, when such access and analysis is approved by trained supervisor and where such analysis is undertaken to produce analytical products that are intended to assist this department in the performance of its duties. A trained supervisor may authorize one or more authorized users to conduct a method or methods of crime trend analysis on a repeated or continuous basis, in which event such authorization shall remain in force and effect unless and until modified or rescinded by the supervisor. A trained supervisor may also approve the use of an automated software program to analyze stored data to look for potentially suspicious activity or other anomalies that might be consistent with criminal or terrorist activity.

(2) Crime trend analysis of automated stored non-alert data shall not result in the disclosure of personal identifying information to an authorized user or any other person unless:

a. The officer can point to specific and articulable facts that warrant further investigation of possible criminal or terrorist activity by the driver or occupants of a specific vehicle (i.e., unusual behavior consistent with the modus operandi of terrorists or other criminals), and access to the personal identifying information based on those specific and articulable facts has been approved by a designated supervisor. Such approval may be given by a trained supervisor in advance when the crime trend analysis reveals the existence of specified suspicious circumstances that would warrant further investigation and that would justify disclosure of personal identifying information to the authorized user conducting the analysis under the "specific and articulable facts that warrant further investigation" standard of proof established in this Section. The trained supervisor shall document any and all specified suspicious circumstances for which disclosure of personal identifying information is pre-approved if those suspicious circumstances are revealed by authorized crime trend analysis. When an automated crime trend analysis computer program is used, specified suspicious circumstances that would warrant further investigation and that would justify disclosure of personal identifying information to an authorized user under this Section may also be pre-approved by a trained supervisor and built into the computer program so that if the program identifies the existence of the pre-determined suspicious circumstances, it will automatically alert the authorized user of the suspicious activity and provide to him or her the relevant personal identifying information in accordance with the "specific and articulable facts that warrant further investigation" standard of proof established in this Section; or

b. Disclosure of personal identifying information concerning any vehicle plate scanned by the ALPR is authorized by a grand jury subpoena.

(3) Nothing in this Section shall be construed to prohibit a computer program from accessing and comparing personal identifying information of one or more individuals who are associated with a scanned vehicle as part of the process of analyzing stored non-alert data, provided that such personal identifying information is not disclosed to a person unless the "specific and articulable facts that warrant further investigation" standard is satisfied. The "specific and articulable facts that warrant further investigation" standard set forth in this Section applies only to the crime trend analysis of non-alert data, and nothing in this Section shall be construed to limit disclosure of personal identifying information of a person who is the registered owner of a vehicle that is on an initial or post-scan BOLO list (i. e., alert data).

(4) For the purposes of this Section, the "specific and articulable facts that warrant further investigation" standard required for the disclosure of personal identifying based upon crime trend analysis of stored non-alert data is intended to be comparable to the "specific and articulable facts that warrant heightened caution" standard developed by the New Jersey Supreme Court in State v.Smith, 134 N.J. 599, 616-19 (1994) (establishing the level of individualized suspicion required before an officer may order a passenger to exit a motor vehicle stopped for a traffic violation).

(5) A trained police officer/civilian police employee accessing stored non-alert ALPR data for purposes of conducting crime trend analysis shall document: the nature and purpose of the crime trend analysis; the persons who accessed stored non-alert ALPR data for use in conducting that analysis; and the trained supervisor who approved access to ALPR non-alert data. In any instance where personal identifying information is disclosed based upon crime trend analysis of stored non-alert data, the trained police officer/civilian police employee shall document the specific and articulable facts that warrant further investigation and the trained supervisor who reviewed those facts and approved the disclosure of personal identifying information, or who pre-approved disclosure of personal identifying information based upon specified circumstances identified by an automated crime trend analysis computer program, or, where applicable, the fact that access to personal identifying information was authorized by a grand jury subpoena.

X. SHARED LAW ENFORCEMENT ACCESS TO STORED ALPR DATA

A. <u>Authorization to Share and Aggregated Data</u>

Any ALPR data that may, in a manner consistent with this Policy/Order and Attorney General Directive Number 2010-5, be accessed and used by this agency may also be shared with and provided to any other law enforcement agency. Stored ALPR data may be combined with ALPR data collected by two or more law enforcement agencies (*e.g.*, collection of stored data by the New Jersey State Police Regional Operations Intelligence Center), provided that such aggregated data shall only be retained, accessed, and used in accordance with the provisions of this Policy/Order and Attorney General Directive Number 2010-5.

B. <u>Record of Shared Access and Responsibilities of the Receiving Agency</u>

This department will keep a record of each time ALPR data is shared with or provided to any other law enforcement agency, pursuant to section X(A) of this Policy/Order. This record shall include the identity of the other agency, and the specific officer(s) or civilian(s) of that agency who were provided the information. This does not include that downloading and/or uploading of data to the BOSS Server maintained by the Bergen County Prosecutor's Office.

XI. RELEASE OF ALPR DATA TO NON-LAW ENFORCEMENT PERSONS OR AGENCIES

Stored ALPR data shall be treated as "criminal investigator records" within the meaning of N.J.S.A. 47:1A-1 et seq., and shall not be shared with or provided to any person, entity, or government agency, other than a law enforcement agency, unless such disclosure is authorized by a subpoena or court order, or unless such disclosure is required by the Rules of Court governing discovery in criminal matters. Any agency receiving a subpoena or court order for the disclosure of ALPR data shall, before complying with the subpoena or court order, provide notice to the Chief of Police and County Prosecutor.

XII. PROMULGATION AND ENFORCEMENT OF DEPARTMENTAL POLICIES

A. Required Contents of Departmental Policies

This department will enforce this General Order to ensure compliance against unauthorized use. All users will be trained and held accountable for their action in accordance with this General Order.

B. Notice of ALPR Policies and Revisions Provided to the Bergen County Prosecutor's Office

The Chief of this department shall provided a copy of this Policy/Order to the Bergen County Prosecutor's Office and shall provide to the Bergen County Prosecutor for review and approval copies of any amendments and/or revisions to this Policy/Order prior to such amendments taking effect.

XIII. ALPR PROGRAM ACCOUNTABILITY

A. ALPR Program Audits

All ALPR records documenting the use of an ALPR, or access to or use of ALPR stored data by trained officers or employees that are maintained in the Bergen County Prosecutor's Office automated record-keeping system, shall be subject to review and audit by the County Prosecutor, or by the Attorney General or his or her designee.

B. Handling of Complaints

Any complaints about a department's ALPR program made by any citizen or entity shall be forwarded to the Chief of Police and Berge County Prosecutor. The County Prosecutor may conduct an investigation, or may direct the agency that is the subject of the complaint to conduct an investigation and to report back to the County Prosecutor

XIV. SANCTIONS FOR NON-COMPLIANCE

If the Attorney General or his or her designee has reason to believe that a law enforcement agency or officer or civilian employee is not complying with or adequately enforcing the provisions of these Guidelines, the Attorney General may temporarily or permanently suspend or revoke the authority of the department, or any officer or civilian employee, to operate an ALPR, or to gain access to or use ALPR stored data. The Attorney General or her designee may initiate disciplinary proceedings, and may take such other actions as the Attorney General in his or her sole discretion deems appropriate to ensure compliance with these Guidelines. Such action by the Attorney General will be cause for disciplinary action.

XV. AUTHORITY OF ATTORNEY GENERAL TO GRANT EXEMPTIONS OR SPECIAL USE AUTHORIZATIONS

ALPRs, and all ALPR stored data, shall only be used and accessed for the purposes and in the manner authorized by these Guidelines. In recognition of the need to be able to address issues or circumstances that are not contemplated by these Guidelines, the Attorney General or his or her designee may grant an exemption from any provision of these Guidelines, and may authorize the specific use of an ALPR, or the data collected by or derived from an ALPR, that is not expressly authorized by these Guidelines. Any request by a department to use an ALPR or ALPR-generated data for a purpose or in a manner not authorized by these Guidelines shall be made to the Attorney General or his or her designee through the Director of the Division of Criminal Justice or his or her designee, who shall make recommendations on whether to grant the agency's specific request for an exemption or special authorization. Such requests shall be made in writing unless the circumstances are exigent, in which event the request by the agency and approval or denial by the Attorney General or his or her designee may be given orally, in which event the circumstances of the request and the approval or denial shall be memorialized in writing as soon thereafter as is practicable.

Mahwah Police Department – Policies and Procedures	Number 095:20:05
Subject **Bloodborne Pathogens**	
Issue Date 02052001	Effective Date 02052001
Revisions: a. 01112012 OfcWH, b. Reviewed 3/2015 DetGB	
Page 1 of 16.	Accreditation Number None (41.4.1sequenced)

I. Background
Many workers risk on-the job contact with blood and other body fluids. These materials may contain pathogens-organisms that can cause serious disease. Of major concern are the hepatitis B virus (HBV) and the human immunodeficiency virus (HIV), the cause of Acquired Immunodeficiency Syndrome (AIDS). The purpose of this policy is to specify procedures of recognition, decontamination and the handling of materials exposed to bloodborne pathogens.

II. Policy
The Mahwah Police Department is committed to provide a safe and healthful work environment for our entire staff. In pursuit of this endeavor, the following Exposure Control Plan (ECP) is provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA Bloodborne Pathogens Standards, Title 29 Code of Federal Regulations 1910.1030.

The ECP is a key document to assist our department in implementing and ensuring compliance with the standard, thereby protecting our employees. This ECP includes:

1. Employee exposure determination
2. The procedures for evaluating the circumstances surrounding an exposure incident, and
3. The schedule and method for implementing the specific sections of the standard, including:
    a. Methods of compliance
    b. Hepatitis B vaccination and post-exposure follow-up
    c. Training and communication of hazards to employees
    d. Record keeping

III. Action

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A. DEFINITIONS:

1. Blood: Human blood, human blood components, and products made from human blood or its components.

2. Bloodborne Pathogens: Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV).

3. Clinical Laboratory: A workplace where diagnostic or other screening procedures are performed on blood or other potentially infectious material.

4. Contaminated: The presence, or the reasonably anticipated presence, of blood or other potentially infectious materials on an item or surface.

5. Contaminated Laundry: Laundry that has been soiled with blood or other potentially infectious materials or may contain sharps.

6. Decontamination: The use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

7. Engineering controls: Controls (e.g., sharps disposal containers, self-sheathing needles) that isolate or remove the hazard of bloodborne pathogens from the workplace.

8. Exposure Incident: A specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

9. Handwashing Facilities: an area that provides an adequate supply of running potable water, soap and single use towels or hot air drying machines for handwashing.

10. Licensed Healthcare Professional (HCP): A person whose legally permitted scope of practice allows him or her to independently perform the activities required by Section F of the Standard, Hepatitis B Vaccination and Post-Exposure Evaluation and
Follow-Up.

11. HBV: Hepatitis B Virus

12. HIV: Human Immunodeficiency Virus

13. Occupational Exposure: Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

14. Other Potentially Infectious Materials:

a. The following human body fluids: Semen, vaginal secretions, cerebrospinal fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.

b. Any unfixed tissue or organ (other than intact skin) from a human (living or dead).

c. HIV-containing cell or tissue cultures, and HIV or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

15. Parenteral: Piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts or abrasions.

16. Personal Protective Equipment: Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes, e.g., uniforms, pants, shirts or blouses, not intended to function as protection against a hazard are not considered to be personal protective equipment.

17. Production Facility A facility engaged in industrial-scale, large volume or high concentration production of HIV or HBV.

18. Regulated Waste: Liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

19. Research Laboratories: A laboratory producing or using research-laboratory scale amounts of HIV or HBV. Research laboratories may produce high concentrations of HIV or HBV but not in the volume found in production facilities.

20. Source Individual: Any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee. Examples include, but are not limited to, hospital and clinic patients; clients in institutions for the developmentally disabled; trauma victims; clients of drug and alcohol treatment facilities; residents of hospices and nursing homes; human remains; and individuals who donate or sell blood or blood components.

21. Sterilize: The use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

22. Universal Precautions: An approach to infection control in which all human blood and certain human bloody fluids are treated as if known to be infectious for HIV, HBV, or other bloodborne pathogens.

23. Work Practice Controls: Controls that reduce the likelihood of exposure by altering the manner in which a task is performed; e.g., prohibiting recapping of needles by a two-handed technique.

B. EXPOSURE DETERMINATION

1. For the purposes of this plan, job classifications in which any Municipal Employee that could be reasonably anticipated to face contact with human blood or other potentially infectious materials shall be named "Designated Employee" and may include, but not be limited to:

a. Police Officers
b. Police Detectives
c. Emergency Medical Technicians
d. Firemen - Rescue Squad Members
e. Public Works Employees with potential for exposure

Although we have identified categories of employment where a majority of individuals may have reasonably anticipated exposure to bloodborne pathogens, each employee's job responsibilities shall be evaluated to determine individuals at risk. Of those categories listed above, all Emergency Medical Technicians, Rescue Squad Members, Public Health Nurses, Police Officers and Detectives, are anticipated to have occupational exposure.

2. A list of all tasks and procedures in which the potential for occupational exposures to bloodborne pathogens or other potentially infectious materials may occur is as follows, but is not limited to:

a. Suspect Restraint
b. Suspect and Property Search
c. Accident Investigation
d. First Aid and Associated Lifesaving Techniques
e. Rescue Operations
f. Public Health Vaccinations
g. Public Health Nursing Visits
h. Obtaining Capillary Blood Specimens
i. Solid Waste Removal
j. Disease Investigations
k. Environmental Investigations
l. Medical Waste Inspections

C. METHODS OF COMPLIANCE

1. Universal Precautions. Universal precautions shall be observed to prevent contact with bloodborne pathogens or other potentially infectious materials. All human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, or other bloodborne pathogens. Other potentially infectious materials are defined as semen, vaginal secretions, cerebrospinal fluids, synovial fluid, pleural fluid, amniotic fluid, saliva in dental procedures, any body fluid visibly contaminated with blood and all body fluids in situations where it is difficult or impossible to differential between body fluids.

2. Equipment. The following list represents the minimum equipment that shall be readily available for use by all designated employees where appropriate. Designated employee is defined as an employee "reasonably anticipated" to face contact with human blood and other potentially infectious materials during the performance of an employee's duties:

a. Disposable gloves (nitrile [non-latex], latex or vinyl and appropriately sized)

b. Gowns (outer protective clothing)

c. Eye protection (goggles, face shields, etc.)

d. Face masks (cone shaped dust masks or as currently recommended)

e. Hand disinfectant, antimicrobial wipes or gel, foaming alcohol

f. Sterile water or saline solution

g. Forms for Reporting of Exposure Incidents

h. Sharps Containers

i. Plastic Zip-Lock Bags

j. Medical Waste Disposal Bags

k. Exposure Control Plan

l. Resuscitation masks, pocket masks or other ventilation devices

3. Disposable Gloves.

a. All employees with the potential for exposure to bloodborne pathogens or other potentially infectious materials shall be provided with an adequate supply of disposable gloves.

b. Gloves shall be worn whenever there is a possibility of exposure to bloodborne pathogens or other potentially infectious materials.

c. Two pairs of gloves shall be worn when deemed appropriate by the designated employee, as per his training.

d. Gloves shall be removed from the inside out to prevent immediate contact with the unprotected hand.

e. After removal, if appropriate disposal containers are not available, contaminated gloves shall immediately be placed in a ziplock plastic bag to limit the chance of secondary exposure.

f. Hands shall be thoroughly washed with soap and warm water as soon as possible after removal of gloves. In the absence of soap and warm water, an appropriate hand cleaner shall be used until such time that soap and warm water can be obtained.

g. If contaminated gloves are dripping with blood or other infectious body fluids or caked with blood or other infectious body fluids where handling could release these materials, the gloves will be considered and treated as "Other Medical Waste". See Medical Waste Disposal Section.

4. <u>Washing Procedures:</u>

a. Upon contact of unprotected hands or any other skin with blood or body fluids, employees shall immediately wash the area of contact thoroughly with soap and warm water.

b. When provisions for hand washing are not available, the employee shall thoroughly clean the area of contact with an approved antiseptic hand cleanser or towelettes. An adequate supply of hand cleanser or towelettes shall be provided to all designated employees. (Police Officers will maintain a supply in their vehicles at all times.

c. The area of contact shall be thoroughly washed with soap and warm water as soon as possible, even after the use of antiseptic hand cleanser or towelettes.

d. Employees shall wash their hands thoroughly with soap and warm water as soon as possible after the removal of gloves or other personal protective equipment.

e. Adequate and appropriate hand washing facilities shall be supplied at all permanent work sites where designated employees are employed.

D. <u>EYE AND/OR MUCOUS MEMBRANE EXPOSURE PROTECTION</u>

1. Masks and eye protection (face shields or goggles) shall be used whenever there is a possibility of blood, bloodborne pathogens or other potentially infectious materials splashing.

2. Eyes or other mucous membranes shall be thoroughly flushed with sterile water, saline solution, or water immediately following contact of such body areas with blood, or other potentially infectious materials and an Incident Report filed. Follow-up evaluation procedures will be initiated.

3. Eating, drinking, smoking, applying cosmetics and handling contact lenses are prohibited in work area where there is reasonable likelihood of exposure.

4. Food and drink shall not be kept in refrigerators, freezers, shelves,, cabinets or countertops where blood and other potentially infectious materials are present.

E. ARTIFICIAL RESPIRATION

1. If at all possible, mouth-to-mouth resuscitation shall not be applied to any victim.

2. Whenever possible a bag-valve mask will be used to administer artificial respiration to a patient. As a last resort, a facemask with a one-way valve will be used to administer mouth-to-mask resuscitation.

3. Each Police Vehicle and Emergency Response Vehicle shall be supplied with a bag-valve masks in Adult, Child, and Infant sizes and a supply of facemasks with one-way valves for the purpose of administering mouth-to-mask resuscitation.

4. After the use of any of the above equipment, the equipment shall be disposed of. In the event the equipment is saturated or dripping with blood or potentially infectious body fluids, it shall be placed in a leak-proof red biohazard bag and disposed of as regulated medical waste.

F. HUMAN BITES

1. Human bites, bites inflicted by one human to another, have the potential of transmitting blood, bloodborne pathogens or other potentially infectious materials including, but not limited to, viruses and bacteria. These type of pathogens are not always blood borne, but may also be found in saliva and/or other body fluids. Upon occurrence of a human bite, the following procedures shall be taken:

a. Immediately wash the affected area with soap and warm water.

b. When hand-washing facilities are not readily available, the employee shall thoroughly clean the area of the bite with an approved antiseptic cleanser.

c. The area of the bite shall still be washed with soap and warm water as soon as possible after the bite, even if the area was cleaned with an antiseptic cleanser.

d. The incident shall be reported to the employee's Supervisor.

e. An incident report shall be completed and a copy placed in the employee's Personnel File.

f. Employee shall seek confidential medical evaluation.

G. NEEDLES AND OTHER SHARPS

1. Protective equipment designated for use against sharps shall be used whenever there is a probability of exposure to potentially contaminated needles or sharps.

2. All needles or sharps shall be considered as potentially infectious material regardless of condition if not in the original sealed wrapper.

3. Contaminated needles or sharps shall not be bent or recapped.

4. All needles or sharps collected for evidence purposes should be immediately placed in hard plastic puncture resistant needle/syringe keepers to prevent accidental exposure or puncture.

5. Police vehicles shall be equipped with an adequate supply of puncture resistant sharps containers.

6. Sharps containers will be maintained in an upright position. Replaced routinely, not overfilled.

7. Before moving containers they will be closed to prevent spillage or protrusion of contents.

8. In the event of an accidental needle stick, the following actions should be taken:

a. Cause the area to bleed. Squeeze or milk the area of the wound to increase blood release.

b. Immediately wash and sanitize the area of puncture.

c. Confidential medical evaluation will be provided to any employee who has had an accidental exposure.

d. Report incident to employee's supervisor and place copies of all reports in employee's Personnel File.

9. In the event the exterior of a sharps container becomes contaminated with blood or other potentially infectious materials, the container shall be placed in a zip-lock bag, or other appropriate plastic container, to prevent leakage and subsequent exposure during handling or transport.

10. All sharps no longer needed as evidence or for an investigation shall be discarded in a puncture resistant container maintained in the Police Department Property Office; labeled in accordance with the standard and stored in a secure

place until proper disposal as regulated medical waste (See Medical Waste, Section K.).

11. Sterile needles intended for future use shall be kept in a distinctly separate area from used or potentially contaminated needles or sharps.

12. Mirrors shall be used, if possible, to search for fallen or lost sharps. Mirrors shall also be used, if possible, to search those areas that are not easily accessible. Where possible forceps and tongs shall be used to retrieve said sharps.

13. Suspects shall empty their pockets rather than have them emptied by Police Personnel.

H. PROTECTION AND LAUNDERING OF LINEN AND GARMENTS

1. Gowns or other protective outer clothing shall be worn whenever there is the possibility of contamination of clothing. This includes any time there is the possibility of splashing.

2. Any clothing contaminated with blood or other potentially infectious materials shall be removed as soon as possible. Care should be taken not to come in contact with the contamination with unprotected hands through use of Personal Protective Equipment such as latex gloves.

3. After removal, the contaminated item will be placed in a designated bag or box and shall be laundered or dry cleaned, according to manufacturer's instructions, at the Township's expense. If the laundry is wet and presents a reasonable likelihood of leakage, containers or bags that prevent soak through or leakage will be used.

4. Containers or bags used to transport laundry and dry cleaning to outside facilities will be labeled or color coded to indicate the need to practice universal precautions when handling the items to be cleaned. The container will be transported to vendor responsible for cleaning Police Uniforms and the vendor advised of the condition.

5. Shoes should be cleaned with a ten-to-one water bleach solution.

6. Individuals cleaning linens, clothing or garments must:

   a. Wear gloves
   b. Wear gowns or protective clothing when there is the possibility of splashing
   c. Wear eye protection when there is the possibility of splashing

7. Clothing or garments should be thoroughly washed with hot water at 160 degrees F. for twenty-five (25) minutes or be dry cleaned in accordance with manufacturer's instructions.

8. Soiled linens, clothing and garments shall be removed as soon as possible, bagged and deposited in the designated container in the Police Department.

9. Gloves must be worn whenever there is contact with contaminated linen, clothing, or garments. Handle these items as little as possible with a minimum of agitation.

10. Leak-proof plastic bags shall be used for transporting contaminated clothing or garments. These bags must be labeled clearly.

I. HOUSEKEEPING

1. All equipment and work surfaces shall be cleaned and decontaminated by trained Township personnel, after contact with blood or other potentially infectious materials with either a one-to-ten solution of bleach and water or a commercial product approved for decontamination for bloodborne pathogens.

2. Vehicles and other associated equipment that becomes contaminated with blood, bloodborne pathogens or other potentially infectious materials shall be thoroughly washed and sanitized with a ten-to-one water/chlorine bleach solution or other approved disinfecting agent.

3. Any equipment or property, including but not limited to the interior of patrol vehicles and the floors, walls, and furniture within Mahwah police headquarters, which are excessively contaminated with blood or other potentially infectious materials will be cleaned by a professionally trained third party provider, such as:

a. Serv-pro	201-236-2400
b. Aftermath	800-366-9923
c. Crime Scene Clean-up	800-295-5460

4. Equipment shall be decontaminated by following manufacturer's recommendations. In the event there are no recommendations available, decontamination shall be accomplished by using a ten-to-one water chlorinated bleach solution or other approved disinfectant.

5. Protective gloves, eye wear, gowns, and booties, if needed, shall be worn during decontamination procedures to prevent against personal contamination through splashing or direct contact.

J. MEDICAL WASTE MANAGEMENT DISPOSAL

1. Medical Waste shall be disposed in accordance with N.J.A.C. 7:26-3a et seq., "Regulated Medical Waste".

2. Whenever possible, when transporting a patient to a medical facility, all contaminated and potentially contaminated materials generated by that patient's care, should be left at the medical facility that is capable of disposing of medical waste.

3. All needles and sharps may be disposed of in closed, puncture resistant, leak-proof containers, labeled or color-coded to indicate a biohazard. These containers will be transported to regulated waste treatment facilities by a trained medical waste hauler.

4. The Police Department will have closeable, rigid, leak-proof, color-coded sharps containers for disposal of contaminated sharps for sharps that are collected as evidence for storage and disposal. The Police Department will also have closeable, leak-proof, color-coded labeled containers for disposal of "other regulated waste". (See Section III, Definitions, for definition of "Regulated Medical Waste.)

5. Contaminated gloves that qualify as other regulated waste shall be removed from local storage site when necessary and disposed of as regular medical waste. Emergency medical personnel shall discard their contaminated equipment at the hospital where possible. Personal Protective Equipment and medical waste shall be properly disposed of by attending Rescue Squad members.

6. Blood and body fluids may be disposed of by pouring them down a drain connected to a sanitary sewer. Personal protective equipment shall be worn to prevent exposure.

K. HEPATITIS B VACCINATION

1. Hepatitis B Vaccination series shall be offered to all designated employees at no cost to the employee.

2. Hepatitis B Vaccinations shall be offered to all designated employees within ten (10) working days of their designation as an employee who has the potential for exposure to blood, bloodborne pathogens or other potentially infectious materials as a result of the performance of his job duties.

3. All Hepatitis B Vaccinations shall be performed by or under the supervision of a licensed physician.

4. All Hepatitis B Vaccinations shall be provided according to the recommendations of the United States Public Health Service in practice at the time the vaccinations are given.

5. Employees who have previously completed a Hepatitis B Vaccination Series or have completed Antibody Testing that reveals the employee is immune shall submit written proof to the Chief of Police for permanent placement in the Employee's Personnel File.

6. Employees who decline to accept Hepatitis B Vaccinations offered by the Township shall sign a Waiver Statement (See Appendix I). The Signed Waiver shall be placed in the Employee's Personnel File.

7. Any designated employee who initially declines Hepatitis B Vaccination, but later decides to accept the vaccination, shall be provided the Vaccination Series at no charge to the employee, provided the employee is still a designated employee.

8. If a routine booster dose of Hepatitis B Vaccine is recommended by the United States Public Health Service at a future date such booster dose(s) shall be made available.

L. POST-EXPOSURE EVALUATION AND FOLLOW-UP

1. REPORTING

a. The following reporting procedure shall be adhered to following any exposure incident which is defined as specific eye, mouth, mucous membrane, non-intact skin or parenteral contact with blood or other potentially infectious materials:

1. Immediate notification shall be made to the Supervisor in charge.

2. A full, written Incident Report that outlines the exposure shall be completed by the employees) involved in the incident

3. Notification shall be made to the Division Commander and a copy of the Incident Report shall be forwarded to the Administrative Assistant for placement in the involved Employees Personnel file(s).

4. A copy of the Incident Report shall be forwarded to the Health Officer and the Safety and Training Officer for follow-up.

5. A full entry regarding all exposures shall be made in the PEOSHA Injury Log, kept by the Township of Mahwah - Human Resource Officer.

6. All Reports of incidents shall be kept confidential. Information on documented exposures will not be released without prior written consent of the employees involved.

7. Copies of all records regarding an employee's exposure shall be placed in the involved employee's Permanent Personnel File. Records shall include documentation of route of exposure and circumstances under which exposure occurred, identification of source individual if possible, but not be limited to Incident Report, Medical Follow-up Records and test results.

2. FOLLOW-UP

a. Follow-up of all reported incidents shall be performed by the employee's Supervisor, Municipal Manager, Health Officer, or Safety and Training Officer(s).

b. When deemed necessary, a Confidential Medical Evaluation and follow-up shall be offered to the employees involved in an exposure incident, at no cost to the employee by a Health Care Provider.

c. Obtain consent and test source individuals blood as soon as possible to determine HIV and HBV infectivity and document the source's blood test results. If consent is not obtained the department will contact the Bergen County Prosecutors Office in order to request a court order to compel the source individual to submit to a blood test.

d. The source individual will not be tested if already known to be infected with either HIV or HBV.

e. The exposed employee will be provided with the source individuals test results and information about applicable disclosure laws and regulations concerning the source identity and infectious status informing the employee that the source's identity and test results must be kept confidential.

f. With the exposed employee's consent, the employee will have blood collected as soon as feasible after the exposure incident to be tested for HIV and HBV serological status. In the event an employee refuses medical follow-up a signed written waiver shall be obtained and placed in the employee's personnel file.

g. If the employee does not give consent for serological testing but will consent to the collection of a baseline blood sample, the sample will be taken and preserved for at least ninety (90) days for later testing if the employee elects to have sample testing.

h. Post-exposure treatment and prophylaxis will be performed in accordance with current recommendations of the United State Public Health Service.

i. The Health Care Provider will be provided with the following information:

1. A Copy of the Regulation
2. A description of the exposed Employees' duties.
3. Documentation of the routes of exposure and circumstances, i.e., Exposure Report.
4. Results of source individuals testing, if available.
5. Any other pertinent medical records of Employee including vaccination status.

j. The Health Care Provider will provide a written opinion within fifteen (15) days of completion of the evaluation, a copy of which will be provided to the exposed Employee within this time frame. The written opinion will include:

1. Whether Hepatitis B Vaccination is indicated for the Employee.

2. That the Employee has been informed of the results of the Evaluation.

3. That the Employee has been told of any medical conditions resulting from the exposure that require further evaluation or treatment.

4. All other findings or diagnoses are confidential and shall not be included in a written report.

M. <u>COMMUNICATION OF HAZARDS</u>

1. The Municipality shall offer annual training to all designated employees as outlined in Section VIII above during the employee's working hours.

2. All designated employees shall be provided with a copy of this Exposure Control Plan.

3. All new employees, who are deemed designated employees, shall be trained, as per Section VIII above, within ten (10) working days of their designation as an employee who has the potential for exposure to blood, bloodborne pathogens or other potentially infectious materials as a function of their job duties.

4. Warning labels shall be affixed to all containers of regulated medical waste, refrigerators, or any other container holding blood, bloodborne pathogens or other potentially infectious materials.

5. An explanation of signs, labels, and color-coding indicating biohazards will be included as a component of each designated employee's annual training.

6. All labels shall include an orange or orange-red Biohazard label with lettering and symbols in contrasting colors.

7. Red bags or red containers may be used as a substitute for the Biohazard label.

8. Written material on hazards of exposure to blood, bloodborne pathogens or other potentially infectious materials will be made available to all designated employees.

9. The Municipal Health Officer and/or his designee, and the employee's Safety and Training Officer, shall be available during regular working hours or on an emergency basis, to answer any questions regarding this Exposure Control Plan,

infectious diseases and agents, and the potential for exposure to blood, bloodborne pathogens or other potentially infectious materials.

10. A copy of the Exposure Control Plan shall be accessible to all designated employees in accordance with 29CFR 1910:20(e) in the following areas:

a. Supervisors' offices
b. Report writing room
c. Police Dispatch desk
d. Cell block booking area

A copy of the Exposure Control Plan will be supplied to each designated employee.

11. The Exposure Control Plan will be reviewed annually, or more often if needed, and amended, as deemed necessary.

N. INFORMATION AND TRAINING

1. Annual Training shall be conducted, at the time of initial assignment and annually thereafter, for all designated employees as currently required by 29CFR 1910.1030 of the Occupational Safety and Health Act and is anticipated to be required by the Public Employees OSHA of the State of New Jersey. Additional training will be provided as necessitated by institution of new tasks or procedures that affect employee's occupational exposure.

2. The annual Training Record shall include:

a. Date of Training Session
b. Contents and Summary of Training Session
c. Names and qualifications of persons conducting Training
d. Names and job titles of all persons attending session

3. Annual Training shall include, but not be limited to:

a. Understanding and use of the Exposure Control Plan

b. A general explanation of the epidemiology and symptoms of bloodborne diseases.

c. Explanation of the modes of transmission of bloodborne pathogens.

d. Personal protective equipment and its proper use

e. Avoiding contamination

f. Decontamination procedures

g. Proper disposal of medical waste

h. Recording of exposure

i. Explanation of the appropriate methods for recognizing tasks and activities and potential of exposure to infectious materials.

j. Medical follow-up after exposure

k. Hepatitis B vaccination - information on efficiency, safety, method of administration, benefits of vaccination and availability of vaccine free of charge.

l. Current regulations on bloodborne pathogens

m. Engineering and work practice controls

n. Signs, labels, and hazard communication

4. Training records shall be maintained for a minimum of three (3) years from the date the training occurred. The Chief of Police and Training Officer shall maintain this record.

O. <u>RECORD KEEPING</u>

1. Record keeping shall be maintained as noted in Section IX, B above.

2. All Training Records shall be maintained for a minimum of three years following the Training Date. (See Section IX, B for contents).

3. All Exposure Records shall be maintained permanently in the exposed or potential exposed employee□s Personnel File for duration of employment plus thirty (30) years. These records will include exposed employee's name and social security number, hepatitis vaccine status,, a copy of the results of examinations, and the health care professionals written report. These records will be kept confidential.

4. All records regarding Hepatitis B Vaccinations shall be maintained permanently in the designated employee's Personnel Fire for the duration of employment plus thirty (30) years.

5. Availability.

a. Upon request, medical and training records will be made available to the Director of the National Institute for Occupational Safety and Health (NIOSH) and to the Assistant Secretary of Labor for Occupational Safety and Health.

b. Training records must be made available to employees or their designee upon request.

c. Employee's medical records may be obtained by that employee or anyone having the employee's written consent.

Mahwah Police Department – Policies and Procedures			Number 100:05:10
Subject Case Screening System and Criteria for Follow-up Assignment			
Issue Date 11142001		Effective Date 11142001	
Revisions: a. 05012012 LtMC, b.01312015 CaptSJ, c.02262015 CaptSJ, d.07/2018 D.Lt.GB			
Page 1 of 3.	Accreditation Number 42.1.2		

I. BACKGROUND

Case screening is a process used to assist in identifying those cases that have the best chances of being solved through follow-up investigative efforts. The process involves screening preliminary investigative reports for specific solvability factors known to enhance the potential for successful investigation. Therefore, it is critical that initial responding officers completely and thoroughly document information in preliminary reports, including actions taken by the officer during the initial investigation.

II. POLICY

It is the policy of this Department that all officers adhere to the below listed guidelines regarding the case screening system for follow-up assignments.

III. ACTION

A. CASE SCREENING

Responsibility for case screening is assigned to the Investigative Division Commander or Investigative Division Supervisor, who will review daily briefing reports for purposes of identifying those cases requiring follow-up investigation by the Investigative Division. Squad Supervisors may refer cases to the Investigative Division Commander and request that the case be reviewed for possible follow-up assignment. Patrol officers must first refer the case to their Tour Commander or Officer in Charge, who will then forward it to Investigative Division Commander and/or Division Supervisor for review. Officers will not send cases directly to an investigator for follow-up investigation. Nor will they advise victims or other persons that a case is being assigned for follow-up investigation. This does not prohibit an officer from speaking directly with an investigator to seek advice or share information about a case, however, all investigative assignments must be made by the Investigative Division Commander, Investigative Supervisor, or Chief of Police.

Investigators who receive a case directly, either through contact with a variety of established resources or as a result of another investigation, will review the case with the Investigative Division Supervisor for determination regarding any follow-up assignment before initiating an investigation.

B. SOLVABILITY FACTORS

A solvability factor is information about a crime that can provide the basis for determining who committed that particular crime. Research has shown that when a preliminary investigation or second contact fails to disclose sufficient solvability factors, the case will have very little chance of being solved.

The objective in using solvability factors and assessment is to make the best possible use of available resources by directing investigative efforts to those offenses that have the best opportunity for success. When circumstances dictate, solvability factors and indicators may be used as a guide to the amount of resources to be committed to a given investigation. Review and assessment of solvability factors will be conducted by the Investigative Division Commander and/or Division Supervisor as they review preliminary and follow-up reports submitted.

The specific solvability factors and indicators for screening assessment utilized to screen and assign cases, are to include but are not limited to:

- Reliable witness
- Suspect named
- Suspect address or location is
- Suspect can be identified for prosecution purposes
- Suspect has been previously seen
- Vehicle described
- Traceable property
- Significant modus operandi
- Usable physical evidence
- Limited opportunity for anyone other than suspect to commit offense

C. **CASE ASSIGNMENTS**

Assignment of cases for further investigation will be based on the seriousness of the offense, the solvability factors present, investigative workload and other factors such as special skills, knowledge or experience needed to conduct a particular investigation.

The Mahwah Police Department utilizes a process that assigns follow-up investigations to a "principal investigator." Assignment of a principal investigator fixes accountability for the investigation. In many instances, having a principal investigator assigned is sufficient to carry out the entire investigation. However, the assignment of a principal investigator does not preclude the assignment of more than one person to a particular investigation.

Any preliminary investigation with an aggregate score of 5 or higher, based on the above solvability factors, is eligible to be assigned for follow-up investigation. Such cases may be assigned to an investigator, referred back to the original officer, or assigned to another officer. If none of the solvability factors are present, the case may be closed. However, a case may also lack solvability factors and still warrant follow-up investigation based on exceptional factors. The exceptional factors to be reviewed include:

- Community importance – example, cemetery desecration or hate crime with limited or no solvability factors;
- Case linkage/serial offense – example, cat burglaries with limited or no solvability factors;
- Management Exception – example, crimes likely to generate intense media coverage with limited or no solvability factors, or offenses including potential danger to complainants, witnesses or other persons;
- Investigative Exception – example, investigative intuition, such as identification of a suspect based on history of known modus operandi or intelligence information.

D. **SUSPENDING AND/OR CLOSING CASES**

The investigative effort will continue as long as it is reasonable to do so based on the aforementioned. Active cases are those that are open and continue to be assigned for investigation. Inactive cases will be classified either as closed or suspended.

A case may be closed when any of the following is applicable:

- The case is cleared by the arrest of the offender(s);
- The case is cleared by filing of formal charges and/or a warrant request for the offender(s);
- Measures have been taken to recover all property for which the location is known;
- The investigation shows that an offense did not occur and there are sufficient reasonable grounds to support this premise, or the offense occurred in another jurisdiction.
- The victim has declined prosecution or refuses to cooperate with the investigation;
- The Prosecutor or Grand Jury has declined to proceed with charges;
- Extradition of the suspect(s) has been denied; or
- The case lacks sufficient leads for follow-up investigation, or all available leads have been exhausted, and there is little or no chance of additional leads being developed.

A case may be suspended when any of the following is applicable:

- Results of pending forensic examinations are needed before the investigation can proceed;
- Judicial matters must be resolved before the investigation can proceed.
- The workload of the investigator is such that other cases must receive first priority.

Suspended or closed cases may be reopened whenever new information or evidence is discovered that may lead to the solving of the case.

I. BACKGROUND

Case files should be maintained on all cases in which investigative activities are ongoing. The case files provide an immediate information resource to investigators.

II. POLICY

It is the policy of this Department that all investigators adhere to the below listed guidelines regarding case file management.

III. ACTION

A. CASE STATUS CONTROL SYSTEM

The Investigative Division Commander and Division Supervisor will utilize case management software for each case assigned to an investigator. The case management file shall include the following information:

- Complaint number;
- Case name (usually the name of the victim, suspect or other involved party);
- Type of investigation;
- Investigator assigned;
- Date assigned;
- Exceptional factors present on date assigned; and
- Identification of the originally assigned officer, if different from the assigned investigator.

The Investigative Division Supervisor will maintain the case management software and will check the case management daily for any cases having been assigned 30 days or more. (Whenever the Investigative Division Supervisor has been absent due to illness, a regular day off, external training, or some other reason, the Supervisor will check the file for that particular date on his first day back to work.) Such cases will be reviewed with the assigned investigator to:

- Ensure that the case has been updated within the past 30 days;
- Determine whether the solvability factors have increased or decreased;
- Determine the future course of the investigation; and
- Determine whether the case should remain open, be assigned to another investigator, suspended or closed.

The date that each case has been reviewed shall be recorded in the case management system. Most cases will be cleared or closed within 90 days of assignment. Cases that span longer than 90 days will be noted as such in the case management system.

When a case has been suspended or closed, the assigned investigator will note that in the case management system and forward it to the Investigative Division Supervisor. The Investigative Division Supervisor will mark the appropriate closure and date the entry.

B. **ADMINISTRATIVE DESIGNATORS FOR EACH CASE**

The Mahwah Police Department utilizes a system to designate which cases are active (open) and which cases are inactive (suspended or closed). Criteria for each of these administrative designators are delineated above in SOP 100:05:10, Suspending and/or Closing Cases.

C. **TYPES OF RECORDS TO BE MAINTAINED**

An investigative case file is a separate case investigation file that is maintained by the investigator assigned to conduct a follow-up investigation. Investigators will maintain investigative case files only on active cases.

Investigative case files provide an immediate information resource to investigators. As such, the case files should contain a copy of all preliminary investigative reports, records of statements, results of examinations of physical evidence, case status reports, investigators notes, and other reports and records needed for investigative purposes.

Investigators shall not maintain any original document in the investigative case file, except for handwritten investigative notes, and only then until such time that the case is closed or suspended. Upon suspension or closure of a case, investigators shall check the case file and ensure that all original documents are forwarded to records, including investigator notes, for filing in the case file.

D. **ACCESSIBILITY TO CASE FILES**

Access to active case files will be on a need to know basis. As a general rule, access will be limited to the assigned investigator, Investigative Division Commander, Patrol Division Commander, Investigative Division Supervisor and Chief of Police. Others are prohibited from accessing investigative case files without the express permission of the Chief of Police.

E. **PROCEDURES FOR PURGING FILES**

Case files will be purged upon the completion of a case investigation. Once a case is fully investigated and a final disposition made as outlined by the assigned detective, the case file will be processed by the Investigative Division Supervisor and forwarded to the Records Division for permanent filing with the main case file.

Mahwah Police Department – Policies and Procedures	Number 100:05:25
Subject **Habitual and Serious Offender Classification**	
Issue Date 11142001	Effective Date 11142001
Revisions: a. Reviewed 12/2011 RC, b. Reviewed 3/2015 DetGB, c. Reviewed 07/2018 D.Lt.GB	
Page 1 of 2.	Accreditation Number 42.1.5

I. BACKGROUND

New Jersey Statutes define certain offenders as Persistent, Habitual and Professional Criminals. These offenders commit crimes and offenses at a higher rate than one-time offenders and as such should be identified and documented.

II. POLICY

It is the policy of the Mahwah Police Department, through the course of investigations, to identify habitual/serious offenders identify, verify, and document individuals who have prior criminal and/or traffic offenses.

III. ACTION

A. DEFINING HABITUAL/SERIOUS OFFENDERS

According to Title 2C, Chapter 44, Section 3, certain offenders may be sentenced to extended terms of prison if they can be classified as one of the following:

1. A **Persistent Offender**. A persistent offender is a person who at the time of the commission of the crime is 21 years of age or over, who has been previously convicted on at least two separate occasions of two crimes, committed at different times, when he was at least 18 years of age, if the latest in time of these crimes or the date of the defendant's last release from confinement, whichever is later, is within 10 years of the date of the crime for which the defendant is being sentenced.
2. A **Professional Criminal**. A professional criminal is a person who committed a crime as part of a continuing criminal activity in concert with two or more persons, and the circumstances of the crime show he has knowingly devoted himself to criminal activity as a major source of livelihood.
3. According to Title 39, Chapter 5, Section 30a, a **Habitual Offender** is a person who has his license to operate a motor vehicle suspended three times for violations occurring within a 3-year period. This classification only applies to motor vehicle cases, not criminal cases.

According to Title 2C, Chapter 7, Section 2, certain sexual offenders must register as such if that person has been convicted, adjudicated delinquent or found not guilty by reason of insanity for commission of aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping (2C:13-1c(2)) or an attempt to commit any of these crimes if the court found that the offender's conduct was characterized by a pattern of repetitive, compulsive behavior regardless of the date of the commission of the offense or the date of conviction. Factors relevant to the risk or re-offense are listed in Chapter 7, Section 8b of Title 2C.

B. **IDENTIFICATION OF CASES INVOLVING HABITUAL/SERIOUS OFFENDERS**

The Department and the courts will utilize the above definitions in determining whether or not an individual is designated as a serious or habitual offender. The investigating officer is responsible for researching offenses, cases, and offenders to identify those cases involving a habitual or serious offender as defined above. The Detective Bureau maintains a file of registered sexual offenders in accordance with "Megan's Law" and the level of notification required by Statute.

C. **NOTIFICATION OF PROSECUTOR REGARDING HABITUAL OFFENDER CASES**

The prosecuting attorney shall be notified by the investigating officer of such identification in all cases coming before the court and the prosecuting attorney shall be requested for assistance in cases preparation in these instances. Notification of the prosecutor will be accomplished by forwarding copies of all case records and research to the Prosecutor's Office. In addition, officers may wish to follow up with telephone call to the Prosecutor.

Mahwah Police Department – Policies and Procedures	Number 100:10:40
Subject **Identity Theft and Identity Related Crimes**	
Issue Date 10012007	Effective Date 10012007
Revisions: a. Reviewed 12/2011, b. Reviewed 3/2015 DetGB	
Page 1 of 5.	Accreditation Number 42.2.8

I. BACKGROUND

Identity theft is the unlawful use of another person's personal information, such as name and date of birth, credit card numbers, Social Security number, or driver's license information for the purpose of committing fraud or some other form of deception. Although the unauthorized use of another person's identity is in itself a crime under Federal and State law, it is almost always a means of committing other crimes such as bank fraud, check fraud, credit card fraud, Internet fraud, the fraudulent obtaining of loans, or the avoidance of criminal prosecution.

II. POLICY

It is the policy of this police department to investigate all instances where a citizen's identity has been compromised for an unlawful purpose.

III. ACTION

A. TAKING IDENTITY CRIME REPORTS

All reports of identity crime will be investigated by a police officer/investigator and a report will be filed prior to the end of the officer's/investigator's shift, unless unusual circumstances cause it to be filed at a later date. Financial institutions often require victims to forward a police report, so the filing of the report should never be delayed more than one tour of duty.

1. **Theft of a Credit Card**

   An officer/detective investigating the theft of a credit card will attempt to determine how the subject obtained the credit card, and must list in the report the names and account numbers of the credit cards involved.

2. **Point of Compromise**

   An officer/detective investigating the unauthorized use of the victim's identity to commit a financial crime will attempt to determine the point where the victim's identity was compromised.

   a. Determining the point of compromise will assist the officer in learning important information about the subject's MO, and may lead him or her to other victims.

b. If the point of compromise is outside this community, the officer/detective will pass relevant information on to the appropriate law enforcement agency. All such referrals must be documented in the officer's report, including:

   i. The law enforcement agency to which the referral was made;
   ii. The name of the officer to whose attention the referral was sent; and,
   iii. The method by which the officer's report was transmitted (mail, fax, email, etc.)

3. **Financial Transactions**

The officer/detective taking the report of identity theft must attempt to identify any financial transactions that have been made using the victim's identity and take proper steps to preserve evidence, including:

a. Interviewing or causing to be interviewed employees of stores or banks that waited on the subject using the identity;

b. Determining whether purchases or transactions were photographed or videotaped, and securing or causing to be secured any resulting photographs, tapes or other images;

c. In the case of banking transactions, obtain and include in the police report;

   i. the names and branches of the financial institution(s);
   ii. the name on the account(s);
   iii. the type of account and account number(s) involved;
   iv. the amount of loss; and
   v. the location of the unlawful transaction.

d. If the victim's identity has been used to apply for a fraudulent loan, obtain information about the application and trace the goods purchased with the loan.

4. **Criminals Avoiding Capture**

In some cases a victim's identity will be used by a criminal to avoid apprehension or prosecution. In all such cases, the investigating officer should:

a. Document cases where the subject used the victim's identity to avoid prosecution, and

b. Make appropriate referrals to law enforcement agencies that filed charges against the victim based upon the subject's use of the victim's personal information.

5. **Copies of Reports for Victims**

The investigating officer/detective should inform the victim that a copy of his/her report will be available once it has been reviewed and approved. The officer/detective should have the victim call the Records Clerk to forward a copy of the approved report by:

a. Mailing it to the victim; or,

c. Leaving it at the Communications Center in a sealed envelope, and calling the victim to advise them that it is ready to be picked up.

After the necessary OPRA form has been filled out and the fee paid.

B. VICTIM ASSISTANCE AND INFORMATION

1. **Resource Guide for Victims**

Police officers/detectives investigating an identity theft must not only attempt to identify the subjects responsible, but also assist the victim in minimizing the damage done.

a. An officer/detective investigating an identity theft must provide the victim with a copy of the department's document, "Identity Theft Fact Sheet"; and,

b. The officer/detective should record his/her name and the case number on the Fact Sheet, and,

c. Give the victim a copy of the incident/investigation report.

2. **Victim Contact with Credit Bureaus**

The officer/detective should advise the victim to contact one of the three major credit bureaus and place a fraud alert on their credit reports. The credit bureaus are required to share information with each other about identity theft, so there is no need for the victim to contact more than one of them. Victims may also request a copy of their credit report. The three credit bureaus are listed on the Fact Sheet.

New Jersey residents may put a security freeze on their credit files. Information on this credit freeze is available at the New Jersey Department of Banking and Insurance online at www.state.nj.us/dobi/creditfreeze.htm

3. **Notifications to Financial Institutions**

The officer/detective should ensure that the victim notifies each financial institution where the victim has an account, so that those institutions can check the accounts for undetected fraud.

4. **Federal Trade Commission**

The officer/detective should advise the victim to contact the Federal Trade Commission and file a complaint. Complaints should be filed online at www.consumer.gov/idtheft.

5. **Compromise of Social Security Numbers**

In cases where a victim's Social Security number has been compromised, the Social Security Administration should be notified at 800-269-0271, or at www.ssa.gov/oig

6. **Documenting Contacts**

The officer/detective should advise the victim to maintain a log detailing each instance where his/her identity has been compromised, and each contact he/she makes with a financial institution, credit bureau, store, or law enforcement agency.

7. **Information Sharing**

The officer/detective should inform the victim that information about the case will be shared with other police agencies, and with bank security investigators that may be assigned to the case by the victim's bank.

C. COORDINATION WITH OTHER AGENCIES

Upon receiving a referral from another law enforcement agency regarding an element of identity theft occurring in this community, the officer/detective will:

a. Follow-up on all leads as requested by the referring agency;

b. Document all fraudulent transactions;

c. Secure all available evidence including photographs, stolen property, and relevant documents;

d. Inform the referring agency, officer or agent of all significant developments in the investigation; and

e. Prepare a comprehensive report of the follow-up investigation, and provide a copy to the referring law enforcement agency or official.

1. **Dissemination of Surveillance Photographs**

In all cases where photographs or images of subjects conducting transactions related to identity theft are available, the investigating officer/detective will share these images with other law enforcement agencies for comparison and investigative purposes.

E. PREVENTION AND EDUCATION

The department will keep the public informed on the subject of identity fraud in general, and specifically about steps that the public can take to prevent becoming a victim.

A. The department web site will maintain links to sites that offer information about identity theft.

B. The department will utilize the media where appropriate to warn citizens about trends in identity crime.

C. The department will maintain public information in the police lobby regarding identity theft and its prevention.

Mahwah Police Department – Policies and Procedures			Number 100:10:45
Subject Cold Cases			
Issue Date 10012007		Effective Date 10012007	
Revisions: a. Reviewed 12/2011, b. Reviewed 3/2015 DetGB, c. Reviewed 08/2018 D.Lt.GB			
Page 1 of 2.	Accreditation Number 42.2.7		

I. BACKGROUND

In many instances crimes go unsolved because of a lack of a viable suspect, little or no evidence or uncooperative or no witnesses. These cases tend not to be closed by arrest and become "cold cases", remaining unsolved. Over time the position of persons involved and other factors in the situation may change and present new opportunities for law enforcement to solve the case. Recent advances in forensic science (DNA) have given law enforcement the ability to identify unknown offenders years after the crime is committed. Reviewing of these cold cases is particularly important with serious crimes against persons, as these offenders tend to continue to commit similar acts.

II. POLICY

It is the policy of this department to investigate certain cold cases that meet the criteria listed below.

III. ACTION

A. DEFINITIONS

Cold Case: A cold case is any criminal homicide, sexual assault or act of terrorism that has not been closed by arrest after one year (or more) since its date of occurrence.

Time Limits: Prosecutions for criminal homicide, sexual assault and acts of terrorism may commence at any time. A prosecution is commenced when an indictment is found.

B. EVALUATION CRITERIA

In many cases an outside jurisdiction will assume the investigation of criminal homicides, sexual assaults, arsons, kidnapping and acts of terrorism. In any event, the investigating detective assigned to follow-up on any one of the listed offenses will review open cases after one year and determine what, if any, further action would be warranted.

In cases assumed by other jurisdictions (Bergen County Prosecutor's Office, New Jersey State Police, Federal Bureau of Investigation, etc.) the investigating detective will make contact with the investigating agent/officer from that jurisdiction and determine if the open case has been closed by arrest, is still under investigation or in some other form of open classification.

C. DOCUMENTATION
The investigating detective will note any action along with the date the action was taken on the narrative portion of the open investigation report. Any follow-up interviews, statements, arrest, property or evidence reports, complaints, warrants, etc. will be added to the original investigation case jacket along with the follow-up narrative.

Notation will also be made if an open case has passed the statute of limitations for prosecution, in that further action on the open case would not result in prosecution of the offender.

Mahwah Police Department – Policies and Procedures	Number 100:10:60
Subject **Investigative Show-ups**	
Issue Date 03012009	Effective Date 03012009
Revisions a. 12/6/2011, b. Reviewed 3/2015 DetGB Revised 05/30/2018 JNB	
Page 1 of 2	Accreditation Number 42.2.12

I. BACKGROUND

A show-up usually occurs immediately or shortly after a crime has occurred. If law enforcement personnel see a person who they suspect is the perpetrator of a very recent crime, the officers may detain the suspect and bring him back to the scene of the crime and show him to witnesses, or the officers may take the suspect to a police station and bring the witnesses to the station.

II. POLICY

It is the policy of this agency to adhere to the below listed guidelines on investigatory show-ups.

III. ACTION

A. Show-ups are a valuable and practical tool in apprehending criminals. If a witness affirmatively identifies a suspect as the perpetrator of a crime, police can detain the suspect without delay to serve the interests of public safety. If a witness fails to identify the subject of a show-up as the perpetrator, the show-up will result in the quick release of the innocent suspect and allow police to redirect their efforts.

1. A show-up shall be conducted within two (2) hours after a crime has been committed. If the suspect is not apprehended until the next day, or several days or weeks afterward, a traditional, in-person lineup should be conducted. One exception is when a traditional lineup is impractical. For example, if the sole witness to a crime is bedridden and approaching death, police may bring the suspect to the victim even if the crime occurred several days before the show-up.

A show-up shall not be performed for a witness unless the witness has displayed an ability to make a clear identification of the perpetrator of the crime. A show-up for a witness who cannot cite any identifying characteristics of the perpetrator may be unnecessarily suggestive and may be excluded from a subsequent trial of the suspect.

Because a show-up generally involves detention of a criminal suspect, police must have a reasonable suspicion that the suspect committed a crime before subjecting the suspect to a show-up. This is a low level of certainty and need only be supported by enough articulable facts to lead a reasonable officer to believe that the suspect may have committed a crime.

B. If a suspect is detained, the victim shall be transported to the scene of the crime in the a police vehicle. The witness shall be seated near one of the windows to facilitate observation and possible identification of the suspect(s). Marked police vehicles should be used for the transportation. Unmarked police vehicles may be used when circumstances required such use, but the use of an unmarked police vehicle should be recorded in the police report and the reason for not using a marked police vehicle.

C. If there is more than one witness, the witnesses should be separated and allowed to make the show-up viewing individually. The witness should be instructed prior to the show-up that the perpetrator may not be the person presented in the police vehicle and, therefore, they should not feel compelled to make an identification.

1. Show-up: When presenting a suspect, the show-up officer or investigator should:

1. Provide viewing instructions to the witness as outlined above.
2. Instruct all those present at the show-up not to suggest in any way the identity of the suspect in the show-up.
3. Avoid saying anything to the witness that may influence the witness' selection.
4. If an identification is made, avoid reporting to the witness any information regarding the individual he or she has identified prior to obtaining the witness' statement of certainty.
5. Record any identification results and witness' statement of certainty as outlined in "Recording Identification Results."
7. Document in writing the show-up procedure, including:
    a. Identification information of show-up suspect.
    b. Names of all persons present at the show-up.
    c. Date and time of the identification procedure.
8. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

2. Recording Identification Results

When conducting an identification procedure, the show-up officer or investigator shall preserve the outcome of the procedure by documenting any identification or non-identification results obtained from the witness.

Preparing a complete and accurate record of the outcome of the identification procedure is crucial. This record can be a critical document in the investigation and any subsequent court proceedings. When conducting an identification procedure, the show-up officer or investigator should:

1. Record either identification or non-identification results in writing, including the witness' own words regarding how sure he or she is.
2. Ensure that the results are signed and dated by the witness.
3. Ensure that no materials indicating previous identification results are available to the witness.
4. Ensure that the witness does not write on or mark any materials that will be used in other identification procedures.

Mahwah Police Department – Policies and Procedures	Number 100:10:55
Subject **Photographic Line-ups**	
Issue Date 03012009	Effective Date 03012009
Revisions a. 12052011, b.03022015 LtGB c. 05252018JNB d. 05/31/2018 JNB	
Page 1 of 5.	Accreditation Number 42.2.11

I. BACKGROUND

While it is clear that current eyewitness identification procedures fully comport with federal and state constitutional requirements that does not mean that these procedures cannot be improved upon. Both case law and recent studies have called into question the accuracy of some eyewitness identifications.

II. POLICY

Recognizing that the primary duty is to ensure that justice is done and the criminal justice system is fairly administered, these guidelines will be utilized as "best practices" to ensure that identification procedures minimize the chance of misidentification of a suspect.

III. ACTION

COMPOSING THE PHOTO OR LIVE LINEUP

The following procedures will result in the composition of a photo or live lineup in which a suspect does not unduly stand out. An identification obtained through a lineup composed in this manner should minimize any risk of misidentification and have stronger evidentiary value than one obtained without these procedures.

A. In order to ensure that inadvertent verbal cues or body language does not impact on a witness, whenever practical, considering the time of day, day of the week, and other personnel conditions within the agency or department, the person conducting the photo or live lineup identification procedure should be someone other than the primary investigator assigned to the case. The Attorney General recognizes that in many departments, depending upon the size and other assignments of personnel, this may be impossible in a given case. In those cases where the primary investigating officer conducts the photo or live lineup identification procedure, he or she should be careful to avoid inadvertent signaling to the witness of the "correct" response.

B. If there is more than one witness, the witnesses should be separated and allowed to make the line-up viewing individually. The witness should be instructed prior to the photo or live lineup identification procedure that the perpetrator may not be among those in the photo array or live lineup and, therefore, they should not feel compelled to make an identification.

C. All photo lineup identification procedures shall be done sequentially ie, showing on photo or one person at a time to the witness, rather than simultaneously. When possible, live lineup identification procedures should be conducted sequentially.

D. In composing a photo or live lineup, the person administering the identification procedure should ensure that the lineup is comprised in such a manner that the suspect does not unduly stand out. However, complete uniformity of features is not required.

E. **Photo Lineup**. In composing a photo lineup, the lineup administrator or investigator should:

1. Include only one suspect in each identification procedure.
2. Select fillers (non-suspects) who generally fit the witness' description of the perpetrator. When there is a limited or inadequate description of the perpetrator provided by the witness, or when the description of the perpetrator differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.
3. Select a photo that resembles the suspect's description or appearance at the time of the incident if multiple photos of the suspect are reasonably available to the investigator.
4. Include a **minimum** of five fillers (non-suspects) per identification procedure.
5. Re-shuffle the lineup each time the lineup is shown to a different witness.
6. Do not reuse the same fillers in lineups shown to the same witness when showing a new suspect.
7. Ensure that no writings or information concerning previous arrest(s) will be visible to the witness.
8. View the array, once completed, to ensure that the suspect does not unduly stand out.
9. Preserve the presentation order of the photo lineup. In addition, the photos themselves should be preserved in their original condition.
10. Document the lineup by photograph, audio or video. This documentation should be of a high quality that represents the lineup clearly and fairly.

F. **Live Lineups**. In composing a live lineup, the lineup administrator or investigator should:

1. Include only one suspect in each identification procedure.
2. Select fillers (non-suspects) who generally fit the witness' description of the perpetrator. When there is a limited or inadequate description of the perpetrator provided by the witness, or when the description of the perpetrator differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.
3. Place the suspect in a different position in each lineup when conducting more than one lineup in a case due to multiple witnesses.
4. Include a **minimum** of four fillers (non-suspects) per identification procedure.
5. Do not reuse fillers in lineups shown to the same witness containing a new suspect.

CONDUCTING THE IDENTIFICATION PROCEDURE

The identification procedure should be conducted in a manner that promotes the accuracy, reliability, fairness and objectivity of the witness' identification. These steps are designed to ensure the accuracy of identification or non-identification decisions.

A. Sequential Photo Lineup: When presenting a sequential photo lineup, the lineup administrator or investigator should:

1. Provide viewing instructions to the witness as outlined in subsection I B, above. That is, the administrator should instruct the witness that the perpetrator may or may not be among those in the photo array and, therefore, he/she should not feel compelled to make an identification.
2. Instruct the witness that regardless of whether an identification is made, the police will continue to investigate the incident.
3. Instruct the witness that the procedure requires the administrator to ask the witness to state, in his/her own words, how certain he/she is of any identification.
4. Provide the following **additional** viewing instructions to the witness:
    a. Individual photographs will be viewed **one at a time**.
    b. The photos are in random order.
    c. The individuals in the lineup photos may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change.
    d. Take as much time as needed in making a decision about each photo before moving to the next one; and
    e. If you see a photo of a person who committed the crime, identify him or her.
    f. All photos will be shown, even if you make an identification before you have seen all of the photos.
5. Confirm that the witness understands the nature of the sequential procedure.
6. Present each photo to the witness separately, being careful to record the order in which you are showing the photos. After the witness views each photo, remove it before showing the next one.
7. Avoid saying anything to the witness that may influence the witness' selection.
8. If an identification is made, avoid reporting to the witness any information regarding the individual he or she has selected prior to obtaining the witness' statement of certainty.
9. Record any identification results and witness' statement of certainty as outlined in subsection II E, "Recording Identification Results."
10. Document in writing the lineup procedure, including:
    a. Identification information and sources of all photos used.
    b. Names of all persons present at the photo lineup.
    c. Date and time of the identification procedure.
11. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

B. Simultaneous Live Lineup: (when possible, use a sequential live lineup) When presenting a simultaneous live lineup, the lineup administrator or investigator should:

1. Provide viewing instructions to the witness as outlined in subsection I B, above. That is, the administrator should instruct the witness that the perpetrator may or may not be among those in the live lineup and, therefore, he/she should not feel compelled to make an identification.

2. Instruct the witness that regardless of whether an identification is made, the police will continue to investigate the incident.
3. Instruct the witness that the procedure requires the administrator to ask the witness to state, in his/her own words how certain he/she is of any identification.
4. Instruct the witness that the individuals present in the lineup may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change.
5. Instruct all those present at the lineup not to suggest in any way the position or identity of the suspect in the lineup.
6. Ensure that any identification actions (e.g., speaking, moving, etc.) are performed by all members of the lineup.
7. Avoid saying anything to the witness that may influence the witness' selection.
8. If an identification is made, avoid reporting to the witness any information regarding the individual he or she has selected prior to obtaining the witness' statement of certainty.
9. Record any identification results and witness' statement of certainty as outlined in subsection II E, "Recording Identification Results."
10. Complete a Photographic Identification Form; sign and date form as indicated.
Document in writing the lineup procedure, including:
a. Identification information of lineup participants.
b. Names of all persons present at the lineup.
c. Date and time of the identification procedure.
11. Document the lineup by photo or video. This documentation should be of a quality that represents the lineup clearly and fairly.
12. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

C. Sequential Live Lineup: When presenting a sequential live lineup, the lineup administrator or investigator should:
1. Provide viewing instructions to the witness as outlined in subsection I B, above. That is, the administrator should instruct the witness that the perpetrator may or may not be among those in the live lineup and, therefore, he/she should not feel compelled to make an identification.
2. Instruct the witness that regardless of whether an identification is made, the police will continue to investigate the incident.
3. Instruct the witness that the procedure requires the administrator to ask the witness to state, in his/her own words how certain he/she is of any identification.
4. Provide the following **additional** viewing instructions to the witness:
a. Individuals will be viewed **one at a time**.
b. The individuals will be presented in random order.
c. The individuals present in the lineup may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change.
d. Take as much time as needed in making a decision about each individual before moving to the next one;

e. If the person who committed the crime is present, identify him or her; and

f. All individuals will be presented, even if you make an identification before you have seen all of the individuals.

5. Confirm that the witness understands the nature of the sequential lineup.
6. Begin with all lineup participants out of the view of the witness.
7. Instruct all those present at the lineup not to suggest in any way the position or identity of the suspect in the lineup.
8. Present each individual to the witness separately, in a previously determined order, removing those previously shown.
9. Ensure that any identification action (e.g., speaking, moving, etc.) are performed by all members of the lineup.
10. Avoid saying anything to the witness that may influence the witness' selection.
11. If an identification is made, avoid reporting to the witness any information regarding the individual he or she has selected prior to obtaining the witness' statement of certainty.
12. Record any identification results and witness' statement of certainty as outlined in subsection II E, "Recording Identification Results."
13. Document in writing the lineup procedure, including:
    a. Identification information of lineup participants.
    b. Names of all persons present at the lineup.
    c. Date and time the identification procedure was conducted.
14. Document the lineup by photo or video. This documentation should be of a quality that represents the lineup clearly and fairly. Photo documentation can either depict the group or each individual.
15. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

E. Recording Identification Results

When conducting an identification procedure, the lineup administrator or investigator shall preserve the outcome of the procedure by documenting any identification or non-identification results obtained from the witness. Preparing a complete and accurate record of the outcome of the identification procedure is crucial. This record can be a critical document in the investigation and any subsequent court proceedings. When conducting an identification procedure, the lineup administrator or investigator should:

1. Record both identification and non-identification results in writing, including the witness' own words regarding how sure he or she is.
2. Ensure that the results are signed and dated by the witness.
3. Ensure that no materials indicating previous identification results are visible to the witness.
4. Ensure that the witness does not write on or mark any materials that will be used in other identification procedures.

Mahwah Police Department – Policies and Procedures		Number 105:05:05
Subject **Vice, Drugs and Organized Crime**		
Issue Date 09272001		Effective Date 12172008
Revisions: a. 12242005 b. 12172008 c. 12/2011Capt.SJ d.020315 Capt. S.J., e. Revised 08/2018 D.Lt.GB		
Page 1 of 5.	Accreditation Number 43.1.1-2, 43.1.4-5	

I. BACKGROUND

Policy has been established to provide guidelines and procedures for all members of the Department to clearly understand their responsibilities for the conduct of preliminary and follow-up criminal investigations and of complaints of organized crime, vice, and narcotics.

II. POLICY

It is the policy of this Department that all members conduct criminal investigations to the best of their ability based on nature of the incident, the experience of the Officer, and the policies of this Department.

III. ACTION

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A. ORGANIZED/VICE CRIMES AND POLICE INTELLIGENCE INFORMATION AND COMPLAINTS

The Mahwah Police Department is firmly committed to the suppression of organized crime and vice in any form in the Township of Mahwah. All members of this Department will take an active role in said suppression. However, it will be the responsibility of the Investigative Division Commander and/or Division Supervisor to assign a detective on an as need basis to perform organized crime/vice control function and to conduct any follow-up investigation.

Police Officers may receive information on, or complaints regarding organized crime, vice crime or matters of police intelligence demanding from them police investigation. Organized crime and vice crime activities and areas of police intelligence interest may include any of the following:

a. Corruption, extortion, bribery;
b. Illegal sale and distribution of liquor, tobacco, firearms, or controlled dangerous substances;
c. Prostitution, pornography;
d. Gambling;
e. Theft/fencing rings;
f. Loan sharking or labor racketeering;

g. Terrorism, subversive activities, civil disorders.

The patrol division will investigate all citizen complaints regarding any of these illegal activities, and the report assigned to a detective for follow-up investigation. All such reports shall be investigated to the fullest extent possible. If beyond the scope/capabilities of the local level, the appropriate county/state/federal agency will be contacted and assistance requested.

Police Officers receiving such information, or taking a citizen complaint, will prepare a case report, depending upon the source/type of information. The initial report will include, (minimally), the following:

a. Type of illegal/suspected activity, location, names and addresses of actors involved and information concerning the activities.

b. If complaint: name, address, and telephone number of complainant.

Initially, the reporting Officer will conduct no preliminary or follow-up investigation but will personally contact the Investigative Division Commander, Division Supervisor or the Shift Commander in reference to the reported information.

The Investigative Division Supervisor and/or Division Commander will ensure that any information that is provided by any Department employee is:

a. Reduced to a written report.

b. Analyzed to ascertain if investigation is warranted and if so assigned to a Detective.

c. Entered in a complaint filing system within a secured area of the Investigative Division Commander's office.

d. When not returned for initiation of preliminary investigation and later used, that an effort will be made if practical and prudent, that the Officer, victim or complainant contributing the information is advised of the use of the information.

e. Called to the attention of the Chief of Police.

f. Kept confidential and the reporting person's name not used or released unless required by law. Only those with a need-to-know will be informed of such investigative activity.

g. Analyzed periodically to evaluate possible community problems and public attitude toward the problem.

h. Purged from the file by the Investigative Division Commander after ten (10) years (via shredding) of investigative inactivity.

The Investigative Division Commander will determine whether the reported information:

a. Relates to an ongoing investigation and, if so, ensure the new information report is incorporated.

b. Is new information of significant worth which should be followed up with a preliminary investigation by personnel of this Department.

c. Is new information of significant worth which should be coordinated with other investigative agencies (county, state, or federal) due to the jurisdiction of activities involved.

d. Is new information, BUT, is information which must be held pending accumulation of additional data in order to make expenditure of investigative effort worthwhile.

The Investigative Division Commander, Supervisor and/or designee is responsible for maintaining liaison with Federal, State, County, and local law enforcement agencies for exchange of intelligence information and for the planning of any joint enforcement activities.

B. **RECORDS AND REPORTS**

The Investigative Division Commander and/or designee is assigned the responsibility for organized crime, vice enforcement operations and intelligence activity. He will designate one Detective as the primary contact point of coordination and planning for organized crime and vice enforcement activities. The Investigative Division Commander or his designee will serve as the primary contact point for intelligence information.

Follow-up investigative activity will be reported on supplemental reports. The Investigative Division Commander and/or Supervisor will ensure proper accounting for and processing of all reports as noted in section A-4. Normally, supplemental reports will be prepared and submitted within ten (10) working days.

The Investigative Division Commander will maintain a separate, secure file in which current intelligence information and active case files pertaining to vice, organized crime, and intelligence activities is maintained. Suspended or closed case files that contain no sensitive source information may be sent to the Records Division for filing.

Security of vice, organized crime and intelligence information is essential. Such information shall be communicated within the Department, and to other agencies whenever the investigation becomes multi-jurisdictional or information becomes available that would benefit that agency. This spirit of cooperation will enhance coordination of the investigation. The Detective designated as organized crime and vice coordinator will maintain a written record of all information conveyed to and received from outside agencies in relation to vice and organized crime activities.

C. **FUNDING**

The department does conduct independent investigations regarding vice or organized crime. If an investigation regarding vice or organized crime is initiated, the Bergen County Prosecutor's Office or other appropriate State or federal agency will be contacted to assist in the investigation or take over the primary investigative role. The paying of informants or the need for "buy" money is not facilitated by this department and can only be provided by the appropriate County, State or federal agency. The Department does maintain seized money and an asset forfeiture account which is overseen and appropriated by the Bergen County Prosecutor's Office. The Department is mandated by N.J.S.A. 2C:64-1, 2C:41-1 and 2C:21-25 to submit a quarterly report which contains an audit and account analysis of activity to the fund, to the New Jersey Division of Criminal Justice.

D. **EQUIPMENT**

Any equipment available through the Investigative Division for the purpose of conducting surveillance must be accounted for prior to and upon completion of its use. No equipment should be procured or used without the expressed written consent of the Investigative Division Commander. Only properly trained officers should use surveillance equipment. The Investigative Division Commander or his designee will only distribute surveillance equipment. Unauthorized use and loss of often expensive and sophisticated surveillance equipment will not be tolerated.

Specialized equipment is available from the Bergen County Prosecutors Office for use in organized crime and vice control operations. Said equipment can be obtained on loan and includes, but is not limited to:

a. undercover vehicles;
b. surveillance equipment;
c. radio equipment.

E. **SURVEILLANCE, UNDERCOVER, DECOY AND RAID OPERATIONS** The Investigative Division Commander/Supervisor or his designee will be responsible for preparation of covert operations plans. Plan prerequisites are as listed below and will be reviewed by the Investigative Division Commander or his designee prior to implementation.

Undercover operations plans will address at a minimum:

a. Identifying and analyzing suspects;
b. Making contacts with suspects;
c. Analyzing neighborhood or target area where Officers will work;
d. Supplying Officers with false identity and necessary credentials;
e. Maintaining confidentiality of Officers' false identity;
f. Supplying Officers with expense funds;
g. Supplying Officers with equipment;
h. Establishing means for routine and emergency communication;
i. Determining legal ramifications;
j. Providing guidelines for arrest;
k. Providing back-up security for Officers; and,
l. Providing for close supervision.

Crime surveillance operations plans will address, at a minimum:

a. Analyzing crime and victims;
b. Identifying and analyzing probable offenders and their habits, associates, vehicles, methods of operation, or any other pertinent information;
c. Familiarizing the Officer with the neighborhood or target area;
d. Determining operational procedures for observation, arrests and "tails";
e. Supplying Officers with expense funds;
f. Establishing means of communication;
g. Selecting equipment or vehicles;
h. Providing relief; and,
i. Determining legal ramifications.

Decoy operations plans will address, at a minimum:

a. Analyzing victims, crimes, and crime locations;
b. Disguising Officers to resemble crime victims;
c. Determining the number of back-up Officers for security and protection;
d. Developing operational procedures such as observation and arrest;
e. Determining legal ramifications;
f. Establishing communications;
g. Identification by designation;
h. Notifying Tour Commander/Officer responsible for target area; and
i. Providing close supervision.

Raids may also be conducted in support of vice, organized crime or intelligence operations. All raid plans require authorization by the Investigative Division Commander or supervisor and advanced notification of the Chief of Police and will address, at a minimum:

a. Designating a single person as supervisor and coordinator;
b. Developing strategies and tactics for approaching, entering, securing, and leaving target;
c. Searching for and seizing evidence and/or contraband;
d. Selecting equipment; personal equipment will require wearing of individual body armor;
e. Selecting and communicating with specialized support units;

f. Arresting suspects;
g. Authorizing use of force;
h. Requesting medical assistance; and
i. Upon completion, provide operation information to the Chief of Police, Investigative Division Commander or his designee

F. **NOTIFICATION**

Upon gathering organized crime and/or vice information, the Detective assigned as the organized crime/vice coordinator will consult, when appropriate, with the Chief of Police to evaluate such information and determine the appropriate response using, but not limited to, the following criteria;

a. Perceived accuracy and validity of the information;
b. Nature of criminal activity
c. Scope and relative importance of the problem;
d. Quantity of information and leads available;
e. Investigative techniques necessary;
f. Department resources available;
g. Operational problems, if any.

G. **JUDICIAL ACTION AGAINST THE DEPARTMENT AND/OR DEPARTMENT PERSONNEL**

Anytime judicial action against the Department and/or Department personnel is initiated or appears eminent, the Investigative Division Commander or Supervisor will immediately assign a Detective to initiate a follow-up investigation into the incident in order to gather all pertinent facts/evidence. The follow-up includes, but is not limited to locating and interviewing all witnesses.

Mahwah Police Department – Policies and Procedures			Number 115:05:05
Subject Crime Prevention/Crime Prevention Programs			
Issue Date 11122002		Effective Date 10012007	
Revisions a. 10012007, b. 01222012 Chief JB, c. Reviewed 2/2015 LtSC, d. 08/2018 D.Lt.GB			
Page 1 of 4.	Accreditation Number 45.1.1, .2, .3		

I. BACKGROUND

Crime prevention is a fundamental responsibility of every Departmental employee. Effective crime prevention requires a comprehensive crime prevention program being presented to a concerned, informed, supportive citizenry. Our program is designed to inform, educate, and assist citizens in becoming more crime prevention/crime reduction oriented. It is intended to target on local media, community groups and organizations, neighborhoods, and all businesses and households in the Township. Through our programs, we seek to increase citizen confidence in the Department, and ensure a broader participation in Township wide crime prevention and law enforcement efforts. We must listen, exchange ideas and be responsive in order to reduce specific areas of mutual concern.

II. POLICY

It is the policy of this Department that its entire membership be committed to the development and perpetuation of community crime prevention programs, and to continually utilizes progressive crime prevention and community relations programs to meet the ever-increasing needs of the community.

III. ACTION

A. GOALS OF CRIME PREVENTION

To minimize the occurrence of preventable crime, while maximizing the role of the public in preventing crime.
Through analysis, (computer and otherwise,) identify patterns and trends in crime occurrences in order to deploy available resources to address the problem areas in the community.
To maintain the school liaison program through a comprehensive agreement with the Board of Education to address alcohol and drug use, sale or possession, and any other school\police related problems.
To make a concentrated effort to increase business security checks and develop and increase rapport with the community.

B. AUTHORITY AND CONTROL

1. The Crime Prevention Component shall fall under the auspices of the Community Policing Office. It shall be responsible for managing the crime prevention component and assigning crime prevention duties to specific individuals. The individual who has crime prevention duty assigned to him, who will be identified as a Crime Prevention Officer, or C.P.O., shall be responsible for planning and coordinating specific activities

related to crime prevention with all Divisions of the Department. This shall include, but not be limited to, utilizing Officers from other Divisions to assist in presentations of crime prevention programs, soliciting input from other Divisions on ways of developing new programs, improving current programs, and identifying areas of need based on their experiences in their current assignment. It also involves a reciprocal relationship of the C.P.O. to the other Divisions in which they are advised of current crime trends and programs available to address these problems, as well as geographic areas of occurrence and ways in which the citizens can arrange for a security inspection with him. The Community Policing Officer shall, on an annual basis, review all of the programs in practice in order to evaluate the effectiveness of existing programs, and, if appropriate, determine if the program needs revision or should be eliminated entirely and report these finding to the Chief of Police.

2. **Crime Prevention Program Priority**:
All crime prevention programs shall be conducted based upon an analysis of local crime data, with priority being given to programs, which target specific reoccurring types of crime and crime reoccurring in a specific geographic region. (On the basis of this data, the C.P.O. shall decide which crime types present the greatest problem, where the problems are most severe, where crime prevention activities could be most productive, and what types of programs would be most effective in combating crime.) Programs targeting the community's perceptions or misconceptions of crime shall also be emphasized. The C.P.O. and the Department shall promote and assist in organizing crime prevention groups in residential areas targeted for such activity based upon the analysis of the crime data, as well on request. The Department shall promote crime prevention programs for all citizens and proprietors in areas targeted for such activity. Such programs shall include all citizens/proprietors of the target area. Current programs include:

a. Residential/Commercial security surveys/lectures
b. Traffic Safety programs (i.e. Safety Town, McGruff, etc.)
c. Lectures to various groups by Departmental personnel (i.e. senior citizens, banks, businesses, etc.)
d. Availability of portable alarms for homes that will be vacant
e. Property Identification: make available engravers to assist the public in marking personal property for positive identification (Operation-Identification)
f. Assist in the fingerprinting/photographing of children (Identi-child)
g. "Comprehensive Drug Program": which provides lectures to students and the posting of signs denoting "Drug Free School Zone" designating areas of enhanced penalties for drug distribution within 1000 feet of any school
h. Bank Alarm Response Class: on an annual basis, the Training Section shall conduct a policy review class with the banking establishments in the Township to ensure compliance with the bank alarm policy.
i. Drug Abuse Resistance Education {D.A.R.E.}: This is a drug education program, which targets young children (ages 6-14), takes four (4) months to complete and is conducted in local schools. The goal of this program is to educate the children at an early age to prevent drug use/abuse later on in life.
j. Cops in Shops: This program attempts to deter purchase of alcohol by underage buyers.
l. DWI Checkpoints.

3. **Police Department Facility Tours**
Upon request of a local community group, business, school, citizen, etc., the Community Policing Officer, or another person designated by the Community Policing Officer, will conduct tours of the police department facilities.
Upon request of a local community group, business, school, citizen, etc., the Community Policing Officer, or another person designated by Community Policing Officer, may make a public presentation or speak on a crime-related topic, including, but not limited to:

- Crime prevention for the elderly or disabled;
- Shoplifting;
- Vandalism;
- Robbery;
- Babysitting;
- Personal safety;
- Residential or business security, etc.; and
- Any other program authorized by the Chief of Police.

4. All personnel of this Department have assigned responsibilities for achieving the crime prevention programs objectives established. Also, all officers, especially those engaged in field assignments, should be acquainted with the specific approach and techniques the Department has chosen to utilize.

5. The crime prevention programs utilized by the Township of Mahwah, aim at creating in the minds of residents and business persons, an awareness of the roles they can individually and collectively play in the reduction and/or prevention of crime. These programs will promote the encouragement of individual, group, school, neighborhood, and community follow-up and activities to reduce/prevent crime.

6. The Mahwah Police Department's Crime Prevention Programs include, but are not limited to, the following:

a. D.A.R.E.;
b. Voluntary Gun Registration Programs;
c. Speed Trailer Program;
d. Cops in Shops (Under Age Alcohol Program);
e. Security Surveys;
f. DWI Checkpoints;
g. Citizen Ride-a-long Programs;
h. Solicitor Registration Program;
i. Operation I.D. Program;
j. Bike Rodeos for Youth;
k. Community Policing Philosophy and Strategies; and
l. Other programs as authorized by the Chief of Police.

The Crime Prevention Officer will maintain brochures and/or information describing these programs for the community and officers/employees. The Crime Prevention Officer will conduct a documented review these programs once every three years.

C. CRIME PREVENTION-ZONING, BUILDING, FIRE CODE
If granted the opportunity, (which the Chief of Police will actively pursue) the C.P.O. shall provide crime prevention input into the development and/or revision of zoning policies, building codes, fires codes, and residential and commercial building permits.

Mahwah Police Department – Policies and Procedures		Number 115:10:05
Subject **Community Involvement**		
Issue Date 09062002	Effective Date 12232002	
Revisions a. 12232002, b. 01202012 Chief JB, c. 082018 D.Lt.GB		
Page 1 of 4.	Accreditation Number 45.2.1-2	

I. BACKGROUND

By developing partnerships and programs that increase the community's understanding of the activities and the policing role, the Department increases its own public confidence while lessening obstacles to implementing new programs and approaches that could fail for want of public understanding or accurate information.

The Department's community involvement activities are developed based on data reflective of community input and indicative of the types of crime problems that pose the greatest concern and threat to the community and where criminal activity is most geographically prevalent. Programs and initiatives are evaluated to determine whether they have been effective in achieving stated goals.

II. POLICY

It is the policy of this Department that all members adhere to the below listed guidelines regarding community involvement in crime prevention functions.

III. ACTION

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A. COMMUNITY INVOLVEMENT FUNCTION

This department and all its members shall be committed to establishing close ties with and respond to the needs of the community. An officer designated by the Chief of Police, in addition to all other duties and responsibilities, is responsible for development, coordination, management, and administration of this function and shall report to the Chief of Police concerning such duties. This, however, does not relieve the duty and responsibility of each Division Commander and/or supervisor to manage, administer, and implement the Department's Community-Oriented Policing Strategies (C.O.P.S.) within their command. As such, the designated officer is responsible for the following functions and activities of the Department on a Department-wide basis:

1. To establish and maintain liaison with formal and informal civic organizations, including, but not limited to:

- Mahwah Chamber of Commerce;
- Mahwah Township Schools;

- Service Clubs (such as Rotary, Optimist, Lions, Kiwanis, etc.);
- Parent Teachers Organization;
- Neighborhood Watch Groups;
- Business Watch Groups;
- Private Security Agencies; and
- Regional and Statewide Crime Prevention Associations.

This includes establishing liaison with formal community organizations and other community groups by means of contacting the president or appropriate representative of the group and expressing this department's commitment to maintain close ties with the community and respond to its needs. Such contact should initially be in the form of a letter on city letterhead and followed up at least yearly by personal or phone contact;

2. Develop and present community involvement programs such as crime prevention seminars, personal safety programs, neighborhood watch meetings, business watch meetings, traffic safety education and other safety seminars;
3. Respond to individual citizen and/or community group problems and/or concerns with the department and to identify and verify problems so that corrective action can be taken concerning the practices or attitudes that may contribute to the problem or tensions;
4. Via means of local news media, the Internet, the various newsletters of the Township and Department, the Mahwah News and other local newspapers, etc., and appearances before community organizations publicize Department goals, objectives, plans, programs, problems and successes;
5. To coordinate the completion of a "Citizens Questionnaire" to elicit their attitudes and opinions about the overall department performance and competency, officer attitude and behavior, citizen concern about safety and security in the community, and citizen recommendations or suggestions for improvement. The results will be compiled in a written summary and forwarded to the Chief of Police;
6. The designated officer is responsible for the functional responsibility of this activity on a Department-wide basis and to develop and assist in the implementation of community involvement policy on a department-wide basis. The responsibility for positive police/community involvement is the responsibility of all departmental personnel. Community involvement is manifested in its most common form by the numerous daily contacts between individual members and citizens. In contact with citizens, each member must attempt to make the contact one that inspires respect for the officer as an individual and a professional and that generates the cooperation and approval of the public;
7. To convey concerns, grievances and information transmitted from citizens organizations to the Chief of Police. Such information shall be conveyed in the report required by this SOP;
8. Improving department practices bearing all police community relations;
9. To identify community relation training needs through interviews with citizen representatives, consultations with internal investigators, and conferences with supervisors;
10. To promote and assist with the establishment of community groups where none exist and to assist with the successful continuation of those groups already in existence;
11. To assist with the citizen survey; and
12. To continue the development and revision of this plan.

In addition to the survey, any officer who is presiding or speaking to any local civic organization, neighborhood watch group, etc., is to specifically make inquiry as to whether the citizens are satisfied with the service delivered by the department, or if they have any suggestions concerning departmental practices or policies. Any officer receiving such input is to submit it an Inter-Office Memo and forward it through the chain of command. Each level within the chain is to include appropriate recommendations and comments prior to forwarding the memo. The Chief of Police will make the final disposition.

B. **REPORTING**

The designated officer has the functional responsibility to submit the Department's "Community Involvement Report" to the Chief of Police as needed. The report, at a minimum, should address the following;

1. A description of current concerns, voiced by the members of the community;
2. A description of potential or existing problems that have an impact on department activities within the community;
3. A statement of recommended actions or alternatives that address identified concerns and problems; and
4. A statement of progress made toward addressing previously identified concerns and problems.

The purpose of this report is to provide the Chief of Police with information on conditions in the community in order to allow the Chief to react in a timely manner to alleviate concerns and problems. As a matter of practice, copies of this report should also be directed to the Patrol Division Commander.

As directed by the Chief of Police, the designated officer is to conduct an evaluation of Community-Involvement (Community-Oriented and Problem-Solving) strategies. As the community is continually undergoing change, the purpose of such evaluation is to determine that the programs continue to effectively address community concerns. The results of the evaluations, along with any recommendations, are to be submitted to the Chief of Police in the form of an Inter-Office Memo. This department and its members must be committed to correcting actions, practices and attitudes that may contribute to community misunderstandings, tensions, or grievances. By recognizing such problems at an early stage, preventative action can be taken by the Department that might ward off greater future problems.

C. **INFORMATION FOR COMMUNITY INVOLVEMENT REPORT**

When any member of the Mahwah Police Department becomes aware of any "Community-Involvement" problem as defined in this SOP, they have the responsibility and are authorized to submit any such information coming to their attention to the Community Policing Officer. This will insure that there is an evaluative loop in the community involvement/community-policing actions of the Department. This reduces the likelihood of misinterpretation by the person preparing the report and ensures that information being gathered by any member, especially those in field operations, is incorporated into the Department's decision-making processes.

D. **CITIZEN SURVEYS**

1. The Mahwah Police Department utilizes a process, which surveys citizen and/or customer/consumer attitudes and opinions. This is included in the Mahwah Police Department Citizen Questionnaire which is mailed out at a minimum of every three (3) years.

This system and process provides survey questions and results, which include the following issues:

a. Overall Department performance;
b. Overall competence of Department employees;
c. Officers' attitudes and behavior toward citizens;
d. Community concern over safety and security within the Department 's service area as a whole; and
e. Recommendations and suggestions for improvements.

The Chief of Police has the functional responsibility for the development, distribution, collection, analysis, and reporting of these surveys of citizens' attitudes and opinions. The surveys shall be conducted as required by the Chief of Police in accordance to the following guidelines:

1. The surveys shall be conducted primarily by using a postage paid return survey, unless approved otherwise by the Chief of Police;
2. The surveys will be sent randomly to a representative random sample of citizens and/or consumers of service, which will provide statistically significant and reliable findings;
3. The Citizen Questionnaires, as much as possible, are to be evenly divided between patrol beats and based upon types of calls received; and
4. Each survey will also solicit input concerning opinions about development and revision of department policy or practice; and
5. In addition, these surveys may be combined with questions relating to victimization and other issues.

The results of these surveys will utilize as part of the "Community-Involvement Report," required by this SOP. The results will be forwarded to the Chief of Police and will be included in the department's report to the Township Mayor. In addition, the results of these surveys are provided to the community in several forms, which may include the following;

1. Mahwah Police Department Annual Budget Document;
2. The Department's Internet Site; and
3. Other methods as approved by the Chief of Police.

Mahwah Police Department – Policies and Procedures		Number 120:05:05
Subject **Unusual Occurrences**		
Issue Date 11202001		Effective Date 11202001
Revisions: a. 01032012 LtSB, b. 08/2018 D.Lt.GB		
Page 1 of 3.	Accreditation Number 46.1.1, 46.1.8	

I. BACKGROUND

Unusual occurrences connote situations, generally of an emergency nature, that result from disasters (both natural and man made) and civil disturbances. Disasters include floods, hurricanes, earthquakes, explosions, and tornadoes. Civil disturbances include riots, disorders, and violence arising from dissident gatherings and marches, rock concerts, political conventions, and labor disputes. This also includes special operations, which encompass;

- The use of a tactical team;
- Negotiation with hostage takers or barricaded persons;
- Response to bomb threats and bomb emergencies;
- Coverage of special events;
- Protection of VIPs;
- Coverage of disasters; and
- Response to civil disturbance and civil defense situations.

The Mahwah Police Department does not have full-time components or personnel assigned to respond exclusively to Unusual Occurrences and/or Special Operations, but instead vests the responsibility of this function with a unified command team under the direction of the Chief of Police or his designee. In addition, the Township of Mahwah by ordinance has established an "Emergency Operations Plan" which serves as the Township of Mahwah's written plan(s) that outlines the procedures for how "Unusual Occurrences" will be handled by the Township of Mahwah and the Mahwah Police Department.

II. POLICY

It is the policy of the Mahwah Police Department that the protection of life and property is of primary concern when involved in "Unusual Occurrences." All officers and/or employees are to abide by the guidelines as established in this SOP.

III. ACTION

A. COORDINATING/PLANNING FOR UNUSUAL OCCURRENCES

The unified command team, under the direction of the Chief of Police, is responsible for the coordination of the development of unusual occurrence plans and overseeing all field operations during any unusual occurrence. They will also serve as advisor to the Chief of Police and acts as an expediter of resources during emergency situations as a part of this functional responsibility.

B. **DISASTER PLAN**

The Township of Mahwah has a written plan for responding to natural and man-made disasters, civil disturbances, and other unusual occurrences, which is entitled "The Township of Mahwah Emergency Operations Plan." The Bergen County Office of Emergency Management and the New Jersey State Police Office of Emergency Management adopted this plan after review. The Mahwah Office of Emergency Management has the responsibility for Townshipwide coordination of the "Emergency Operations Plan" and for the maintenance and periodic updating of the plan. The plan is completely updated every four years with two-year partial reviews. The Township of Mahwah's "Emergency Operations Plan" includes provisions for, but not limited to the following:

1. Alert, Warning and Communications;
2. Damage Assessment;
3. Emergency Medical Services;
4. Emergency Operations Center;
5. Emergency Public Information;
6. Evacuation;
7. Fire and Rescue;
8. Hazardous Materials;
9. Law Enforcement;
10. Public Health;
11. Public Works;
12. Radiological Protection;
13. Resource Management;
14. Shelter, Reception and Care;
15. Social Services;

In addition, the Township of Mahwah participates with and coordinates disaster Operations planning and exercises with the Bergen County Office of Emergency Management. The Chief of Police and Department actively participates in such planning, training, and exercises on a county level periodically.

C. **INSPECTION OF UNUSUAL OCCURRENCES EQUIPMENT**

It is the policy of the Mahwah Police Department that agency equipment designated for use in "Unusual Occurrence" situations is inspected at least once each month in order to ensure its operational readiness. Special equipment designated for use during "Unusual Occurrences" shall be stored in the Arsenal. Should the results of the inspection turn up any deficiencies or missing equipment, the same will be noted in the logs and reports. The Patrol Division Commander, or his/her designate, will be responsible for inspections and having deficiencies corrected.

In order to demonstrate the operational readiness of the equipment to be used in support of emergency operations the "Unusual Occurrence" special equipment logs and documentation will list the numbers and types of equipment and supplies needed for various emergencies. At a minimum, such documentation will provide for the location, amount, maintenance, and inspection of the listed items of special equipment.

D. **EMERGENCY OPERATIONS PLAN—ACCESSIBILITY, REVIEW AND UPDATING**

The Township of Mahwah "Emergency Operations Plan" is maintained and periodically updated. The Office of Emergency Management has the responsibility for Townshipwide coordination of the "Emergency Operations Plan" and for the maintenance and periodic updating of the plan. For the Police Department a copy of the "Emergency Operations Plan" is maintained in the Accreditation Office.

The Patrol Division Commander will be responsible to review the sections of the Township of Mahwah's "Emergency Operations Plan" which govern the response and operations of the Mahwah Police Department bi-annually and make recommendations for updating the plan as necessary during the four-year formal review.

Mahwah Police Department – Policies and Procedures	Number 120:05:20
Subject **Operations Function**	
Issue Date 10012007	Effective Date 10012007
Revisions a. 11112008	
Page 1 of 1.	Accreditation Number 46.1.4

I. BACKGROUND

The Operations Office is responsible for managing all operations directly applicable to the primary mission. The Operations Officer is responsible for management of all tactical operations directly related to the primary mission and reports to the Incident Commander.

II. POLICY

It is the policy of this department to follow the Incident Command System when responding to critical incidents. The operations function will address the below listed responsibilities.

III. ACTION

The Operations Section Chief will be responsible for the following:

a. Establish perimeters around the incident.

Inner and out perimeters, if necessary, should be established. The Operations Officer will direct on-duty personnel to set perimeters around the incident through the use of barricades, scene tape, vehicles or personnel as necessary. Inner perimeter should be established when serious threats to the public safety exist.

b. Conduct Evacuations.

Persons affected by the event that require evacuation will be directed away or transported from the scene by on-duty personnel. Affected persons will be brought outside the perimeter of the event.

c. Maintain Command Post and scene security.

The Operations Officer will secure the incident scene and Command Post with on-duty personnel. Only authorized personnel will be allowed to enter the scene or command post. All others requesting information should be directed outside the perimeter and to the Public Information Officer or the police telephone line.

d. Provide for Transportation, Processing and Confinement of Detainees.

Detainees will be transported to police headquarters for processing by on-duty personnel. Mass arrests will be handled in accordance with the Mass Arrest SOP, 120:05:16.Maintain Command Post and scene security.

e. Ensure Traffic Direction and Control.

Traffic control and Detours will be established and maintained until the incident is concluded. Traffic control may be accomplished by outside agencies (Fire Police) is necessary and available.

f. Conduct post-incident investigation.

Any post-incident investigation will be conducted with the Investigative Division or any specialty organization required (Arson Squad, Fatal Accident Investigation Unit, etc.). The Operations Officer will coordinate with any special organizations and include this information in a supplementary investigation report.

Mahwah Police Department – Policies and Procedures		Number 120:05:25
Subject **Planning Function**		
Issue Date 10012007		Effective Date 10012007
Revisions a. 11112008		
Page 1 of 2.	Accreditation Number 46.1.5	

I. BACKGROUND

The Planning Officer is responsible for collecting, evaluating, disseminating, and using information about the incident and status of resources. Information is needed to: 1) understand the current situation, 2) predict probable course of incident events, and 3) prepare alternative strategies for the incident.

II. POLICY

It is the policy of this department to follow the Incident Command System when responding to critical incidents. The planning function will address the below listed responsibilities.

III. ACTION

The Planning Officer will be responsible for the following:

a. Preparing the Incident Action Plan.

The Planning Officer will prepare an incident action plan for each 12-hour period. The plan should include all aspects of the operation with predictions on activity; increased personnel; specialty organizations.

b. Gathering and Disseminating Information and Intelligence.

The Planning Officer should assemble information on current and alternative strategies; identify needs for special resources; provide periodic predictions on incident potential.

c. Planning for Post-incident Demobilization.

Release of resources and personnel should be done as the incident decreases in activity or strength. Confirmation should be made that personnel have left the incident scene when released and have returned to normal operations.

Mahwah Police Department – Policies and Procedures	Number 120:05:30
Subject **Logistics Function**	
Issue Date 10012007	Effective Date 10012007
Revisions a. 11112008	
Page 1 of 1.	Accreditation Number 46.1.6

I. BACKGROUND
The Logistics Officer is responsible for providing facilities, services, and material in support of the incident response. The Logistics officer provides manpower, facilities, services and materials in support of the critical incident.

II. POLICY
It is the policy of this department to follow the Incident Command System when responding to critical incidents. The logistics function will address the below listed responsibilities.

III. ACTION
The Logistics Officer will be responsible for the following:

a. Communications.

The Logistics Officer will ensure that communications systems are operating properly and that each function or group is operating on an independent frequency.

b. Transportation.

Transportation to and from the scene of the incident for personnel not initially involved will be provided and maintained until the incident is over. Transportation could be provided by on-duty personnel or support personnel called in to provide transportation (van drivers, off-duty police personnel, etc.)

c. Medical Support.

Medical support in the form of ambulances, paramedics and emergency medical technicians will be coordinated by the EMS Branch, designated by the Logistics Officer. The EMS Branch reports to the Logistics Officer. Ambulances will be staged in a safe area and called to the scene as necessary. Any personnel requiring medical attention will be transported from the scene of the incident to this location for treatment/transport to hospital.

d. Supplies.

Any supplies needed for the incident will be acquired by the Logistics Officer. Supplies not immediately available from the police department should be purchased on an emergency basis through the Township Finance Officer.

e. Specialized Teams and Equipment.

Specialized teams and equipment should be requested when necessary through the Bergen County Police Department, Bergen County Prosecutor's Office or the Bergen County Office of Emergency Management. Any requests should be made in writing and maintained by the Logistics Officer.

Mahwah Police Department – Policies and Procedures		Number 120:05:35
Subject **Finance/Administration Function**		
Issue Date 10012007		Effective Date 10012007
Revisions a. 11112008		
Page 1 of 1.	Accreditation Number 46.1.7	

I. BACKGROUND

The Finance/Administration Officer is responsible for all financial and cost analysis aspects of the incident.

II. POLICY

It is the policy of this department to follow the Incident Command System when responding to critical incidents. The finance/administration function will address the below listed responsibilities.

III. ACTION

The Finance Officer will be responsible for the following:

a. Recording Personnel Time.

The Finance Officer will record the time all personnel spend at the incident this will include all on-and off-duty personnel from the agency and any outside agency through the use of a sign-in log.

b. Procuring Additional Resources.

Additional resources should be procured as necessary through the Township purchasing system. Emergency purchases must be authorized and would be made in conjunction with the Township Finance Officer or his designee. All purchases should be recorded and all receipts retained.

c. Recording Expenses.

All expenses will be recorded and receipts retained. Any expenses related to the incident should be documented and included in a final cost document. Expenses would include purchases, overtime costs, etc.

d. Documenting Injuries and Liability Issues.

Any injuries to personnel at the incident will be documented and an investigation report will be completed by a supervisor on scene or as designated by the Incident Commander. Liability issues will be documented in a police investigation report.

Mahwah Police Department – Policies and Procedures	Number 120:05:55
Subject **Incident Command System/All Hazard Plan**	
Issue Date 10012007	Effective Date 10012007
Revisions a. 10312008; Revised 05/30/2018 JNB	
Page 1 of 2.	Accreditation Number 46.1.2, 46.1.9

I. BACKGROUND

The expanding scope and sophistication of emergency operations, along with the increased possibilities of acts of terrorism, require law enforcement agencies to quickly act to stabilize and control emergency situations. Immediate and decisive action is required to minimize loss of life, reduce property damage and permit involved authorities to fulfill their responsibilities.

II. POLICY

It is the policy of this department to adhere to the below listed guidelines regarding the utilization of the Incident Command System in times of major emergencies.

III. ACTION

A. SYSTEM ACTIVATION CRITERIA

The incident command system should be activated for all major emergencies requiring the response of multiple emergency services. Coordination of the multiple services will be established through the Office of Emergency Management and the OEM Director. Major emergencies would include both natural and man-made situations such as weather related emergencies, terrorist attacks, wild fires, plane crashes, domestic insurgencies and the like.

If a situation arises and requires the activation of the Incident Command System (ICS), the highest ranking police officer would activate the System and then turn over command to the OEM Director or his designee upon his/her arrival at the scene.

B. COMMAND PROTOCOL

The first police officer on the scene of a major incident will assume incident command until relieved by an officer of higher rank. The higher ranking officer will assess the situation and activate the OEM if: 1) there is a need to coordinate the efforts of officers or units who do not normally work together (multiple police departments involved), or 2) multiple supervisors are needed to handle various aspects of the incident (mass arrests, domestic insurgency, etc.), or 3) the incident is likely to become a prolonged inter-agency incident (this would included incidents involving multiple emergency services, i.e. police, fire, ambulance, etc.).

Transfer of command will be accomplished by the following means: the first supervisor on scene will automatically assume command. As higher ranking officers arrive on scene they will assume command. When relieved, the outgoing incident commander will brief the new commander in person. The new commander will inform the Communications Center or the Emergency Operations Center of the transfer, which will be recorded in the CAD or OEM log. All personnel involved in the incident will be advised of the command change immediately.

C. WRITTEN PLANS AND PROCEDURES UTILIZED

During any unusual occurrence involving the OEM the Township of Mahwah Emergency Operations Plan will be followed. The written plan is located in the Emergency Operations Center, Office of Emergency Management and Office of Professional Standards, Mahwah Police. This plan contains the Law Enforcement Annex, Evacuation Annex, Emergency Public Information Annex and the Alert, Warning and Communications Annex that directly affect the operation of the Police Department. The MPD SOP contains specific procedures for Mass Arrest (120:05:16), Hostage/Barricaded Subject Situations (120:05:17), Bomb Threats/Emergencies (120:05:18) and Emergency Mobilization Plan (120:05:19). These procedures should be followed for the specific events they cover.

D. TRAINING OF AGENCY PERSONNEL

Training of agency personnel will include a documented **annual** training on the agency's All Hazards Plan, to include the Incident Command System (ICS) for affected agency personnel; and a documented **biennial** training consisting of a tabletop or full-scale exercise to assess the agency's capabilities with the All Hazards Plan and the Incident Command System.

E. AFTER ACTION REPORT

Any incident requiring the activation of the OEM will be completed by the Director of the Office of Emergency Management and forwarded to the Chief of Police. Any incident that require only the actions of the Police Department will documented in the police investigation reports and supplemental reports.

F. ANNUAL TRAINING EXERCISES

Training on agency's all hazard plan will conducted on an annual basis during scheduled in service training classes utilizing Incident Command System (ICS) framework.

G. COMMON RESPONSIBILITIES

The following responsibilities apply to all ICS personnel:

a. Receive assignment, notification, reporting location, reporting time, and travel instructions from this agency.

b. Upon arrival at the incident, check in at designated check-in locations. Check-in locations may be found at:

> Incident Command Post, Base or Camps, Staging Areas, Helibases, Division Supervisors locations (for direct line assignments).

c. Agency representatives from assisting or cooperating agencies report to Liaison Officer at the Command Post after checking in.

d. All radio communications to Incident Communications Center will be addressed:

> "(Incident Name) Communications".

e. Use clear text and ICS terminology (no codes) in all radio transmissions.

f. Receive briefing from immediate supervisor.

g. Acquire work materials.

h. Organize, assign, and brief subordinates.

i. Complete forms and reports required of the assigned position and send material through supervisor to Documentation Unit.
j. Ensure continuity using in/out briefings.
k. Respond to demobilization orders.
l. Brief subordinates regarding demobilization.

H. DOCUMENTED ANNUAL REVIEW

A documented annual review of the Active Threat Policy and Training Needs will be completed annually by the Office of Professional Standards.

Mahwah Police Department – Policies and Procedures	Number 130:05:05
Subject **Internal Affairs**	
Issue Date 09272001	Effective Date 11012000
Revisions a.01112012 LtMC, b.03022015LtHH c. revised 9/2016 Ofc. K. Stewen d. revision 05/31/2018 JNB, e. Revised 06/2018 D.Lt.GB. f. Revised 12/20/19 Capt. GB	
Page 1 of 8.	Accreditation Number 26.1.8, 26.2.1-3, 26.2.5, 26.3.1-5, 26.3.7-8

I. BACKGROUND

This agency is committed to providing law enforcement services that are fair, effective, and impartially applied. Toward that end, all employees are held to the highest standards of official conduct and are expected to respect the rights of all citizens. Employees' adherence to these standards, motivated by a moral and professional obligation to perform their job to the best of their ability, is the ultimate objective of this agency.

The effectiveness of a law enforcement agency is dependent upon public approval and acceptance of law enforcement authority. The department must be responsive to the community by providing formal procedures for the processing of complaints from the public regarding individual officer performance.

The purpose of this policy is to improve the quality of law enforcement services. Citizen confidence in the integrity of the law enforcement agency increases through the establishment of meaningful and effective complaint procedures. This confidence engenders community support for the law enforcement agency. Improving the relationship between the departmental employees and the citizens they serve facilitates cooperation vital to the department's ability to achieve its goals. An effective disciplinary framework also permits law enforcement officials to monitor employees' compliance with department policies and procedures. Adherence to established policies and procedures assists employees in meeting department objectives while a monitoring system permits managers to identify problem areas requiring increased training or direction. Finally, this policy will ensure fairness and due process protection to citizens and departmental employees alike.

The internal affairs process shall also be used to identify and correct unclear or inappropriate agency procedures. In addition it will highlight organizational conditions that may contribute to any misconduct, such as poor recruitment and selection procedures or inadequate training and supervision of employees.

RE: Attorney General Law Enforcement Directive NO. 2019-5, Directive Strengthening and Supplementing Internal Affairs Policy and Procedure. (PowerDMS – Documents>AG Directives)

II. POLICY

It is the policy of this agency to accept and investigate all complaints of alleged employee misconduct or wrongdoing from any citizen or agency employee. Following a thorough and impartial examination of the available factual information, the employee shall be either exonerated or held responsible for the alleged misconduct. Discipline shall be administered according to the degree of misconduct.

It is the policy of this department that officers and employees, regardless of rank, shall be subject to disciplinary action for violating their oath and trust. Committing an offense punishable under the laws of the United States, the State of New Jersey or municipal ordinances constitutes a violation of that oath and trust. Employees are also subject to disciplinary action for failure, either willfully or through negligence or incompetence, to perform the duties of their rank or assignment. In addition, employees may be disciplined for violation of any rule and regulation of the department or for failure to obey any lawful instruction, order or command of a superior officer or supervisor. Disciplinary action in all matters will be determined based upon the merits of each case.

It is the policy of this department that officers conducting the investigation of any allegation of misconduct must strive to conduct a thorough and objective investigation without violating the rights of the subject officer or any other departmental employee, and show proper respect to all members of the public. Accordingly, all supervisors and any other officer who may be called upon to do an internal investigation must be thoroughly familiar with the department's internal affairs policy.

It is the policy of this agency that prevention is the primary means of reducing and controlling misconduct. To that end, it is the policy of this agency to discover and correct organizational conditions which permit the misconduct to occur. Special emphasis is placed on recruitment, selection and training of officers and supervisors, community outreach and the analysis of misconduct complaints and their outcome.

It is the policy of this agency that each officer and employee shall be provided ready access to an official, agency-written manual which contains specific directions for conducting all aspects of law enforcement work. Categories of misconduct shall be clearly described and defined and the disciplinary process shall be thoroughly explained in the manual.

III. **ACTION**

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A. **INTERNAL AFFAIRS UNIT**

1. The Internal Affairs Unit is herein established. The unit shall consist of those members of the department as shall be assigned to the Internal Affairs Unit by the law enforcement executive. Personnel assigned to the internal affairs unit shall serve at the pleasure of and be directly responsible to the law enforcement executive or the designated internal affairs supervisor.
    a. The goal of internal affairs is to ensure that the integrity of the department is maintained through a system of internal discipline where fairness and justice are assured by objective, impartial investigation and review.
2. Duties and Responsibilities
    a. The Internal Affairs Unit is responsible for the investigation and review of all allegations of misconduct by members of this department.
        (1) Misconduct is defined as:

(a) Commission of a crime or an offense; or,
(b) Violation of departmental rules and regulation; or,
(c) Conduct which adversely reflects upon the officer, employee or the department.

b. In addition to investigations concerning allegations of misconduct, internal affairs shall be responsible for the coordination of investigations involving the discharge of firearms by department personnel.
c. Internal affairs shall be responsible for any other investigation as directed by the law enforcement executive.
d. Internal affairs officers may conduct an internal affairs investigation on their own initiative upon notice to, or at the direction of the law enforcement executive or internal affairs supervisor.
e. Internal affairs may refer investigations to the employee's supervisor for action as outlined under subsection D of this policy.
f. Internal affairs members or officer temporarily assigned to that function, shall have the authority to interview any member of the department and to review any record or report of the department relative to their assignment. Requests from internal affairs personnel, in furtherance of their duties and responsibilities, shall be given full cooperation and compliance as though the requests came directly from the law enforcement executive. Members assigned to the Internal Affairs Unit come under the direct authority of the law enforcement executive and have the authority to report directly to the law enforcement executive through the Internal Affairs chain of command.
g. The Internal Affairs Unit shall maintain a comprehensive central file on all complaints received by this department whether investigated by internal affairs or assigned to the officer's supervisors for investigation and disposition.
h. The Internal Affairs Unit shall prepare quarterly reports that summarize the nature and disposition of all misconduct complaints received by the agency for submission to the BCPO Confidential Investigations Unit as well as the law enforcement executive officer.
i. Copies of the internal affairs report shall be distributed to all command personnel, the appropriate authority and the county prosecutor's officer.
j. An annual report summarizing the types of complaints received and the dispositions of the complaints should be made available to members of the public. The names of complaints and subject officers shall not be published in this report.
k. An annual Professional Standards Statistical Summary Report form will be completed by the Internal Affairs Unit Supervisor and forwarded to the Bergen County Prosecutor's Office/Confidential Investigations Unit as require by the New Jersey Attorney General's Office.

B. ACCEPTING REPORTS ALLEGING OFFICER MISCONDUCT

1. All department personnel are directed to accept reports of officer misconduct from all persons who wish to file a complaint regardless of the hour or the day of the week. Citizens are to be encouraged to submit their complaints in person as soon after the incident as possible. If the complainant cannot file the report in person, a department representative shall visit the individual at his or her home, place of business or at another location in order to complete the report, if feasible. Complaints must be accepted from:

a. Anyone, including anonymous person, juveniles, persons under arrest or in custody.
b. Supervisors and employees of this agency
c. Telephone
d. Internet
e. Via Emails

At no time should a complainant be told to return at a later time to file a report.

2. Complaints shall be referred to the Internal Affairs Unit if an officer is immediately available.
3. If an internal affairs officer is not immediately available, all supervisory personnel are directed to accept the report of officer misconduct.
4. If an internal affairs officer and a supervisor are not available, any law enforcement officer shall accept the complaint.
5. The officer receiving the complaint will:
    a. Provide the person making the complaint with the internal affairs brochure which explains the department's internal affairs procedures, and notification verifying receipt of the complaint and stating that the complaint is being processed.
    b. Advise the complainant that he or she will be kept informed with periodic status reports. This shall be done 60 days after the complaint is received and every 60 days thereafter. Once the investigation has concluded the complainant shall be notified of the ultimate disposition.
    c. Have the complainant sign the completed Internal Affairs Report form. If the complainant will not sign the form, the officer receiving the complaint will so note that fact. However, the failure of a citizen to sign a complaint will in no way preclude the investigation of the allegations.
6. All department personnel are directed to accept reports of officer misconduct from anonymous sources. If the anonymous complainant is talking to an officer, the officer should encourage him to submit his complaint in person. In any case, the complaint will be accepted.
    a. In the case of an anonymous complaint, the officer accepting the complaint shall complete as much of the Internal Affairs Report Form as he/she can with the information provided.
7. Complaints shall be handled as follows:
    a. All complaints will be forwarded to the Internal Affairs Unit for screening and entry into the record keeping system.
    b. Complaints of demeanor and minor rule infractions shall then be forwarded to the supervisor of the subject officer.
    c. All other complaints shall be retained by the Internal Affairs Unit, including complaints of:
        (1) Criminal activity;
        (2) Excessive force;
        (3) Improper arrest;
        (4) Improper entry;
        (5) Improper search;
        (6) Differential treatment;
        (7) Serious rule infractions;
        (8) Repeated minor rule infractions

d. The Internal Affairs Supervisor will determine which complaints will be handled by the employee's supervisor, and which complaints should be brought to the attention of the Chief of Police immediately.

8. The subject employee shall be notified in writing of the complaint as soon as possible, unless this notification would interfere with the investigation.

C. SUSPENSION PENDING DISPOSITION OR INVESTIGATION

1. A supervisor, commander or law enforcement executive may immediately suspend an officer or employee from duty, pending the outcome of an investigation, if he or she determines that one of the following conditions exists:
   a. The employee is unfit for duty; or
   b. The employee is a hazard to any person if permitted to remain on the job; or
   c. An immediate suspension is necessary to maintain safety, health, order or effective direction of public services; or
   d. The employee has been formally charged with a first, second or third degree crime; or
   e. The employee has been formally charged with a first, second, third or fourth degree crime while on-duty, or the criminal act related to his or her employment.
2. The supervisor imposing the immediate suspension must:
   a. Advise the employee in writing of why an immediate suspension is sought and the charges and general evidence in support of the charges.
      (1) If the employee refuses to accept the written notification of immediate suspension, it shall be given to a representative of the employee's collective bargaining unit.
   b. Provide the employee with sufficient opportunity to review the charges and the evidence and to respond either orally or in writing.
   c. Advise his immediate supervisor in writing of the suspension and the facts and circumstances requiring the suspension.
3. Within five days of the suspension without pay, the department must complete and file formal charges against the suspended employee or return the employee to work.

D. INVESTIGATION AND ADJUDICATION OF MINOR COMPLAINTS

1. Complaints of demeanor and minor rule infractions shall be forwarded to the subject employee's commanding officer.
2. The investigating officer shall interview the complainant, all witnesses and the subject officer, as well as review relevant reports, activity sheets, or dispatcher forms, and audio/video recordings. The investigating officer shall then prepare a report summarizing the matter, indicating the appropriate disposition. Possible dispositions include the following:
   a. Exonerated: The alleged incident did occur, but the actions of the employee were justified, legal and proper.
   b. Sustained: The investigation disclosed sufficient evidence to prove the allegation, and the actions of the employee violated provisions of rule and regulation or agency procedures.

    c. Not Sustained: The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation.
    d. Unfounded: The alleged incident did not occur.
3. If the investigating officer determines the disposition of the complaint is unfounded, not sustained or exonerated, the investigation report is to be forwarded to internal affairs for review, and entry in the index file and filing.
4. Upon final disposition of the complaint, a letter shall be sent to the complainant by internal affairs explaining the outcome of the investigation.

5. Initiation of disciplinary action for minor complaints.
    a. The supervisor giving the performance notice, oral reprimand or written reprimand shall complete the appropriate disciplinary document.
    b. The officer or employee shall be advised of the discipline and given a copy of the disciplinary document.
    c. The supervisor will forward copies of the disciplinary document to the law enforcement executive for review, and to the Internal Affairs Unit for filing.
    d. A copy of the disciplinary document will be placed in the officer's or employee's personnel file.
    e. For oral reprimands or performance notices
        (1) Oral reprimands and performance notices will remain permanently in the officer's or employee's personnel file.
    e. For written reprimands
        (1) The written reprimand will remain permanently in the officer's or employee's personnel file.

E. **INVESTIGATION AND ADJUDICATION OF SERIOUS COMPLAINTS**
1. All serious complaints shall be investigated by the Internal Affairs Unit, including complaints of:
    a. Criminal activity;
    b. Excessive force;
    c. Improper arrest;
    d. Improper entry;
    e. Improper search;
    f. Differential treatment;
    g. Serious rule infractions;
    h. Repeated minor rule infractions.
2. Where preliminary investigative data indicates the possibility of a criminal act on the part of the subject employee, or the investigation involves the use of force by the officer which results in serious bodily injury or death, the county prosecutor shall be notified immediately. No further action shall be taken, including the filing of charges against the employee, until directed by the county prosecutor
3. The internal affairs investigator shall interview the complainant, all witnesses and the subject employee, as well as review relevant reports and records, and obtain other relevant information and materials.
4. Interviewing the subject employee
    a. The internal affairs investigator shall schedule an interview with the employee.
    b. One person of the employee's choosing may attend the interview.

(1) In investigations of criminal allegations, it is not appropriate for a union representative to be present. However, the employee shall be given the opportunity to consult with a union representative.

c. Before questioning begins, inform the subject employee of:
   (1) The nature of the complaint,
   (2) The name of the person in charge of the interview, and the names of all person who will be present during the interview.
d. If the matter under investigation involves an administrative allegation, the officer will be advised of his or her duties and obligations to answer using the Administrative Advisement Form.
e. If the matter under investigation involves a possible criminal violation, the internal affairs investigator shall consult with the county prosecutor regarding the advisability of giving a Miranda warning to the subject officer.
f. Questioning sessions may be audio or video recorded by the Internal Affairs Investigator.
g. If at any time during the questioning session the employee becomes a suspect in a criminal act, the employee shall be so informed and the questioning shall end. Promptly refer the case to the county prosecutor.

5. Upon completion of all possible avenues of inquiry, the internal affairs investigator shall complete the following reports:
   a. Investigation report: this is the objective report of all the investigative activity, including all of the information obtained during the course of the investigation.
   b. Summary report: This report, in memorandum format, will summarize the matter, and will provide recommended dispositions for each allegation. Possible dispositions, as defined in sub-section D.2 of this policy, include the following:
      (1) Exonerated;
      (2) Sustained;
      (3) Not sustained;
      (4) Unfounded.
6. Forward the completed reports through the internal affairs supervisor to the law enforcement executive.
7. The law enforcement executive, upon completion of the review of the report, supporting documentation and information gathered during any supplemental investigation, shall direct whatever action is deemed appropriate.
8. Upon completion of its investigation with a finding of exonerated, not sustained, or unfounded, internal affairs shall notify the subject employee in writing of the disposition.
9. If the complaint is sustained and it is determined that formal charges should be preferred, the law enforcement executive shall direct internal affairs to prepare, sign and serve charges upon the subject officer or employee.
   a. The division commander, supervisor or internal affairs, as directed, shall prepare the formal notice of charges and hearing on the Charging Form.
10. The notice of charges and hearing shall direct that the employee charged must enter a plea of guilty or not guilty, in writing, on or before the date set forth in the notice for entry of plea. Such date for entry of plea shall be set within a reasonable time, at least five days after the date of service of the charges.

11. If the employee charged enters a plea of guilty, the law enforcement executive shall permit the employee to present factors in mitigation prior to assessing a penalty.
12. Conclusions of fact and the penalty imposed will be noted in the employee's personnel file after he has been given an opportunity to read and sign it. Internal affairs will cause the penalty to be carried out and complete all required forms.

F. **HEARING**

1. Upon written notice of a request for a hearing from the subject employee the law enforcement executive will set the date for the hearing within a reasonable time and arrange for the hearing of the charges.
2. Internal affairs shall be responsible for or assist the assigned supervisor or prosecutor in the preparation of the department's prosecution of the charges. This includes proper notification of all witnesses and preparing all documentary and physical evidence for presentation at the hearing.
3. In the event of a hearing, internal affairs will be responsible for preparing a discovery package from the internal affairs file, and providing it to the subject employee or his or her representative.
4. The hearing shall be held before the appropriate authority or the appropriate authority's designee.
5. All disciplinary hearings shall be closed to the public unless the defendant employee requests an open hearing.
6. The hearing authority is empowered to enter a finding of guilty or not guilty, or to modify the charges as deemed necessary. The decision of the hearing authority should be in writing and should be accompanied by findings of fact of each issue in the case.
7. The hearing authority will fix any of the following punishments which it deems appropriate under the circumstances.
    a. Counseling;
    b. Oral reprimand or performance notice;
    c. Written reprimand;
    d. Monetary fine;
    e. Transfer/reassignment;
    f. Suspension without pay;
    g. Loss of promotion opportunity;
    h. Demotion;
    i. Discharge from employment.
8. A copy of the decision or order and accompanying findings and conclusions shall be delivered to the officer or employee who was the subject of the hearing and to the law enforcement executive if he was not the hearing authority.
9. Upon completion of the hearing internal affairs will complete all required forms including the entry of the disposition in the index file.
10. If the charges were sustained, internal affairs will cause the penalty to be carried out. The report shall be permanently placed in the officer's or employee's personnel file.
11. Internal Affair investigations (not involving criminal allegations) will be closed with a finding specified in the New Jersey Attorney General guidelines within one (1) year absent additional information brought forth.

G. **CONFIDENTIALITY and Security**

1. The progress of internal affairs investigations and all supporting materials are considered confidential information and will be maintained in a secure area.
2. Upon completing a case, internal affairs will enter the disposition in the index file.
3. The contents of internal investigation case files will be retained in the Internal Affairs Unit. The files shall be clearly marked as confidential.
4. Only the law enforcement executive or his designee is empowered to release publicly the details of an internal investigation or disciplinary action.

Mahwah Police Department – Policies and Procedures	Number 135:05:05
Subject **Line Inspections**	
Issue Date 11202001	Effective Date 11202001
Revisions: a. 020415 Capt. S.J. b. 022615Capt. S.J. , c. 08/2018 D.Lt.GB	
Page 1 of 5.	Accreditation Number 53.1.1

I. BACKGROUND

The inspections process is an essential mechanism for evaluating the quality of the Department's operations, ensuring that the Department's goals are being pursued, identifying the need for additional resources, and ensuring that control is maintained throughout the Department. Inspections may include, for example, evaluation of facilities, vehicles, equipment, records, personnel, investigative procedures, crime reporting practices, and incident reports. Line inspections will be an ongoing activity within the Mahwah Police Department to ensure that employees are acting in concert with Department requirements in such areas as personal appearance, use and maintenance of equipment, and adherence to Department directives and orders. Line inspection is also concerned with the status and conditions of physical facilities within a given organizational function in the Police Department. Line inspections are the primary responsibility of Tour Commanders and the Division Commanders and provide a mechanism for achieving accountability within the Department.

II. POLICY

It is a policy of the Mahwah Police Department that line inspections will be conducted on an on-going basis within the Department, and includes provisions for the following, at a minimum:

a. procedures to be used in conducting line inspections;
b. frequency of inspection;
c. responsibilities of the supervisor in each function for both the conduct of inspections and correction of conditions discovered by the inspection;
d. criteria to identify those inspections that require a written report; and
e. Follow-up procedures to ensure corrective action has been taken.

It is further the policy of the Mahwah Police Department that all officers and/or employees will abide by the guidelines as established in this General Order.

III. ACTION

A. DEFINITION

LINE INSPECTION- Inspection conducted by personnel in control of the persons, facilities, procedures, or other elements being inspected. Line inspection may be carried out by any supervisor within the chain of command and is often conducted by supervisory personnel who may also be responsible for ensuring that any substandard conditions revealed in the inspection are corrected.

B. INTRODUCTION

The basic purposes of the inspection process are:

a. To provide current and timely information on the status and conditions of Department personnel, equipment, facilities, activities and procedures;
b. To identify deficiencies and areas of improvement in the administration and operation of the Department so that corrective actions may be taken;
c. To highlight the positive and successful aspects of Department activities, procedures and programs; and
d. To provide information for Department planning as budget development and justification.

There is a legitimate business necessity for the Mahwah Police Department to inspect and evaluate the quality of its operations in order to ensure that the Department's goals are being pursued, identifying the need for additional resources, and ensuring that control is maintained throughout the Department. All employees and physical resources of the Mahwah Police Department shall be subject to line inspections. Line inspection is the process by which any supervisor can review and observe a subordinate's activity to ensure proper compliance with departmental procedures, rules and regulations. These inspections are not limited to persons, but also include all physical resources and facilities used by the Mahwah Police Department. In such inspections, the supervisor will upon observing substandard conditions, take immediate corrective action. The inspection process compares the Department's formal expectations with actual performance.

C. LINE INSPECTIONS

Each Division Commander is responsible for the ongoing inspection of all organizational components, facilities, property, equipment, activities, and personnel under their command and shall report any deficiencies through the chain of command to the Chief of Police. Division Commanders are responsible and accountable for inspections of the Tour Commanders. Tour Commanders will be responsible and accountable for line inspections of personnel assigned to their command on the behalf of the Division Commanders.

The general procedures regarding line inspections are as follows:

- The Tour Commander will conduct a visual Line Inspection of the officers on a daily basis during Roll Call. This will include the officer's appearance and hygiene, equipment and duty weapon.
- The Tour Commander will conduct a visual inspection of the Dispatch Area to include; functionality of radios, telephones, computers and video cameras. The inspection will assure that all equipment is operational.
- The Tour Commander will inspect the civilian personnel working in the Dispatch Area for appearance, hygiene and operational readiness.
- The Tour Commander will make a visual inspection of headquarters, to include all necessary working spaces for the tour of duty, to include front lobby, report writing room, front records area, Tour Commanders office, booking areas and jail cells, interview rooms and dispatch area.
- Any noted deficiencies are to be immediately and appropriately brought to the attention of the officer/employee involved for immediate correction when appropriate and so noted in the officer's personnel file;
- Any deficiency that is of such a serious, offending or repetitive nature is to be documented in the form of an Internal Affairs Report with a recommendation for disciplinary action and forwarded to the Internal Affairs Office for further disposition. Before allowing the involved

officer/employee to go on duty or continue duty, the deficiency must be corrected;

- In those instances when correction is not immediately necessary or possible, the Tour Commander is to follow up to ensure that corrective action has been taken; and
- Tour Commanders are also responsible for the personal appearance of the civilian employees working their shift and shall take necessary action as noted above.

The Division Commander shall see that immediate steps are taken for the correction of identified deficiencies. The results of all such inspection are to be forwarded through the chain of command, and then filed in the respective officer/employee's personnel file. Such inspection reports are to be retained for a minimum of sixmonths.

The Chief of Police, Division Commanders, and Tour Commanders are to keep their personal appearance, vehicles, assigned work areas, etc., in an exemplary manner and are subject to inspection by their immediate supervisor at any time.

Personal Appearance and Duty Handguns

The scope of personal inspections is as follows:

- Personal hygiene;
- Haircuts;
- Facial hair;
- The uniform of the day;
- Leather goods;
- Weapon;
- Handcuffs;
- Issued manuals;
- Issued equipment (lockers, file drawers, etc.), and;
- Any other items affecting the personal appearance and preparedness of the officer/employee.

The line inspection of personal appearance is the duty of all supervisors, made on a daily basis, to ensure proper appearance of assigned personnel. If substandard appearance is observed, the supervisor will take whatever corrective action is necessary. The Tour Commander will be responsible for conducting the formal inspection of the personal appearance of all personnel assigned to that Tour, Division, or Unit. Formal inspections of personal appearance will include a review of the uniform, personal equipment, and service weapon.

All personnel shall report at their assigned duty station in a complete uniform as outlined in SOP 095:15:05. All uniform and clothing items must conform to Department specifications.

Firearms Inspection by Firearms Instructor

The Departmental Firearms Instructor is to conduct an inspection of issued firearms within the Department's inventory. This inspection is conducted in addition to any conducted by the officer's immediate supervisor. Such inspection is to include, but is not necessarily limited to, cleanliness, mechanical functioning and manner of carrying. Any noted deficiencies are to be immediately corrected by the involved officer, when possible, or by the Firearms Instructor, when possible. If not possible, the Firearms Instructor must make arrangements to have the weapon repaired as soon as possible. Such repair is to be coordinated through the Patrol Division Commander.

Vehicles
Officers/employees should conduct daily inspections of their assigned vehicles and equipment at the beginning of each shift and notify their supervisor so they can document any deficiencies in their roll call log. These inspections will include vehicle exterior, interior, trunk, emergency equipment, and mechanical condition. Vehicle deficiencies shall be reported to the Desk Officer for notation on the dry-erase board. The supervisor shall be notified of all deficiencies noted during this inspection and note in their roll call book as well and if they cannot resolve the issue directly the supervisor should notify the Patrol Captain via e-mail to document the deficiency. The Patrol Division Commander shall be contacted for approval by the respective supervisor regarding any deficiency that may require expenditure of funds for repair or replacement.

Supervisors shall periodically inspect their subordinate's vehicles and equipment. These inspections will include vehicle exterior, interior, trunk, emergency equipment, and mechanical condition to insure it is in good condition cosmetically and functionally; contains all authorized equipment and supplies; has no dangerous or unauthorized equipment; has operational emergency equipment.
The scope of vehicle inspections will include, but is not limited to the following;

- Overall cleanliness;
- Exterior upkeep/damage;
- Emergency lights and sirens;
- Vehicle lighting system;
- Mechanical upkeep;
- Fluid levels; and
- Auxiliary equipment to include (shotgun, fire extinguisher, fusees, blankets, first aid kits, and required manuals).

Informal inspections shall be conducted on a daily basis as outlined in this SOP by the respective supervisor. The respective Supervisor at his discretion may conduct unannounced, impromptu inspections. All Tour Commanders and Division Commanders are responsible for the ongoing inspection of the general conditions of Department vehicles driven by personnel under their command. Supervisors are responsible for the formal inspection of vehicles assigned to personnel under their command at least once each 28-day work schedule. The inspecting supervisor is to have the officer/employee assigned to the vehicle correct any deficiencies or make arrangements for the correction of deficiencies. No later than the next working day the inspecting officer is to follow up to assure that the deficiencies have been corrected.

Police Facilities
All supervisors are responsible for the ongoing inspection of the general condition and cleanliness of Police Department facilities and furniture, and for correcting any problems found. If any supervisor finds a deficiency, he/she is to have the person responsible correct the deficiency. If responsibility cannot be placed, or the condition exists because of normal use or wear and tear, the supervisor may choose to correct the deficiency or have a subordinate do so. In those instances where furnishings or equipment need replaced, such fact is to be submitted in the form of an Inter-Office Memo (IOM) to the Patrol Division Commander. Problems that cannot be corrected by the supervisor should be reported to the Patrol Division Commander, through an Inter-Office Memo (IOM), describing the problem and recommending a solution.

Tour Commanders, as well as Division Commanders, are responsible to conduct ongoing inspections of the Police Department facilities. Such facilities include the main police building and range. Inspections should include, but is not limited to;

- Hallway areas;
- Locker rooms;
- Report room;
- Front Lobby;
- Front Records Area;
- Classroom;
- Tour Commanders Office;
- Booking Area and Prisoner Processing Areas;
- Interview Rooms;
- Conference Rooms;
- Restrooms;
- Fitness and Training Rooms;
- Evidence Processing Areas;
- Police Garage;
- Equipment lockers,
- Storage areas, and
- Other areas of the building.

Additionally, the Division Commanders will be responsible for ongoing daily inspections of their own work areas, as well as the work areas of their immediate subordinates.

The scope of facilities inspection is as follows:

- Neatness;
- Cleanliness;
- Security;
- Sanitation;
- Adequacy of supplies and equipment;
- Damaged or worn furnishings or equipment;
- Placement of first aid kits and fire extinguishers; and
- Other criteria as determined by the Chief of Police.

Policy and Procedure

All supervisors are responsible to be vigilant that officers and employees under their command are performing their functions in accordance with Department policy and procedure.

Special Purpose Line Inspection

The Chief of Police may direct special purpose line inspections on an as-needed basis. Examples of special purpose inspections include policies and procedures manuals, controlled substance evidence, uniforms and equipment, assigned lockers and cabinets on loan for employee's use, training manuals, and property room audits. Facilities, vehicles, equipment and furnishings are made available for employees' use in achieving the Department's mission. These remain the property of the Township and are subject to inspection at any time. No expectation of privacy is implied or should be expected.

Covert Inspections

Covert inspections are only to be conducted when the probability exists that very serious conditions contrary to the best interests of the Department are present. Such inspections are not to be conducted as a matter of routine and shall only be conducted under the immediate direction of the Chief of Police.

Reports

Reports - all reports required by this SOP will be completed on the provided form, or if none, then an Inter-Office Memo (IOM). The reports are to be clear and concise and be supported by adequate documentation. Reports are required as follows:

- Any time an inspector notes a deficiency which is of a serious nature, or is due to abuse, neglect or misuse, or is of a recurring nature, such report shall be in the form of an Inter-Office Memo (IOM) and forwarded up the chain of command; and
- Any time such report is required within a subsection of this policy.

Reports are to be forwarded through the chain of command with each level within the chain making appropriate comments and recommendations. The Chief of Police will then review the report and take appropriate action as deemed necessary.

Mahwah Police Department – Policies and Procedures	Number 135:10:05
Subject **Staff Inspections**	
Issue Date 11012002	Effective Date 11012002
Revisions: a. 08/2018 D.Lt.GB	
Page 1 of 3.	Accreditation Number 53.2.1

I. BACKGROUND

A staff inspection system generally focuses on agency procedures and is performed routinely by staff personnel. A staff inspection system may monitor organizational components in terms of their results. These reports are valuable for decisions concerning resource allocation, modification of component objectives, and training needs.

II. POLICY

The Mahwah Police Department will maintain a staff inspection function, which includes provisions for:

a. Identity and authority of the person(s) conducting the staff inspection;
b. Procedures to be used in conducting staff inspections;
c. Submission of a written report that identifies deficiencies and makes recommendations for their improvement and/or correction; and identifies positive aspects of the area being inspected;
d. A follow-up inspection and a written report for noted deficiencies that cannot be immediately corrected; and
e. A staff inspection to be conducted within all organizational components at least every three years.

It is further the policy of the Mahwah Police Department that all officers and/or employees will abide by the guidelines as established in this SOP.

III. ACTION

A. DEFINITION

Staff Inspection- Inspection conducted by personnel who do not have control of the persons, facilities, or procedures being inspected. Staff inspectors in larger agencies are generally members of a specialized component responsible for conducting inspections throughout the agency. The results of staff inspections are generally reported to the agency's chief executive officer.

Introduction

The staff inspection is a management tool used to ensure the Chief of Police that administrative procedures are being adhered to by Department officers/employees. The role of staff inspections is to promote an objective review of Department administrative and operational activities, facilities, property, equipment and personnel outside the normal supervisory and/or line inspections.

Staff Inspection Objectives

Staff inspection involves inquiring into the manner in which personnel and material resources are utilized in achieving the Department's goals and ensuring adherence to the orders and directives promulgated by the Chief of Police. The staff inspections' function in the police profession is similar to the quality control process in the private sector. It provides answers to questions of vital importance to the Chief of Police, such as:

1. Are established policies, procedures and rules being followed and in the spirit for which they were designed?
2. Are these policies, procedures and rules adequate to attain the desired results?
3. Are the resources at the Department's disposal, both personnel and material, being utilized to the fullest extent?
4. Are the resources adequate to carry out Department goals and objectives?
5. Does there or could there exist any deficiency in personnel training, morale, supervision, or policy which should be corrected or removed?
6. How accurate and reliable is the data that the Department collects?
7. Of what quality are the responses to calls for services and the reporting system?

Types of Staff Inspections

Administrative staff inspections are conducted by a supervisor of the Division having no direct supervisory authority or responsibility for the operation of the organizational component being inspected at the time. There are two types of administrative staff inspections:

1. General inspection - an inspection of all operational functions and procedures of a component;
2. Single function inspection - an examination and evaluation of a single function or operational procedure performed either by a single officer/employee or as a process by several officers/employees. An example would be an evaluation of the procedures used in processing a criminal complaint report, traffic citation, or a citizen's call for service from the initial police/citizen contact to the filing of the final report.

Staff Inspection Procedure

Notification will be made prior to initiating any general inspection. The assigned Division Commander will notify the commander of the component to be inspected. No notification need be provided to officer/employees when conducting single function inspections. Staff inspections will be conducted with as little disruption of routine component activity as possible. The operation of the component being inspected should not be unnecessarily restricted. General inspections will usually include the following:

1. Examination of any special "Manual of Procedure" of the component;
2. Examination of all records and files;
3. Observation of operating procedures;
4. Examination of equipment and work areas; and
5. Interviews with selected component personnel.

At the completion of the inspection, the inspector will discuss with the supervisor of the component inspected the results of the inspection, including what likely recommendations will be made to the Chief of Police.

Report Procedure

At the conclusion of the staff inspection the assigned staff inspector(s) will prepare a written report in the form of an Inter-Office Memo (IOM) to be forwarded to the Chief of

Police. All reports will be clear and concise. All conclusions shall be supported with adequate documentation. The inspection report format shall include the following:

1. Subject;
2. Objectives;
3. Methodology;
4. Conclusions; and
5. Recommendations

The report will identify deficiencies and make recommendations for improvement and/or correction and identify positive aspects of the area inspected. The results of the staff inspection will be discussed at the staff meeting following the inspection.

The respective Division Commander will be responsible for the development of an action plan to implement appropriate recommendations of the staff inspection. Based upon action plans, a follow-up inspection will occur as designated as part of the action plan. Any noted deficiencies that cannot be immediately corrected will be noted in a report in the form of an Inter-Office Memo (IOM).

Frequency of Inspections

All organizational components will receive a staff inspection at least every four years. The Chief of Police may direct staff inspections to be conducted more frequently on an as needed basis.

Mahwah Police Department – Policies and Procedures	Number 140:05:15
Subject **Media and Public Information**	
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Revisions: a. 08/2018 D.Lt.GB	
Page 1 of 5.	Accreditation Number 54.1.1-3

I. BACKGROUND

To convey information, Police Departments often rely on the news media. In an effort to address this issue, it has been deemed necessary to formulate a policy, which will govern what information should be released, when it should be released, and who may release it.

II. POLICY

It is the policy of this Department that all members adhere to the following whenever it becomes necessary to deal with or convey information to the media.

III. ACTION

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A. GENERAL

1. The Mahwah Police Department is committed to informing the community and the news media of events within the public domain that are handled by or involve the Department.

2. The Public Information function includes:
   a. Establishing a position of Public Information Officer
   b. Assisting news personnel in covering routine news stories, and at the scenes of incidents.
   c. Being available for on-call responses to news media; (in person or telephonically.)
   d. Preparing and distributing news releases.
   e. Arranging for news conferences, as required or requested.
   f. Releasing information about victims, witnesses, and suspects, when appropriate
   g. Assisting in crises situations within the agency
   h. Coordinating and authorizing release of information concerning confidential Department investigations and operations.

3. All employees of the Mahwah Police Department have individual responsibilities concerning the release of information.

4. The Chief of Police will assign a designee to the position of Public Information Officer. He will serve as the primary contact for information disseminated to the community and the media.

5. The Public Information Officer will be responsible for ensuring appropriate release of information to the media. Shift Commanders will keep the Public Information Officer advised, as soon as possible, of any newsworthy events that occur.

6. Inquiries concerning Departmental policies, procedures, practices, or relationships with other criminal justice agencies will be referred to the Chief of Police. Similarly, response to inquiries or release of information pertaining to Department involvement in mutual efforts involving other public service agencies (e.g., fire Department, medical examiner, prosecutors office, etc.) will be coordinated by the Chief of Police. In instances where more than one agency is involved, the agency having primary jurisdiction should be responsible for releasing, or coordinating the release of information.

7. Response to inquiries and release of information concerning confidential Departmental investigations and operations will be coordinated by the Chief of Police.

8. Response to inquiries and release of information available in the Department's Records Office will be coordinated either by the Commander of Investigative Division or Patrol Division Commander.

B. TYPE OF INFORMATION THAT MAY BE RELEASED AND BY WHOM:

1. On-scene investigations: Information that will not hinder or nullify an investigation shall be given to the press by the superior officer in charge of the investigation. Where several Officers have information, the Public Information Officer in charge will serve as the media contact gathering information from others. While the handling of crime or incident should take priority, media requests should be responded to as soon as possible.

2. Follow-up investigations: The Officer or Detective conducting the follow-up will provide the Commander of the Investigative Division with the necessary information for review pending release. The Public Information Officer and/or Chief of Police will determine the method of release.

3. In the event that the Public Information Officer is not available the Commander of the Investigative Division or the Patrol Division Supervisor will ensure that the necessary information is gathered and made available to the media. A copy of all information released will be forwarded to the Chief of Police.

4. If an outside agency such as the Prosecutor's Office, State Police or Federal Agency has become involved in a case, refer the media request to the respective agency.

5. Names of Officers providing the information to the media may be provided to the media and published, unless the Officer(s) involved is/are in an undercover assignment. Addresses and telephone numbers of Police personnel will not be released to the media.

6. Any questions concerning release of information should be rapidly referred to the Public Information Officer.

7. An officer shall not make nor participate in making any statement to the media that relates to:

a. The character, reputation, or prior criminal record (includes arrests, indictments, or other charges of crime of the accused);
b. The possibility of a plea of guilty to the offense charged or to a lesser offense;
c. The existence or contents of any confession, admission, or statement given by the accused or his refusal or failure to make a statement;
d. The performance or results of any examinations or tests or the refusal or failure of the accused to submit to examinations or tests;
e. The identity, testimony, or credibility of a prospective witness;
f. Any opinion as to the guilt or innocence of the accused, the evidence, or the merits of the case;
g. The name, age, residence, occupation, and family status of the accused, if a juvenile.

7. Information that normally can be released to the media:

a. If the accused has not been apprehended, any information necessary to aid in the apprehension or to warn the public or any dangers the accused may present;
b. A request for assistance in obtaining evidence;
c. The identity of the victim of the crime unless a sexual assaults involved or there is some other reason to protect the privacy of a victim;
d. The fact, time and place of arrest, resistance, pursuit, and use of weapons;
e. The identity of investigating and arresting officers or agencies and the length of the investigation;
f. At the time of seizure, a description of the physical evidence seized, other than a confession, admission or statement;
g. The nature, substance, or text of the charge;
h. Quotation from or references to public records of the court in the case;
i. The scheduling or result of any step in the judicial proceedings;
j. That the accused denies the charges made against him.

C. **MEDIA IDENTIFICATION CARDS**

1. All media representatives working with the Mahwah Police Department will be required to obtain an official News Media Identification Card issued by the New Jersey State Police. This card will serve to identify the media representative.

2. If media representatives do not have an identification card, they should be encouraged to contact the New Jersey State Police and obtain one. A representative without such card may still request and receive police information, however, this process may be delayed pending telephonic or other verification as an authorized media representative.

3. Any gross violation of criteria governing conduct of media representatives will be reported to the Chief of Police so that the appropriate action can e taken.

D. **MEDIA CONTACTS/PROCEDURES**

1. On a daily basis, media representatives may either visit the Police Department in person or call the Department seeking information as to

newsworthy items. During normal office hours, they should be referred to the Patrol Division Commander or the Commander of the Investigative Division. After office hours or on weekends, they should be referred to the shift Commander.

2. The Departmental representative releasing information should have available the offense and accident reports and go through these with the media representatives. Normally, the Department representative will prescreen the reports since they may contain non-releasable information (e.g. suspect information, etc.). Offense reports and accident reports should be carefully checked concerning involvement of juveniles prior to releasing information.

3. At scenes of major fires, natural disasters, or other catastrophic events, or at crime scenes, it may be necessary for police to establish perimeters and control access. Any such limitations should be clearly explained to media representatives. News media representatives should not be in a position to interfere with law enforcement operations at the scene of an incident. As soon as possible, however, media representatives should be assisted in gaining needed access to the scene when such access will not interfere with the law enforcement mission. Police Officers may deny access for legitimate law enforcement investigative reasons or for safety reasons; however, they may not subsequently authorize media trespass on private property. It will be the responsibility of the media representative to obtain any permission necessary once the legitimate law enforcement mission allows access to the scene on private property.

4. Press releases may be prepared by any commander in support of pre-planned Departmental activities, to request needed media support, or in response to major newsworthy events. Except in urgent situations, such releases will be coordinated, prior to release, with the Chief of Police, Patrol Division Commander and the Commander of the Investigative Division. Press releases will be typewritten; double spaced, on letterhead, and will be signed and dated by the Public Information Officer.

5. In the case of significant newsworthy events, press releases of immediate community interest, or of a scheduled press conference, all area media representatives, having indicated an interest in receiving such information, will be contacted. The list of media representatives will be updated periodically. In order to ensure equal-access, all representatives must be notified.

6. An exception to the equal-access policy will be allowed when hazardous road conditions, street closings, or other emergency conditions occur. Under these circumstances the Shift Commander may authorize calling the local radio stations and requesting their assistance with spot news bulletins. If the unusual condition will persist over an extended period of time, all media representatives will be advised.

7. When policies or procedures involving the media are being developed by this Department, copies of such proposed policies or procedures will be provided to all area media agencies for comment, if desired. Comments received will be incorporated in Departmental procedures, as appropriate. Copies of any approved changes in media release policies or procedures will be provided to all area media agencies for dissemination to their representatives.

8. The various media have clearly defined legal and moral responsibilities, and must be the ones to make the decisions as to what to publish. This is not an appropriate police role.

Mahwah Police Department – Policies and Procedures	Number 155:25:05
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Page 1 of 3.	Accreditation Number 70.5.1

I. BACKGROUND

In order to ensure positive identification of prisoners being transported from a detention facility, to describe the documentation necessary when transporting a prisoner between detention facilities, and to provide methods for alerting transport officers and receiving facilities when a prisoner presents escape, suicide, or security risks the following guidelines have been established.

II. POLICY

It is the policy of the Mahwah Police Department to utilize methods that ensure positive identification of prisoners prior to transporting prisoners from any detention facility, and further that officers engaged in prisoner transports ensure that required paperwork is completed and accompanies the prisoner to the destination facility. It is also the policy of the Department that whenever a prisoner presents escape, suicide, or security risks, transporting officers and receiving facilities be made aware of such risks.

III. ACTION

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A. POSITIVE IDENTIFICATION OF PRISONERS BEING TRANSPORTED

Prior to moving a prisoner from any detention facility for any reason, the transporting officer shall ensure that a positive identification of the prisoner has been made. Identification verification may be accomplished in a variety of ways. The following are just examples of such methods.

1. Comparing the prisoner's physical description with jail and other records such as driver's license records:
2. Comparing photographs.
3. Comparing fingerprints.
4. Comparing signatures.
5. Interviewing the prisoner.
6. Having other law enforcement or corrections officials identify the prisoner.
7. Comparing booking numbers and other booking records.

When receiving or arresting a person on a warrant, the officer is to verbally identify the subject by requesting the person to recite his/her name and date of birth and to compare it as well with any physical description to that listed on the warrant. Any items of personal identification found on the prisoner should be utilized to confirm identity.

B. **DOCUMENTATION TO ACCOMPANY PRISONER BEING TRANSPORTED BETWEEN FACILITIES**

Prior to transporting a prisoner to or from any detention facility the transporting officer shall ensure that all required paper work is completed, and accompanies the prisoner. Required paperwork may include any or all of the following:

1. Jail Commitment Form (to facility).
2. A copy of the original Warrant, original Complaint Summons and/or original motor vehicle summons(es) (to facility).
3. Must Return Form (from facility).
4. Prisoner Receipt (from facility).

Proper Documentation includes the following:

- Prisoner's name;
- Medical records when applicable;
- Arrest report, offense report, or arrest warrant, if applicable;
- Commitment papers, if applicable;
- Court order, if applicable;
- Any other documents provided by the facility.

C. **EXTRADITION**

In the event of interstate extradition, transporting officers shall have a properly executed extradition order. After due consideration of specific factors related to the transport, the Chief of Police will determine whether the transport will be performed by one or two officers. Factors to be considered include, but are not limited to, the following:

- Seriousness of the charge;
- Duration of the transport;
- Prisoner's apparent escape risk;
- Prisoner's propensity toward violence;
- Prisoner's sex;
- Anticipated interruptions in transport (meals, overnight lodging, airline lay-overs, etc.; and
- Similar factors.

D. **INTERSTATE TRANSPORT OF PRISONERS**

Interstate transport of prisoners will require a properly executed extradition warrant, or waiver of extradition, which shall accompany the prisoner during transport. In addition to paperwork transported with the prisoner, any personal property belonging to the prisoner shall also accompany the prisoner to the detention facility, unless it meets one of the following criteria:

- The property is released to another person with consent of the prisoner.
- The property is confiscated because it constitutes contraband.
- The property is confiscated because it is deemed to have evidentiary value.
- The prisoner freely disposes of the property prior to the transport.
- The prisoner personally uses up the property prior to transport, i.e.; candy, cigarettes, medication, etc.

E. **INFORMATION REGARDING SPECIAL SECURITY CONCERNS AND HAZARDS**

Anytime the arresting or transporting officer has reason to believe that a prisoner presents an escape risk, suicide risk, security risk, or presents other unusual safety and security concerns or hazards, such information shall be made available to the jail staff at commitment. In all instances the name of the officer this information is relayed to will be included in an incident report. If possible, the notification will be made in writing. The Sheriff's Department will take the appropriate action regarding the special concern or hazard at time of transfer. The Sheriff's Department will also question the prisoner as to any medical or psychological problems that must be addressed at time of commitment.