

Mahwah Police Department – Policies and Procedures		Number 020:20:25
Subject CEO Notification of Potential Liability		
Issue Date 10012007		Effective Date 10012007
Revisions: a. Reviewed 12/2011 RC, b.06/2018 D.Lt.GB		
Page 1 of 1.	Accreditation Number 11.3.3	

I. BACKGROUND

Any incident involving police action has the potential to result in liability to the agency. Incidents involving death or serious bodily injury to a person or significant loss of property have an increased potential for legal action against the agency. As such, in incidents where there may be a question as to the agency's liability or those incidents which may result in heightened community interest the Chief of Police should be notified.

II. POLICY

It is the policy of this department that any incidents that result in a question as to the agency's liability or those which may result in heightened community interest be reported to the Chief of Police.

III. ACTION

In the event of an incident involving the police department that results in the death or serious injury of a member of the agency or any other person, either involved directly or indirectly with that incident, the Chief of Police should be notified immediately. Incidents involving substantial loss of property through the actions of the police department or that may become the focus of heightened community interest should also be reported to the Chief of Police immediately.

Other events and incidents that could result in potential liability to the police department should be reported to a Captain of Police and the Captain will determine when and how the Chief of Police will be notified. Such incidents would include injury to a member of the agency while acting in the performance of his/her duty, serious damage to police or Township property by a member of the agency while on duty, loss of police identification and/or shield, criminal charges filed against a member of the agency in another jurisdiction and any other situation that may result in liability against the Police Department.

The supervisor in charge of the Tour will make the notification after examining all the facts and circumstances and reaching a reasonable conclusion that liability may result from the listed incidents. Incidents that do not rise to the level of immediate notification of either the Chief of Police or Captain (as stipulated above) will be submitted to the Chief of Police in writing at the completion of the Tour by the Tour Commander outlining the situation and actions that may result in liability to the agency.

Mahwah Police Department – Policies and Procedures		Number 020:25:05
Subject Goals and Objectives		
Issue Date 02052001		Effective Date 02052001
Revisions: a. Reviewed 2/2/2010 ChiefJB b. Reviewed 06/2018 D.Lt.GB		
Page 1 of 3.	Accreditation Number 15.2.1, .2	

I. BACKGROUND

Police Department personnel, equipment, and resources must be organized, maintained, and deployed in a manner that ensures maximum effectiveness while sustaining cost effectiveness in all operations. The Police Department will accomplish this task through continuing programs of review, analysis, updating and inspection to ensure that optimum results are achieved.

II. POLICY

It is the policy of this Department that personnel from all levels of the Police Department will have input into the development of the goals and objectives of the Police Department.

III. ACTION

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A. GENERAL GOALS AND OBJECTIVES: Certain types of missions, goals and objectives are broad based, never changing, and would apply to any police agency. The following missions, goals and objectives are those that the Mahwah Police Department shall continuously seek to obtain:

1. Preserve the public peace, prevent crimes, detect and arrest offenders against the penal laws and ordinances effective within the Township of Mahwah, suppress riots, mobs and insurrections, disperse unlawful or dangerous assemblies and preserve order at all elections and public meetings and assemblages.
2. Administer and enforce laws and ordinances to regulate, direct, control and restrict the movement vehicular traffic and the use of streets by vehicles and persons, and to make rules and regulations not inconsistent with the charter, ordinance and general law for such purpose.
3. Remove all nuisances in the public streets, parks and other public places; inspect and observe all places of public amusement or assemblage and all places of business requiring state or municipal licenses or permits.
4. Provide proper Police attendance and protection at fires.
5. Enforce the laws and ordinances in effect within the Township of Mahwah and prevent the violation of them by any person; apprehend and arrest all persons legally charged with violations of any law or ordinance.

6. Provide for the attendance of its police officers or civilian employees in court as necessary for the prosecution and trial of persons charged with crimes and other violations of the law, and cooperate fully with the law enforcement and prosecuting authorities of federal, state and county governments.
7. Operate a training program to maintain and improve the police efficiency of the members of the Department.

B. SPECIFIC GOALS & OBJECTIVES: Specific goals and objectives deal with issues that relate specifically to a single division within the Police Department or the entire Police Department and that can be eliminated once accomplished. Examples include items that can be budgeted for, implementation of new programs to address specific problems unique to Mahwah Police, or issues that deal with methods to improve efficiency and/or the overall operation of the Police Department

C. DIVISIONAL GOALS & OBJECTIVES: On an annual basis (January of each year) each Division Commander will be required to formulate and update goals & objectives for his assigned Division. Each Commander will solicit input from subordinate personnel within his Division regarding goals & objectives. All personnel will be directed to submit their Divisional goals and objectives to their Commander via the Chain of Command. The Division Commander will then formulate the Divisional goals and objectives, utilizing the input obtained from personnel under his command. The Division Commander shall then submit his Division's goals and objectives to the Chief of Police. All such goals and objectives shall be submitted by the last working day in January.

D. DEPARTMENTAL GOALS & OBJECTIVES: On an annual basis (February of each year) the Chief of Police will formulate and update the Departmental goals & objectives. Personnel from all levels will be asked to submit written Departmental goals and objectives for the upcoming budget year. The Chief of Police shall then review all of the goals and objectives submitted. He will utilize submitted goals and objectives to assist him in formulating the overall Police Department's goals and objectives.

E. DISTRIBUTION OF GOALS AND OBJECTIVES:

1. DIVISIONAL: Once formulated, each Division Commander shall distribute his division's goals and objectives to personnel under his command.
2. DEPARTMENTAL: Once formulated, the Chief of Police shall post the Department's goals and objectives on the bulletin board.

F. CONTENTS OF GOALS AND OBJECTIVES: Each and every suggestion made regarding goals and objectives shall be formatted in the following manner:

1. GOAL: A goal is a relatively broad statement of the end or result that one intends ultimately to achieve. A goal usually requires a relatively long time span to achieve and, whenever possible should be stated in a way that permits measurement of its achievement. The goal is what you ultimately seek to accomplish.
2. OBJECTIVE: An objective is an end or result that one intends to attain in order to achieve partial fulfillment of a goal. An objective is a subgoal or an element of a goal, and therefore, requires a shorter time to accomplish than does a goal. Objectives are steps that need to be taken in order to achieve your goal.
3. COST: Each goal and objective will require an expenditure of monies and/or manpower. Therefore, each suggested goal and objective shall include a breakdown of actual financial cost as well as man-hours needed to accomplish your goal.

G. STATUS REPORTS ON THE PROGRESS MADE TOWARDS GOALS AND OBJECTIVES:

1. DIVISIONAL: Whenever a Divisional goal & objective is accomplished, the Division Commander shall notify the Chief in writing of this accomplishment. Also, at least once during the course of each year, each Division Commander shall notify the Chief of Police, in writing, of any progress made toward a specific goal and objective that has yet to be achieved.
2. DEPARTMENTAL: Whenever a Departmental goal & objective is accomplished, the Chief shall post a notice of the accomplishment. Also, at least once during the course of each year, the Chief of Police shall post a notice of any progress made toward a specific goal and objective that has yet to be achieved.

Mahwah Police Department – Policies and Procedures		Number 095:15:25
Subject Body Armor		
Issue Date 02232001		Effective Date 07012003
Revisions a. 08222003, b. Reviewed 12/2011 RC, c. Reviewed 07/2018 D.Lt.GB		
Page 1 of 2.	Accreditation Number 41.3.5, .6	

I. BACKGROUND

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use and care of body armor.

II. POLICY

It is the policy of this law enforcement agency to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

III. ACTION

A. DEFINITIONS

Field Activities: Duty assignments and/or tasks that place or could reasonably be expected to place officers in situations where they would be required to act in enforcement rather than administrative or support capacities.

B. ISSUANCE OF BODY ARMOR

1. All body armor issued must comply with protective and related requirements prescribed under current standards of the National Institute of Justice.
2. The Department will determine the type of body armor to be issued.
3. All officers shall be issued mandatory agency-approved body armor.
4. Body armor that is worn or damaged shall be replaced by the agency. The officer shall pay for body armor that must be replaced due to loss, misuse or abuse by the officer.

C. USE OF BODY ARMOR

1. Officers shall wear only agency-approved body armor.
2. For body armor assigned prior to June 1, 2003, officers that are assigned to a uniformed function and non-uniformed sworn officers have the discretion of wearing body armor while engaged in field activities both on duty and during off duty employment. Police administration encourages officer to wear their body armor at all times for their protection and safety.
3. Officers that receive body armor purchased by the agency after June 1, 2003 must sign a "Ballistic Vest Wear Policy" in which the officer agrees to wear the body armor at all times along with the required departmental uniform (copy attached).

D. INSPECTIONS OF BODY ARMOR

1. Officers shall be responsible for ensuring that body armor is maintained as required by this policy.
2. Annual inspections of body armor shall be conducted for fit, cleanliness, signs of damage, abuse and wear.

E. CARE, MAINTENANCE AND RREPLACEMENT OF BODY ARMOR

1. Officers shall routinely inspect personal body armor for signs of damage and for general cleanliness.
2. As dirt and perspiration may erode ballistic panels, each officer shall be responsible for cleaning personal body armor in accordance with the manufacturer's instructions.
3. Officers are responsible for the proper storage, maintenance and care of body armor in accordance with manufacturer's instructions.
4. Officers are responsible for reporting damage or excessive wear to the ballistic panels or cover to their supervisor.
5. New body armor will be replaced in accordance with guidelines and protocols established by the National Institute of Justice.

F. RESEARCH AND DEVELOPMENT

The Research and Development Section shall be responsible for:

1. Monitoring technological advances in the body armor industry that may necessitate a change in body armor.
2. Assessing weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
3. Maintaining statistics on incidents where armor has or has not protected officers from harm, including traffic accidents.

G. TRAINING

The Training Section shall be responsible for:

1. Providing training programs that demonstrate body armor's stopping power under actual firing conditions and that emphasize its safe and proper use.

H. HIGH-RISK SITUATIONS

ALL personnel involved in the execution of pre-planned high-risk situations (drug raids, INS sweeps, felony warrant service, etc.) are required to wear protective body armor whenever discharging those responsibilities regardless of whether or not the officer wears protective body armor on a regular basis. There will be no exceptions to this provision.

Mahwah Police Department – Policies and Procedures		Number 095:20:10
Subject Use of Departmental Vehicles		
Issue Date 02052001	Effective Date 02052001	
Revisions: a. Reviewed 12/2011 RC		
Page 1 of 3.	Accreditation Number None (41.4.2)	

I. BACKGROUND

In order to insure security of Departmental vehicles and to place accountability on its operator, policy has been deemed a necessity.

II. POLICY

It is the policy of this Department that all members comply with the following guidelines governing Departmental vehicles.

III. ACTION

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A. REPORTING DAMAGE/MISSING EQUIPMENT: Any damage incurred to any vehicle/equipment during a tour of duty shall immediately be reported to the Officer's Supervisor and an incident report shall be completed. If the damage is due to abuse/neglect, the individuals' Supervisor shall submit a recommendation to the Patrol Division Commander on disciplinary action to be imposed, if any. The Patrol Division Commander will review the recommendation and either concur with the recommendation or make a different recommendation and submit all of the paperwork to the Chief of Police for final determination.

If damage to the vehicle/equipment is discovered during the Officer's inspection prior to assuming his road duties, or equipment is missing, the discovering Officer shall immediately report it to his Supervisor. The Supervisor shall conduct a preliminary investigation to determine if the damage/missing equipment has previously been reported. If not, the Supervisor shall make a determination as to who was the last person utilizing the vehicle/equipment, and provide a written report to the Patrol Division Supervisor. The Division Commander shall determine if disciplinary action is in order, and submit his recommendation to the Chief of Police.

B. JUMP STARTS: Departmental vehicles will not be used for jump starting non-departmental vehicles, unless an emergency situation exists and approval is granted by the supervisor.

C. KEYS IN IGNITION: Keys will not be left in Departmental vehicles, except under the following circumstances:

- a. During the course of a routine motor vehicle stop;
- b. During the course of a motor vehicle accident investigation where the officer must continuously utilize his emergency lights to warn other motorists of the hazard or where the officer remains in close proximity to his vehicle.

D. MAINTENANCE OF VEHICLES: The vendor selected by the Township through competitive bidding shall mechanically check Departmental vehicles. Officers shall report any type of mechanical problems to headquarters. If the mechanical problem prevents the vehicle from being used for patrol purposes then it shall be parked and listed as "out of service" until repairs are performed.

- a. Exterior Maintenance: Departmental vehicles shall be washed on a regular basis when the need requires.
- b. Interior Maintenance: At the completion of the working shift, it is the responsibility of each individual officer to insure that his vehicle is free of all debris, i.e., coffee spills, cigarette ashes, newspapers, discarded paperwork, etc.
- c. At the completion of evening tour the vehicle shall be vacuumed.

E. MUTUAL AID: Any requests for assistance by another jurisdiction either inside or outside the Township limits shall be directed to the supervisor/OIC. He will make the determination as to who will respond, if anyone, and how many units will respond. Also, the officer will continue to conduct himself in a professional manner and is still bound by the Department Rules and Regulations and all orders currently in effect.

F. NON-OPERATIVE POLICE RADIO: Any Departmental vehicle not equipped with a police band radio, or having a non-functioning police band radio, will only be used if absolutely necessary. In the event such vehicle must be used, the officer will be equipped with a portable police band radio, and said radio will be turned "on" at all times.

G. SUMMONSES: Any police officer receiving a motor vehicle summons on a Departmental vehicle will assume the responsibility of legally disposing of the same. In the event of extenuating circumstances, the officer will notify his immediate supervisor, where a final determination of responsibility will be made. Officers should not assume that Departmental vehicles are exempt or immune from receiving parking or moving violation summonses.

H. TRANSPORTATION OF ANIMALS: Animals merely reported to be running at large will normally not be transported in Departmental vehicles. Under extenuating or unusual circumstances, permission to transport animals in Departmental vehicles can be granted by the supervisor/OIC. Deceased animals can be transported for storage with the permission of the supervisor/OIC.

I. USE OF VEHICLE OUTSIDE OF JURISDICTION: The use of official Departmental vehicles outside the agency's primary jurisdiction shall occur only under the following circumstances:

- a. If fresh or hot pursuit of a motor vehicle violator or suspect in a crime.
- b. With the permission or under the direction of the supervisor/OIC (i.e. schools, special details).
- c. In an official capacity or function (i.e. prisoner pick-up).

J. GASSING OF VEHICLES: At the end of each tour of duty, members of the Patrol Section shall be responsible for gassing the unit that they utilize. It is preferred, if possible, that the unit be gassed in the last hour of the tour. If, due to extenuating circumstances, the Officer is unable to gas the vehicle, his supervisor shall be verbally advised, and the information passed on to the on-coming supervisor. Members assigned to any other section of the Department shall maintain a minimum of one half (1/2) of a tank of gas in their assigned vehicles. Any time that the level drops below one quarter of a tank, the member shall gas the vehicle.

Mahwah Police Department – Policies and Procedures		Number 100:05:05
Subject On-Call Investigator Schedule		
Issue Date 11142001		Effective Date 11142001
Revisions: a. 01052012 Lt.MC, 0203/15 Capt. SJ, Revised 2/2015 Capt. SJ, Reviewed 07/2018 D.Lt.GB		
Page 1 of 3.	Accreditation Number 42.1.1	

I. BACKGROUND

The Detective Bureau and the Juvenile Bureau primarily function on a 0800 to 2200 hours basis, Monday through Friday, accept holidays excluded. The following policy sets the guidelines as to the circumstances when the “on-call” detective or juvenile officer should be called after normal working hours.

II. POLICY

It is the policy of this Department that all officers adhere to the following guidelines when calling officers assigned to the Detective Bureau or Juvenile Bureau after normal working hours.

III. ACTION

A. DEFINITIONS:

1. On-call Detective: Any officer assigned to the Detective Bureau or Juvenile Bureau who is scheduled to be called after the normal hours of operation of the Detective Bureau or Juvenile Bureau.
2. Major Event: Any event where the Patrol Supervisor needs to notify or call out a detective or juvenile officer. The following is a list of the circumstances that would be considered a major event. Any arrest for or call for service involving:
 - a. Homicide.
 - b. Suicide.
 - c. Unattended deaths with suspicious circumstances.
 - d. Fatal accidents (not motor vehicle collisions).
 - e. Aggravated assault (as defined under NJSA 2C:12-1(b)).
 - f. Any assault involving a police officer.
 - g. Robbery.
 - h. Major or multiple occurring burglaries.
 - (i) Major burglary: defined as a significant loss of property to a residential or commercial building or a burglary with the intent to cause harm to the occupants of the structure or the actor is armed with any type of weapon.
 - (ii) Multiple occurring burglaries: defined as more than one burglary that occurs in a short period of time.
 - i. Major thefts defined as property or money taken in excess of \$3,000.00 (at the discretion of the patrol supervisor this figure can be lowered based on the individual circumstances of the theft. Also, motor vehicle theft will not necessarily be considered a major event and will be left to the

discretion of the patrol supervisor based on the extenuating information or circumstances).

j. Drug offenses where the amount of the drugs is significant and result in distribution charges as defined under NJSA 2C:35-5, et al. and continued investigative measures may be needed or necessary.

k. Forgery or fraud where the aggregate monetary amount of the forgery or fraud is significant or (at the discretion of patrol supervisor based on the individual circumstances and information at hand. Also, the time lapse or time frame when reported fraud or forgeries have occurred does not appear to require exigent circumstances are excluded from this category).

l. Sexual assault as defined under NJSA 2C:14-2 and :14-3.

m. Certain weapons offenses where the weapon involved is a firearm as defined under NJSA 2C:39-1. Which will be left to the discretion of the patrol supervisor based on the extenuating information and/or circumstances.

n. Arson.

o. Criminal mischief where the potential damage is significant or widespread or the criminal mischief results in the interruption or impairment of public communication, transportation, supply of water, gas or power, or other public service.

p. Any crime or disorderly or petty disorderly offense involving any Township official which would include the Mayor, Council members, Department heads or any other Township employee, including police officers.

q. Any arrest or potential arrest of a law enforcement officer from any other local, county, state or Federal agency.

r. Any arrest or potential arrest of any person that is chased into the Township from another state or any other situation that would result in the extradition of an individual to another state.

s. Offenses under NJSA 2C:13; kidnapping, criminal restraint, false imprisonment, interference with custody, criminal coercion or luring/enticing a child.

t. Any arrest or potential arrest of an individual or individuals that are chased into another state by Mahwah officers and this individual or individuals may have to be extradited back to New Jersey.

3. Normal working hours: The normal working hours for the Detective Bureau are 0830 to 1630 hours and 1400 to 2200 hours. The normal working hours for the Juvenile Bureau are generally alternated between 0830 to 1800 hours. These hours may change based on the needs of the Department.

4. Contingencies: Any situation, other than a major event, that the Patrol Supervisor believes needs the attention of the on-call detective. Such situations may include, but are not limited to, questions about the law, procedure or juvenile matters that do not necessarily require the on-call detective to respond to headquarters.

B. RESPONSIBILITY OF THE INVESTIGATIVE DIVISION COMMANDER

The Investigative Division Commander or designee will post the "on-call schedule" once a month for the patrol supervisors to view. The Division Supervisor and/or the current "on call" Officer or Detective will also ensure that the on-call detective and juvenile officers' names and contact numbers are available and posted for desk personnel within

the communications center. This is normally done by writing or placing the names on the dry-erase board or the electronic board in the communications desk area.

The on-call schedule will be assigned on a rotating basis with Detective Bureau officers given call responsibility on a weekly basis that begins Monday at 0001 hours and ends the following Sunday at 0000 hours. This on-call schedule can be changed at the discretion of the Chief of Police or the Investigative Division Commander. The Investigative Division Commander will also determine the Juvenile Bureau on-call schedule.

C. RESPONSIBILITY OF THE PATROL SUPERVISOR

The Patrol Supervisor will authorize the desk officer to contact the on-call detective or juvenile officer if there is a major event or contingency that occurs. If the event or contingency involves an adult offender and an adult or juvenile victim, the Detective Bureau will be called. If the event or contingency involves a juvenile offender and an adult or juvenile victim, then the Juvenile Bureau will be called. If there is a question as to who should be called, the Patrol Supervisor will contact the on-call detective. If the Patrol Supervisor is unable to contact the on-call officer, he will call the Investigative Division Supervisor and if necessary the Division Commander.

D. RESPONSIBILITY OF THE ON-CALL OFFICER

The on-call officer is responsible for responding to request for investigative services after the normal hours of operation of the Detective and Juvenile Bureaus. The on-call officer must also maintain avenues of immediate contact with the police dispatcher. This means that the on-call officer will maintain in working order his or her cellular telephone or other communication device so that the police dispatcher can establish contact. If the communication device is damaged or inoperable, then the on-call officer will contact the police dispatcher with a telephone number where he or she can be reached.

If the on-call officer is unable to respond to the request for service, then that officer will immediately contact the Investigative Division Supervisor or Division Commander.

In most instances, it will be the responsibility of the on-call officer to call the stand-by Assistant Prosecutor. If the on-call officer does call an Assistant Prosecutor, he should notify the Investigative Division Supervisor.

Mahwah Police Department – Policies and Procedures		Number 100:05:20
Subject Accountability for Preliminary and Follow-up Investigations		
Issue Date 11142001		Effective Date 06202003
Revisions a. 06202003, b. 01052012 LtMC, b. Reviewed 3/2015 DetGB, c. Reviewed 07/2018 D.Lt.GB		
Page 1 of 4 .	Accreditation Number 42.1.4	

I. BACKGROUND

Uniformed patrol officers shall conduct thorough preliminary investigations on all dispatched calls. The dispatched patrol officer has responsibility for all aspects of an investigation into a particular complaint/crime until such time that the investigation is solved, all leads have been exhausted, or it has been reassigned to another officer by a supervisor.

In some cases, the dispatched officer will retain overall responsibility for an investigation, but may receive assistance from other officers to complete certain tasks associated with the investigation. For example, additional patrol officers may assist in securing or searching a crime scene, conducting a neighborhood canvas, locating potential witnesses, etc. Additionally, specially trained officers (i.e., evidence technician, technical accident investigator, investigator, etc.) may be assigned by a supervisory officer to perform specific tasks to assist the dispatched patrol officer with a particular investigation. For example, the dispatched officer may retain responsibility for a burglary investigation, yet an evidence technician or investigator may be assigned to collect the physical evidence associated with the crime. Receiving assistance from another officer does not relieve the original officer of overall responsibility for the investigation.

Investigators may be called in immediately by the Tour Commander, with the approval of the Investigative Division Commander or a Division Commander, to conduct investigations depending on the seriousness of the crime and the manpower needed.

II. POLICY

It is the policy of this Department that all officers adhere to the below listed guidelines regarding preliminary and follow-up investigations.

III. ACTION

A. INTRODUCTION

Once a preliminary investigation has been conducted, the case may be assigned to either investigative or uniformed personnel, in accordance with guidelines established in this SOP. Investigators may be assigned to conduct follow-up investigations by the Investigative Division Commander, a Division Commander or the Chief of Police. Patrol officers may be assigned to conduct follow-up investigations by the Tour Commander, a Division Commander or the Chief of Police. The decision to assign an investigator or patrol officer to conduct a follow-up investigation will be based on numerous factors, including but not limited to, the following:

- Seriousness of the offense;

- Information known as a result of the preliminary investigation and included in the initial report;
- Need for special skills, training or experience to continue or complete the investigation;
- Call load and case load of the officers;
- Solvability factors;
- Special circumstances involved in the incident; and
- Other factors as noted in SOP 100:10:10

Officers assigned to patrol duties may request that a particular case be reviewed for consideration to be assigned to an investigator, but patrol officers may not determine whether a case will be assigned to an investigator. As such, patrol officers shall not advise victims, witnesses or others that a particular case will be assigned to another officer or Division for follow-up investigation.

Patrol officers who feel that a particular case should be assigned to the Investigative Division for additional follow-up investigation shall first discuss the case with their Tour Commander. The Tour Commander will consider the factors listed below in this SOP pertaining to such referrals before requesting a review of the case by the Investigative Division Commander.

B. PRELIMINARY INVESTIGATIONS – RESPONDING OFFICER RESPONSIBILITIES

The objectives of a preliminary investigation are:

- To establish the responsibility and accountability for the collection of information basic to the reported offense;
- To allow patrol officers to pursue initial investigations to their logical conclusions within the constraints of time, geography, and expertise;
- To allow investigators to concentrate on the collection of information that will support, verify, and extend the information collected during the initial investigation; and
- To allow for the early closure of cases that show little potential for being cleared through a follow-up investigation.

Upon receipt of a dispatch concerning a reported offense, the dispatched patrol officer(s) will proceed to the scene in accordance with existing policy and procedure. Upon arrival at the scene responding officers will:

- Provide necessary aid to victims;
- Secure the scene in order to protect the physical evidence;
- Transmit information to other police units that may aid in the immediate apprehension of the suspect;
- Conduct a preliminary investigation;
- Request the necessary assistance from an Evidence Technician or an investigator, when deemed necessary and with supervisory approval;
- Identify and interview witnesses to the offense or other persons who may provide information related to the offense;
- Obtain and record complete descriptions of the property taken (i.e., make or brand name, serial and model numbers, size, color, initials, owner applied identification, and other distinguishing marks);
- Continue the initial investigation until:
 - all useful information has been obtained from the victim, witness(es), and others in the area;

- all useful physical evidence at the crime scene and in the immediate area has been identified and preserved;
- assignment to another call of greater priority (assignment to another call does not automatically relieve an officer of investigative responsibility for a particular case; however it is one factor to be considered in determining whether or not a case should be assigned to another officer or Division for follow-up investigation. It is recognized that the nature of some incidents and the investigative needs may require an officer to conduct the investigation over varying increments of time);
- the case has been solved or all leads have been exhausted; or
- the case has been assigned to another officer for follow-up responsibility.

At the conclusion of the preliminary investigation the responding officer will complete a detailed and comprehensive Investigation report, and conduct all follow-up investigations as noted above.

C. PRELIMINARY INVESTIGATIONS –TOUR COMMANDER’S RESPONSIBILITIES

Tour Commanders shall conduct an initial review of the Investigation report and associated paperwork to ensure that the patrol officer has conducted a thorough preliminary investigation and completed follow-up investigations on assigned cases. It is the Tour Commander’s responsibility to ensure that patrol officers devote an appropriate amount of time to initial investigations in order to conduct a thorough investigation.

Tour Commanders must review initial investigative actions and reports as soon as possible to determine the need for follow-up investigation. If the Tour Commander determines that the initial report is incomplete, inaccurate or lacking critical information, the Tour Commander shall return the report to the reporting officer with instructions to correct the report.

Tour Commanders, upon determining that a particular case requires follow-up investigation, must decide whether the follow-up investigation will be assigned to the original reporting officer, another patrol officer, or referred to the Investigative Division Commander for consideration to be assigned for follow-up investigation. Prior to referring a case to the Investigative Division, Tour Commanders shall consider the following:

- The seriousness of the crime;
- Was the preliminary investigation thoroughly completed (i.e., neighborhood canvass, physical evidence collected, witness information recorded, pertinent information documented, etc.);
- Skills, knowledge, ability and experience of the patrol officer originally assigned;
- Skills, knowledge, ability and experience of other officers on the shift who may be available to assist the patrol officer originally assigned (Is it possible to assign the case to another officer on the shift for investigation?)
- Tour Commanders shall not refer cases to the Investigative Division based solely on the reporting officer being scheduled to start time off, without first considering the possibility of having another patrol officer assume responsibility for the investigation);
- Potential effort required to complete the investigation (i.e., extensive travel out of town to complete the investigation, etc.);
- Call load and personnel resources available;
- Presence of solvability factors; and
- Other pertinent factors.

Cases will not be referred to the investigative Division solely on the basis that it is

an unpleasant case to investigate or because an officer does not wish to work a particular case. As stated above, officers dispatched to conduct a preliminary investigation have responsibility for the entire investigation until that case has been closed or has been assigned to another officer. Any officer assigned to conduct a follow-up investigation is accountable for completion of all phases of the follow-up investigation. The Investigative Division Commander is responsible for maintaining the investigative continuity of all criminal investigations.

If, in the Tour Commander's opinion, an immediate follow-up investigation would substantially increase the likelihood of apprehension or case clearance, the Tour Commander may assign the case for an immediate follow-up investigation. If immediate follow-up investigation by patrol is not possible and the Tour Commander feels that an investigator should be immediately assigned to conduct the investigation, the Tour Commander will follow the procedures listed in SOP 100:05:05.

If the preliminary investigation cannot be completed during the reporting officer's tour of duty (i.e., a thorough neighborhood canvass for witnesses cannot be conducted at the time of the initial investigation due to the hour of the day or the property owners are unavailable to identify completely the stolen items), and if the Tour Commander concurs with the reasons for the incomplete investigation, the reporting officer will complete as much of the Investigation report as possible, duly noting the incomplete investigative tasks on an attached note, and submit the incomplete offense report during that tour of duty to the Tour Commander. Under such circumstances, Tour Commanders must determine whether it will be appropriate to:

- Delay additional follow-up investigation until the reporting officer returns to duty;
- Assign the case to another officer on the shift for follow-up investigation;
- Coordinate additional follow-up with the Tour Commander of the oncoming shift; or
- Refer the case to the Investigative Division Commander for review and consideration for assignment to an investigator.

D. INVESTIGATIONS BY THE INVESTIGATIVE DIVISION

Preliminary investigations may only be conducted by an officer assigned to the Investigative Division with the approval of the Investigative Division Supervisor.

The Investigative Division Supervisor is responsible for assigning follow-up to the Investigative Division, utilizing Case Management Software. If he/she believes that a particular case is not appropriate for follow-up by the Investigative Supervisor, it shall be returned to the submitting Tour Supervisor for reassignment. Officers assigned to the Investigative Division will not accept or conduct preliminary or follow-up investigations without the approval of the Investigative Division Supervisor.

When the Investigative Division Supervisor receives a referral of a case from a Tour Commander, the Investigative Division Supervisor will review the reports, assess the potential solvability and make the appropriate assignment. If the Investigative Division Supervisor determines that there are insufficient solvability factors for the case to be assigned for follow-up investigation, he/she will return the case to the Tour Commander making the referral and explain why the case is not being assigned. If the Investigative Division Supervisor determines that a case will not be assigned for other reasons, or feels that a particular case should be referred back to a patrol officer for follow-up assignment, the Investigative Division Supervisor will make a determination as to who will be responsible for the follow-up investigation.

Mahwah Police Department – Policies and Procedures		Number 110:05:05
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Page 1 of 14 .	Accreditation Number 44.1.1, .2, .3, 44.2.1, .2, .3, .4, .5	

I. BACKGROUND

Juveniles, unlike adult offenders, are governed by a separate set of laws that deal with the manner in which juveniles are to be processed and charged. Because of the juvenile status, court proceedings and case dispositions are handled apart from the adult system. The Mahwah Police Department will develop and utilize programs designed to prevent and control juvenile delinquency. Patrol officers usually are involved first in most contacts with juveniles. When the patrol officer investigates any complaint involving a juvenile that requires action over and above a station house adjustment, the officer shall refer the case to the Juvenile Bureau. Detectives of the Juvenile Bureau will investigate all formal complaints involving juvenile matters, and make referrals to the proper agencies as required. This policy will set forth guidelines and address the handling of juvenile offenders.

II. POLICY

It is the policy of the Mahwah Police Department to maintain a juvenile function that is committed to developing and perpetuating programs designed to prevent and control juvenile delinquency. It is further the policy of the Mahwah Police Department that all employees share responsibility in juvenile operations, and that juvenile policies and procedures receive adequate internal and external review and evaluation, both before and after implementation.

III. ACTION

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A. FUNCTION

STATEMENT OF PHILOSOPHY

The Mahwah Police Department is committed to the development and perpetuation of programs designed to protect children from abuse or neglect, to prevent and control juvenile delinquency and to divert juveniles from the Juvenile Court System where possible.

This department shall refer juveniles to the Bergen County Juvenile Court, other criminal justice agencies, public social service agencies and/or private social service agencies within the parameters of the Juvenile Court in order to divert non-serious and/or social problems from the formal justice system. This will assist in solving individual, family and community problems using community and regional resources.

STATEMENT OF COMMITMENT

Enforcement of laws with respect to juveniles is a major objective. However the Mahwah Police Department also recognizes the need for and is committed to participating in activities and designing programs geared toward preventing and controlling juvenile delinquency. The Mahwah Police Department is committed to the development, implementation and perpetuation of programs designed to:

- Protect children from abuse or neglect;
- Prevent and control juvenile delinquency; and
- Divert juveniles from the Juvenile Court System where possible.

In an effort to solve individual, family and community problems, the Mahwah Police Department will utilize a variety of community and regional resources. This department will refer juveniles to the Bergen County Juvenile Court and other criminal justice agencies when deemed appropriate and necessary based on the circumstances of a particular incident. When appropriate, this department will make referrals to public and/or private social service agencies within the parameters of the Juvenile Court in order to divert non-serious and/or social problems from the formal justice system.

STATEMENT OF RESPONSIBILITY

All personnel within the department share responsibility for participating in and supporting the juvenile operations function of the Department.

The Juvenile Officers will be responsible for day-to-day, juvenile-related activities, including but not limited to the following:

- Reviewing, assigning, managing and coordinating juvenile investigations;
- Transfer and filing of juvenile charges and other records with the Juvenile Clerk of Courts;
- Follow-up processing of juvenile arrests;
- Follow-up processing of adult arrests related to juvenile victims of crime;
- Serving as counsel or resource person to other components within the department regarding follow-up investigations of juvenile crime and coordination and preparation of juvenile court cases.
- Diverting juvenile offenders out of the juvenile justice system, when appropriate;

- Maintaining and disseminating information regarding outside resources and referrals for juveniles, adults, and families; and
- Similar duties and responsibilities

The Investigative Division Commander has overall responsibility for coordination of all juvenile operations within the department, including but not limited to the following:

- Overseeing the Juvenile Officer's responsibilities;
- Development, implementation and evaluation of department-wide programs intended to prevent or control delinquent and criminal behavior by juveniles;
- Development and implementation of department-wide safety and crime prevention programs that are specific to juveniles in the community;
- Coordinate, manage and assist in the dissemination and flow of information to all bureaus, sections, units, and components of the department, as necessary, regarding juvenile operations.

All officers and employees will be alert to any situation that could result in potential dangers or problems for juveniles and to take appropriate action so as to remedy the problem. Employees will be friendly to children and ever watchful of the physical and moral welfare of children. Additionally, personnel are responsible for having a basic knowledge of the philosophy and procedures of the Bergen County Juvenile Court system and a working knowledge of the New Jersey Statutes Annotated as it related to juveniles. Officers will use all available legal means to prevent the formation of gangs and disbanding of any in existence.

Each officer, upon dealing with a juvenile offender, is to take the following action when appropriate:

- Prepare all necessary reports and forms necessary to process youth arrests;
- When possible, conduct all follow-up to bring the case to a successful conclusion; and
- Make referrals to the Juvenile Officer for referrals to the appropriate officer and to serve as available for counseling or follow-up as necessary and consistent with departmental policy.

B. DEFINITIONS

1. **JUVENILE:** An individual who is under the age of 18 years.
2. **ADULT:** An individual 18 years of age or older.
3. **DETENTION:** The temporary care of juveniles in physically restricting facilities pending court disposition.
4. **SHELTER CARE:** The temporary care of juveniles in facilities with physical restriction pending court disposition.
5. **COMMIT:** To transfer legal custody to an institution.
6. **GUARDIAN:** A person, other than a parent, to whom legal custody of the child has been given by court order or who is acting in the place of the parent or is responsible for the care and welfare of the juvenile.
7. **JUVENILE FAMILY CRISIS:** Behavior, conduct or condition of a juvenile, parent or guardian or other family member, which presents or results in;
 - a. A serious threat to the well-being and physical safety of a juvenile
 - b. A serious conflict between a parent or guardian and a juvenile, regarding rules of conduct which has been manifested by repeated disregard for lawful parental authority by a juvenile or misuse of lawful parental authority by parent or guardian.
 - c. Unauthorized absence by a juvenile from his home

d. A pattern of repeated unauthorized absences from school by a juvenile who is subject to the compulsory education provision of Title 18A of the New Jersey Statutes.

8. **DELINQUENCY:** The commission of an act by a juvenile which if committed by an adult would constitute a:

- a. Crime
- b. Disorderly Persons Offense
- c. Petty Disorderly Persons Offense
- d. Violation of any other penal statute, ordinance or regulation.

Note: certain offenses are excluded from the definition of delinquency and, when committed by a juvenile, are to be handled as adult matters in municipal court, except that a juvenile may not be incarcerated with adults or in an adult facility. The excluded offenses are:

- a. violation of Chapter 3, 4, 6, or 8 of Title 39 (Motor Vehicle Offenses)
- b. ownership/operation of motorized bicycles constituting violations of Chapter 3 or 4 of Title 39 (Mopeds)
- c. Violations of Article 3 or 6 of Chapter 4 of Title 39 (Pedestrians and Bicycles)
- d. Violations of Chapter 26 or 2C smoking provisions including 26:3D-1 (Elevators), 26:3D-7 (Health Care Facilities and Doctor's Offices), 26:3D-15 (Educational Facilities), 26:3E-7 (Restaurants), 2C:33-13 (Smoking in Public), 26:3D-38 (Indoor Public Places) and 26:3D-46 (Government Buildings).
- e. Violation of Chapter 7 of Title 12 or 12:7-61 (Operation of Power Vessels).
- f. Violation of municipal curfew ordinance pursuant to 40:48-2.52.

9. **MUNICIPAL DETENTION FACILITY:** A holding or lockup facility, usually located in and operated by a municipal police department, which receives and temporarily detains for a brief period of time, juveniles who have been taken into custody who are awaiting release or transfer to other authorities.

10. **SECURE DETENTION:** Physical detainment or confinement of a juvenile in a locked room, set or rooms or cell or physically securing a juvenile to a cuffing rail or other stationary object.

The Mahwah Police Department will work cooperatively with other Juvenile Justice Agencies and other organizations in order to provide optimum services for juveniles in the community.

C. JUVENILE JUSTICE SYSTEM REVIEW

Prior to the implementation of new policies, procedures or programs regarding juvenile matters, such policies, procedures or programs will be submitted for review to appropriate juvenile justice agencies. The Chief of Police will determine which agency or agencies will conduct the review. Juvenile justice agencies that may be involved in the review process may include, but are not limited to, the following:

- Bergen County Juvenile Court;
- New Jersey Juvenile Justice Commission;
- Bergen County Probation Department;
- Bergen County Juvenile Detention Center;
- Bergen's Promise;
- New Jersey Division of Youth and Family Services

REVIEW BY OTHER ORGANIZATIONS

In addition to juvenile justice agencies, the department may determine that it would also be appropriate for proposed policies, procedures and programs to be reviewed by other organizations. This would normally involve organizations with extensive

experience in dealing with juveniles under circumstances that are similar or related to the proposed policy, procedure or program. Such organizations may include, but are not limited to, the following:

- Mahwah Township Schools;
- D.A.R.E. Advisory Board; and
- Other agencies or organizations deemed appropriate by the Chief of Police.

Once the material has been reviewed by an outside agency or organization, any comments or recommendations concerning the policy or procedure are to be directed to the Chief of Police for further disposition.

This agency will encourage input, review and comments from all elements of the Juvenile Justice system regarding the development of our policies and procedures.

D. REVIEW OF JUVENILE ENFORCEMENT AND PREVENTION PROGRAMS

The Investigative Division Commander will conduct at the request of the Chief of Police a review and written evaluation of all enforcement and prevention programs relating to juveniles. The evaluation will consider both the quantitative and qualitative elements of the program and the analysis will be based upon personal knowledge, data review and analysis, personal interviews and any other methods that may prove useful.

After the above review, the Investigative Division Commander will submit a written report to the Chief of Police, with a copy forwarded to the Patrol Division Commander. This report will be in the form of an Inter-Office Memo and will be submitted to the Chief of police no later than November 1st annually. The report will include an evaluation and recommendation that specifically address:

- Which actual or potential juvenile and/or crime problems present the greatest concern;
- Where the problem(s) is most significant;
- Whether a specific program should function as it exists, be modified or discontinued; and
- Which, if any, new programs or activities should be implemented.

Following review of the report, the Chief of Police may require a formal meeting with the Division Commanders, other individual officers and other appropriate persons to discuss the program evaluation.

E. POLICE INTERACTION

In keeping with the doctrine of *parens patriae*, that the state plays the role of parent to the child rather than adversary, officers shall seek the least impactful alternative when disposing of cases involving juveniles. Officers have a wide range of alternative remedies they may employ, ranging from warnings to intake.

In any event, an officer interacting with a juvenile will complete a contact card at the very minimum. In cases where further investigation by the Juvenile Officer may be required for determination of whether or not to file criminal charges, or other sanctions, the officer will acquire the necessary information to complete an investigation report and note that the incident will be turned over to the Juvenile Bureau for further action. Decisions on the type of action to be taken against an offending juvenile, In-house Adjustment, Outside Referral, or Arrest, will be made by the Juvenile Officer or in cases of criminal acts, the Tour Commander who may wish to consult with the Juvenile Officer or Juvenile Officer on-call about the incident.

F. LAWS OF ARREST

A law enforcement officer may take into custody without process a juvenile whom he has probable cause to believe is delinquent. The standard for probable cause of delinquency is the same standard as that for adults accused of indictable offenses. To take a juvenile into custody without a warrant, the officer must have probable cause to believe that an offense has been or is being committed by the juvenile (that the facts and circumstances known to the officer would warrant a prudent officer's believing that the juvenile committed a delinquent act. Probable cause is more than mere suspicion but less than the legal evidence necessary to adjudicate a juvenile as delinquent.

In New Jersey, a police officer has authority to arrest without a warrant if he has a reasonable basis to believe that a crime, punishable by imprisonment for more than one year in state prison, has been or is being committed by the person to be apprehended, whether or not the crime was committed in the officer's presence. For lesser offenses committed by an adult, the offense must have been committed in the officer's presence to justify a warrantless arrest. However, for juveniles there is no requirement that the lesser offense be committed in the arresting officer's presence. A juvenile may be taken into custody without a warrant if there is probable cause to believe the juvenile committed a delinquent act regardless of the nature of the underlying charge.

Motor vehicle offenses, by statute, are required to have occurred in an officer's presence to support a warrantless arrest. Operation of a motor vehicle in a police officer's presence for purposes of establishing the probable cause necessary to require a defendant to take a breathalyzer test does not require that the officer actually see the vehicle in motion. "Presence" has been defined as the requirement that the officer know of the event by the use of the officer's senses. An admission to the police that an offense was committed can satisfy the "in presence" requirement.

A warrantless arrest can be made for a violation of a municipal ordinance provided that such an arrest falls within the concept of a "breach of the peace" and the officer has observed the offense. For example, violation of a littering ordinance does not constitute "breach of peace" justifying a warrantless arrest. It has also been held that police are not required to obtain an arrest warrant before going to a dwelling to question occupants concerning the whereabouts of a juvenile.

G. STATION-HOUSE ADJUSTMENTS

Attorney General Law Enforcement Directive NO.2008-2.

The Attorney General, acting through the Division of Criminal Justice in the Department of Law and Public Safety, sets law enforcement policy for the state. Police Departments are responsible for investigating juvenile offenses, and for preparing and filing juvenile delinquency complaints with the Family Court. Our department has a specialized juvenile officer who also resolves minor delinquency offenses through the process known as station-house adjustments.

Station-house adjustments are used to resolve minor offenses when the juvenile has no record of prior acts of delinquency. Often these offenses arise out of disputes among juveniles or with the juvenile's neighbors. In a station-house adjustment the juvenile officer usually asks the juvenile, a parent or guardian and the victim to come to the station house to discuss the offense. The juvenile officer may refer a juvenile for needed services and if property has been stolen or damaged, ask the juvenile to make restitution in some form. Usually the juvenile officer will discuss the offense with the juvenile's parent or guardian and ask for promises that the juvenile will not commit any future acts. This process allows juvenile officers to resolve minor disputes without the need to file a

complaint with the court. The victim always has the right to sign a complaint if he or she objects to a station-house adjustment.

The Juvenile Officer will normally handle station-house adjustments. Appropriate options for use in the station-house adjustment can be found in the Attorney General Law Enforcement Directive NO. 2008-2.

H. ALTERNATIVE TO ARREST

The first alternative to custody and charging available to a police officer in the context of a street encounter is the "curbside warning", or a warning to the juvenile to stop the offending activity or to leave the area. Curbside warnings are to be encouraged as an appropriate law enforcement response when confronted with minor juvenile delinquency activity that does not warrant either the taking of a juvenile into custody or the filing of a complaint alleging delinquency.

A curbside warning may be appropriate for situation involving minor activity such as stone or snowball throwing, cursing or abusive language, minor fighting, curfew violations, neighborhood disputes, ordinance violations, loitering or disturbing the peace. Factors which may be considered by police officers in evaluating the juvenile's conduct on the street and appropriate course of action may include any prior police contacts with the juvenile, prior warnings or station-house adjustments, the cooperation and attitude of all parties (juvenile, parents, victim) and the degree of wrongful intent indicated (intentional conduct, mistake or youthful ignorance).

I. TAKING JUVENILES INTO CUSTODY

There will be situations where, due to the nature of the incident, the appropriate law enforcement response will be to take the juvenile into custody. The act of taking a juvenile into custody involves taking the juvenile off the street.

Pursuant to NJSA 2A:4A-31, A Juvenile may be taken into custody:

1. Pursuant to an order or warrant of any court having jurisdiction, or
2. For delinquency, when there has been no process issued by a court, by a law enforcement officer, pursuant to the laws of arrest and the Court Rules.

Except where delinquent conduct is alleged, a juvenile may be taken into short-term custody by a law enforcement officer without order of the court when:

1. The officer has reasonable ground to believe that the health and safety of the juvenile is seriously in danger and taking into immediate custody is necessary for his protection,
2. The officer has reasonable grounds to believe the juvenile has left the home and care of his parents or guardian without the consent of such persons, or
3. An agency legally charged with the supervision of a child has notified the law enforcement agency that the child has run away from out of home placement, provided, however, that in any case where the law enforcement officer believes that the juvenile is an "abused or neglected child" as defined in NJSA 9:6-8.21, the officer shall handle the case pursuant to the procedure set forth in that act.

The taking of a juvenile into custody shall not be construed as an arrest, but shall be deemed a measure to protect the health, morals and well-being of the juvenile.

J. STANDARDS FOR ARREST AND FILING COMPLAINTS

Attorney General Guidelines dictate that it shall be the policy of this State that a juvenile should ordinarily be taken into custody, consistent with the laws of arrest, and that a complaint should be filed, where any of the following circumstances exists:

1. The delinquent activity involves the commission of an indictable offense.

2. The delinquent activity is committed by a juvenile identified as an Impact Offender, or by a juvenile who has charges pending or has a history of committing repetitive disorderly person's offenses.
3. The delinquent activity constitutes a violation of a supervisory condition of probation, parole, home detention or suspended sentence.

It is the responsibility of all sworn law enforcement officers to take into custody any juvenile where there is probable cause to believe that the juvenile has committed an act of delinquency that would constitute a violation of any offense defined in Chapter 35 or 36 of Title 2C (Comprehensive Drug Reform Act).

It shall be the policy of this State that a complaint ordinarily should not be filed where the delinquent activity involves a petty disorderly person's offense or disorderly person's offense, other than a repetitive disorderly person's offense or a disorderly person's offense involving the use or possession of a controlled dangerous substance or drug paraphernalia.

Note: although complaints would not ordinarily be filed for PDP's or DP's, the officer should consider other factors in making this decision. Such factors may include the age of the juvenile, the level of parental supervision available, the prior record of the juvenile, involvement in gang activity, the wishes of the victim, willingness to make restitution, remorse or the absence of remorse shown by the juvenile or other factors that may make the filing of a complaint appropriate.

K. PROCEDURE UPON TAKING INTO CUSTODY

Immediately upon being taken into custody, a juvenile should be informed why he or she is being taken into custody and of his or her constitutional rights in the presence of the juveniles parent or guardian. Because a juvenile is impressionable, extra precaution needs to be taken to ensure that any statement made by the juvenile is voluntary and not coercive. A juvenile who is taken into custody can be searched incident to the "arrest". At a minimum, a protective pat-down of the juvenile, which is also permissible, is advisable prior to transporting the juvenile to the stationhouse. Strip Search issues involving juveniles are covered in SOP 110:15:25.

A parent or guardian must be notified immediately that the juvenile is in police custody. Once a parent or guardian has been notified or attempts have been made to notify the parent or guardian, if unsuccessful, two determinations face the officer: 1) whether a complaint should be filed, and 2) assuming that one is filed, whether the juvenile is to be released or, alternatively, retained in a detention facility or shelter care.

L. REPORTING

1. If a juvenile is handled by the Department, the officer is to complete an Investigation report, which will be forwarded and maintained in the Records Bureau as well as a copy being forwarded and retained in the Juvenile Bureau. Should the incident require immediate attention, the officer shall notify his supervisor and transport the juvenile without delay to headquarters. During times when the juvenile officer is not available, the juvenile will be detained in an interview room under direct face to face supervision. The Tour Commander will make all efforts to make any necessary contacts to juvenile agencies and/or referrals. The Tour Commander should determine if contact with the Juvenile Officer is required in extraordinary circumstances.
2. Information regarding the arrest of a juvenile will be released in accordance with the Police Department's public information policy.

NOTE: INFORMATION THAT MAY LEAD TO THE IDENTITY (OR THE ACTUAL IDENTITY) OF ANY JUVENILE WILL NOT BE RELEASED TO THE PUBLIC.

M. JUVENILE IN POLICE CUSTODY

1. If the juvenile is placed in any form of custody, the investigating officer shall contact the parents or guardian immediately and request that they respond to the Police Department. Parents shall be notified that a juvenile is in police custody even when the release or detain decision has not been made and further processing time may be required. Miranda rights are to be given to the juvenile in the presence of the parents. The departmental Juvenile Rights Waiver form will be utilized and signed by the parent or guardian of the juvenile, acknowledging the fact that Miranda has been given to the juvenile. Both the Juvenile Justice System and Agency Policy will be explained during this process. The juvenile is not to be questioned and statements are not to be taken without the parent's permission. If the parent(s) cannot be reached after a reasonable amount of time, another responsible family member will suffice. The Tour Commander, or the investigating officer, should contact the juvenile's parent or guardian.
2. Prior to conducting an interview on a juvenile, the interviewing Officer will complete the Juvenile Custodial Interview Check List.
 - a) A copy of the Juvenile Custodial Check List will be attached to the incident report and a copy will be forwarded to the Juvenile Officer.
 - b) The Juvenile Officer will keep all copies of the Juvenile Custodial Check List in a secure file located in the Juvenile Bureau.
 - c) The Juvenile Custodial Check List can be found in the report writing room and on the departmental computer network at "Groups//Patrol Forms//Juvenile//Juvenile Custody Interview Form".
3. Juveniles have the right to counsel at every critical stage of the juvenile process, which in the opinion of the Court, may result in the institutional commitment of the juvenile.
4. Only under conditions where the juveniles safety or the security of the Police Department are a factor, is the juvenile to be placed in the holding area of headquarters. Under no condition is a juvenile to be placed in a holding area, cell, room, patrol car or other area with an adult prisoner or suspect. This is to include transportation to or from headquarters. Transportation shall occur without delay.
5. A spontaneous confession by a juvenile is acceptable. However, the officer is not to further question the juvenile UNTIL:
 - a. The juvenile has been given Miranda and;
 - b. The juvenile's parent or guardian is present and
 - c. The juvenile has the right to confer with his/her parent or legal guardian in private as well as his/her attorney at any time.
 - d. The juvenile in question will never be interrogated by more than two (2) police officers and the interrogation shall never last more than two hours without a rest period.

THE JUVENILE IS NOT PERMITTED PRIVATE TELEPHONE CALLS.

6. When a juvenile is placed in custody for an alleged act of delinquency, the juvenile officer shall, after conducting a preliminary interview with the juvenile, the juvenile's parents or guardian, and the arresting officer, make determination as to whether detention is desired.

* It should be noted that the Bergen County Juvenile Detention Facility will not accept a juvenile for an offense unless the offense, if committed by an adult, would constitute a

crime of the 1st, 2nd, 3rd or 4th degree. If detention is desired, the Tour Commander and/or the investigator shall contact the Intake Service of the Probation Department of Bergen County during the hours of 8:30 A.M.-4:30 P.M Monday through Friday. The telephone number is 201-527-2322 or the on-call intake worker can be reached during nights and weekends by phoning the Bergen County Juvenile Detention Facility at 201-336-3901. The intake worker will utilize the Risk Assessment Tool to determine whether a juvenile shall be placed in a detention facility or given an alternative to custody. Transportation of the juvenile to Detention is the responsibility of the Police Department. Transportation will be done in a marked police vehicle equipped with a prisoner cage. Two officers will transport the juvenile, who will be handcuffed. Effective immediately, when a juvenile is charged with a crime of the 1st or 2nd degree, contact shall be made to the Bergen County Juvenile Intake to activate the Risk Screening Tool- B.C. Directive 2014-3.

The paperwork needed for placing a juvenile in the Detention Center is as follows:

- a. A complete and signed Juvenile Complaint Form. All copies will accompany the juvenile except for the pink copy, which will be retained by the arresting police officer and attached with his reports. (A copy of this form is attached to this policy).
- b. A Request for Temporary Detention will be completed through the use of the Risk Screening Tool and brought to the Juvenile to the Detention Center.
- c. If a juvenile is placed in Detention at night, a detention hearing will be held the following day. If detention occurs on the weekend, a hearing will be held no later than the following business day.

****NOTE**NO JUVENILE 11 YEARS OF AGE OR UNDER SHALL BE PLACED IN DETENTION UNLESS CHARGED WITH A 1ST OR 2ND DEGREE CRIME OR THE CRIME OF ARSON.**

d. If the juvenile is under the influence of drugs and/or alcohol, or is injured or ill, the juvenile must first be examined by a physician at the Bergen Regional Medical Center or nearest emergency room prior to transport to the Detention Facility. Juveniles under the influence of drugs/or alcohol shall receive constant face-to-face supervision during detention and transportation.

N. PROCESSING JUVENILES

A. Pursuant to 13:94-2.2 a juvenile held in secure custody shall be placed only in a holding room, cell or other designated area that has been determined by the New Jersey Juvenile Justice Commission to conform to prevailing safety standards for the detention of juveniles. The Mahwah Police Department does not have a room authorized by the New Jersey Juvenile Justice Commission for the secure holding of a juvenile detainee. All juvenile detainees shall be held in the Juvenile Bureau and personally supervised, face to face, by a sworn officer at all times while they are in custody.

Only in extraordinary situations involving juvenile delinquents who are assaultive, disruptive, unmanageable or charged with a serious violent crime, shall the juvenile be held securely.

- 1) If detention on the cuffing bar is not possible or practical, the adult cell shall be the last resort. If juvenile is placed in a secure adult cell, continuous face-to-face supervision is required.

- 2) Audio/video monitoring systems shall not be used as a substitute for required continuous face-to-face supervision of juveniles.

B. Status-offenders and non-offenders shall not be held in secure custody. N.J.A.C. 13:94-2.2

- Runaway
- Incurable
- Curfew Violators
- Missing Person
- Protective Custody
- Truancy

If a juvenile is in custody during a regular meal period, the juvenile shall be provided with a meal.

A Juvenile who is taken into short-term custody cannot be held by police for more than six hours. A juvenile taken into short-term custody shall not be held in a detention facility or jail. A juvenile taken into short-term custody cannot be held in secure areas in municipal police departments. Juveniles not charged with delinquency must be kept in an unsecured location out of sight and sound of adults.

O. FINGERPRINTING JUVENILES

NJSA 2A:4A-61

1. The fingerprints of a juvenile may be obtained under the following circumstances:
 - a. Where latent fingerprints are found at a scene during an investigation and there is "reason to believe" that they are those of a juvenile suspect, prints may be taken with the consent of the parents or by order of the Court.
 - b. If a parent and juvenile do not consent, a court order must be obtained. An affidavit would then be prepared, stating the reasons for believing that the juvenile is involved. The Juvenile Unit of the Prosecutor's Office is then to be contacted so that an order may be prepared and presented to the court along with the affidavit.
 - c. If the juvenile is 14 years or older and charged with delinquency on the basis of an act which, if committed by an adult, would constitute a 1st, 2nd, 3rd, or 4th degree crime, fingerprints of the juvenile will be taken.
 - d. For those juveniles under the age of 14 who are not fingerprinted when charged, fingerprints may be taken upon adjudication of delinquency on the basis of an act which; if committed by an adult, would constitute a crime.

P. PHOTOGRAPHING JUVENILES

NJSA 2A:4A-61

1. If a complaint charging delinquency (based on conduct, which if committed by an adult would constitute a crime) is to be signed against a juvenile 14 years of age or older, the juvenile is to be photographed. Photographs are to be retained on file for criminal identification purposes and may be shared, along with fingerprints, with other law enforcement agencies.
2. A juvenile under the age of 14 may be photographed for criminal identification purposes only with the consent of the Court, or the juvenile along with his parents.

Q. DNA SAMPLES FROM JUVENILES

Every juvenile arrested for an act which, if committed by an adult, would constitute an offense enumerated in this subsection shall provide a DNA sample for purposes of DNA testing prior to the juvenile's release from custody

On or after January 1, 2000 every juvenile adjudicated delinquent for an act which, if committed by an adult, would constitute murder pursuant to N.J.S.2C:11-3, manslaughter pursuant to N.J.S.2C:11-4, aggravated assault of the second degree pursuant to paragraph (1) or (6) of subsection b. of N.J.S.2C:12-1, kidnapping pursuant to N.J.S.2C:13-1, luring or enticing a child in violation of P.L.1993, c.291 (C.2C:13-6), engaging in sexual conduct which would impair or debauch the morals of a child pursuant to N.J.S.2C:24-4, or any attempt to commit any of these crimes, shall have a blood sample drawn or other biological sample collected for purposes of DNA testing. DCJ Memorandum 01/31/2013 DNA Collection.

R. DISPOSITION OF JUVENILE OFFENDERS (RELEASE FROM CUSTODY)

1. At the discretion of the investigating officer, and depending on the seriousness of the offense committed, the juvenile offender will be dealt with in one of the following ways:

- a. Released to the custody of his/her parent or guardian upon the signing of a Departmental Juvenile Release form by the parent or guardian, with no further police action (STATION-HOUSE ADJUSTMENT).
- b. Referred to an outside agency for treatment.
- c. Referred to the Bergen County in-take service for Juvenile Court proceedings.

JUVENILE RELEASE ON OWN RECOGNIZANCE

A juvenile may be released at police or court level if ALL of the following conditions are met:

1. The nature of the offense charged is not such that a danger to the community would exist if the juvenile were released.
2. No parent, guardian or other appropriate adult is located "after all reasonable measures have been exhausted".
3. The Juvenile is at least 14 years old.
4. The identity and address of the juvenile has been verified through a positive form of identification.
5. There is reasonable certainty that the juvenile will go home or to school and will appear at the next hearing.

****ANY JUVENILE WHO IS RELEASED FROM CUSTODY BY THE MAHWAH POLICE DEPARTMENT R.O.R. WILL FIRST SIGN A DEPARTMENTAL JUVENILE RELEASE FORM PRIOR TO BEING RELEASED.

S. JUVENILE RECORD KEEPING

1. In compliance with NJSA 2A:4A-60, the Records Bureau shall keep and maintain all social, medical, psychological, legal and other records of law enforcement agencies, pertaining to juveniles charged as delinquents or found to be part of a juvenile family crisis, these records shall be **strictly safeguarded** from public inspection. Such records shall be made available to:

- a. Any court or probation department.
- b. The Attorney General or Bergen County Prosecutor
- c. The parents or guardian and the attorney of the juvenile.

- d. The Division of Child Protection & Permanency, **IF** providing care and custody of the juvenile
 - e. Any institution to which the juvenile is currently committed.
 - f. Any other person or agency by order of the Court.
 - g. Records of law enforcement agencies may be disclosed for law enforcement purposes to any law enforcement agency of this State.
2. Information as to the identity of a juvenile, the offense charged and the adjudication and disposition shall be disclosed to:
- a. The victim or a member of the victim's immediate family.
 - b. Any law enforcement agency that investigated the offense, the person or agency that filed the complaint and any law enforcement agency in the municipality where the juvenile resides
 - c. As per the Memorandum of Agreement between Law Enforcement and education, the principal of the school where the juvenile is enrolled, on a CONFIDENTIAL basis, for use by the Principal (or his designee) in planning programs relevant to the juvenile's educational and social development, which information shall NOT become a part of the juvenile's permanent school record. The Principal may be informed prior to formal adjudication.
 - d. A party to subsequent legal proceeding involving the juvenile, but only upon the approval by the Court and for the sole purpose of impeaching the juvenile as a witness.
3. There shall be a presumption that information as to the identity of a juvenile adjudicated delinquent that the offense, adjudication and the disposition shall be disclosed to the public where the offense for which the juvenile has been adjudicated delinquent if committed by an adult, would constitute a crime of the 1st, 2nd or 3rd degree or aggravated assault, destruction or damage to property to an extent of more than \$500.00 or the manufacture or distribution of a narcotic drug, unless upon application at the time of disposition the juvenile can demonstrate a substantial likelihood that specific harm would result from such disclosure. Where the Court finds that disclosure would be harmful to the juvenile, the reasons therefore, shall be stated in the record.

IT IS THE POLICY OF THE MAHWAH POLICE DEPARTMENT NOT TO DISCLOSE NAMES OF JUVENILE OFFENDERS UNLESS ORDERED TO BY A JUVENILE COURT JUDGE.

4. Nothing in this section shall prohibit the establishment and maintaining of a central registry of the records of law enforcement agencies relating to juveniles for the purpose of exchange between state and local law enforcement agencies of this State.
5. Any person, except as provided by law, who knowingly discloses, publishes, receives makes use of, or knowingly permits the unauthorized use of information concerning a particular juvenile acquired in the course of a court proceeding, probation or police duties, shall, upon conviction, be guilty of a disorderly persons offense. (N.J.S. 2A:4A-60)
6. Whenever a juvenile is placed in secure detention (secure cell, secure holding room, etc.) an entry shall be made in a jail log form. Such entry shall contain, at minimum, the following information about the juvenile:
- a. Name
 - b. Age
 - c. Sex
 - d. Charge

- e. Date and time of admission into the cell or holding room
- f. Date and time of release from the cell or holding room
- g. Cell number
- h. Time of each physical cell check (continuous face-to-face visual supervision if confined in a barred-front cell)
- i. Signature of law enforcement officer conducting each physical cell check.

T. MISSING PERSON

1. The Mahwah Police Department shall conduct a standard preliminary investigation as soon as a juvenile is reported missing. The investigating officer shall prepare a "Missing Person" report package documenting the basic facts and circumstances surrounding the incident (see SOP 095:10:30 "Missing Persons/Runaway Investigation").
 - a. The NCIC MISSING PERSON DOCUMENTATION FORM and FILE 6 MESSAGE FORMAT forms must be completed along with the Missing Persons Report. The missing juvenile will be entered into the computer NCIC system as soon as a formal missing persons report is filed by the parents or guardian of the juvenile.
 - b. Prompt action shall be initiated in order to locate the missing juvenile.
 - c. Investigative personnel will be notified of a reported missing juvenile and will conduct a timely follow-up investigation.
 - d. Where a crime or other unlawful act is suspected, the Tour Commander shall notify the officer in charge of the Juvenile Bureau, or the "on-call" investigator. Mahwah investigators shall work with the Bergen County Prosecutor's Officer in developing the case for criminal prosecution as appropriate.
 - e. Referrals to the Bergen County "Victim/Witness" services coordinator shall be made as appropriate.
 - f. The NCIC entry shall be cleared from the Missing Persons File, by this Department, upon the return or location of the missing juvenile.

U. SCHOOL LIAISON

1. The Juvenile Bureau shall act as liaison with the Township of Mahwah School System.
2. The school liaison function shall be to act as a resource with respect to delinquency prevention, provide guidance on ethical issues in a classroom setting (when requested to do so), provide individual counseling and/or mentoring to students (when asked by a student) and explain the law enforcement role in society.
3. Members of the Juvenile Bureau shall visit the schools in the Township frequently to establish an ongoing dialogue with the school administrators, faculty and the student body in regard to those persons who may be in need of the services of the Juvenile Bureau.
4. The Juvenile Bureau shall provide a series of lectures and question and answer sessions pertaining to juvenile law, delinquency prevention, and drug and alcohol abuse. These lectures shall also be made available to civic groups upon request.
5. The Mahwah Police Department **JUNIOR POLICE ACADEMY** and **YOUTH LEADERSHIP ACADEMY** will be under the direction of the Chief of Police or his designee and will be organized as the administrating officer sees fit.

MAHWAH POLICE OFFICERS SHALL PROTECT THE RIGHTS OF JUVENILES AT ALL TIMES.

Mahwah Police Department – Policies and Procedures		Number 100:05:30
Subject Criminal Intelligence		
Issue Date 09272001		Effective Date 09272001
Revisions a. 10232008, b. 01052012 CaptSJ, c. 03022015 LtGB d. Revised 05/30/2018 JNB		
Page 1 of 5.	Accreditation Number 42.1.6	

I. BACKGROUND

As intelligence relates to law enforcement agencies, it is principally concerned with collecting, processing, and disseminating information relating to specified crimes and criminal activities. These areas of concern vary widely among law enforcement jurisdictions but typically include organized crime, vice, illegal drug trafficking, terrorism, gangs, and civil disorders. The guidelines in this SOP address the basic concerns of a law enforcement agency in carrying out the intelligence function. The guidelines do not include the intelligence-gathering activities associated with special events, such as visits by dignitaries or sporting events. Nothing in this SOP should be interpreted as permitting the collection of data for political or other purposes unrelated to crime.

Written procedures must be established to ensure the legality and integrity of its criminal intelligence operations. The intent of this policy is to establish Department accountability for the criminal intelligence function in writing. This Departmental function is developed and operated to effectively meet the Department's needs. The Investigative Division Commander is assigned the functional responsibility for the Department's criminal intelligence operations and is assigned the day-to-day operational responsibility and accountability for the criminal intelligence function. An annual review of all Criminal Intelligence procedures and processes will be conducted by the Investigative Division Commander and forwarded to the Chief of Police. Additionally, the investigative Division Commander will update the Chief of Police on a daily basis as necessary.

Intelligence activities are important in all law enforcement agencies, regardless of size. Certain essential activities should be accomplished by an intelligence function, which include:

1. a procedure that permits the continuous flow of raw data into a central point from all sources;
2. a secure records system in which data is evaluated and properly identified in it's reliability and usefulness;
3. a system of analysis capable of developing intelligence from the records and report system as well as other data sources; and
4. a system for dissemination of information to appropriate components. The intelligence activities should include information gathering, analysis, and dissemination to the appropriate functions/components. Activities undertaken in the intelligence effort should avoid indiscriminate collection or distribution of information.

All probationary sworn officers will be trained in Criminal Intelligence Gathering during the FTO program. Additionally, officers will be trained in the safe, effective and legal use of specialized intelligence equipment is required prior to Department personnel using the equipment. All use of such equipment is carefully documented and monitored by the

Investigative Division Commander. This equipment includes audio and/or visual monitoring equipment, night vision equipment and specially designed surveillance vehicles.

II. POLICY

It is the policy of the Mahwah Police Department to gather, analyze and disseminate intelligence information pertaining to the identity, activities and movements of known, but free, criminals, members and activities of subversive or terrorist groups, and other individuals and groups known or suspected of criminal activity posing a threat to law and order in the Township of Mahwah. It is the policy of the Department that intelligence information is distributed only to criminal justice agencies and on a need-to-know basis. Intelligence information is collated and analyzed in a secure environment that protects against unauthorized attempts to access, modify, remove, or destroy stored information. 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

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A. CRIMINAL INTELLIGENCE PROCEDURES

Criminal Intelligence

The end product of a process that converts individual items of information either into evidence or, more often, into insights, conclusions, or assessments (perhaps less solid than fact but always more helpful than raw information) that can form the basis for the development of law enforcement strategies, priorities, policies, or investigative tactics regarding a specific crime, suspect, criminal organization, etc. The intelligence process includes the systematic collection of raw information, which, after collation, evaluation, and analysis, is disseminated to appropriate units of the agency.

Intelligence Functions and Activities

Police intelligence is identifiable information relating to individuals who are currently involved or believed to be involved in the planning, organizing, financing, or commission of criminal activities, or have established some association with known or suspected crime figures. Intelligence functions and activities will be the responsibility of both patrol members and investigators, and coordinated through the Investigative Division Commander, Detective Lieutenant, Detective Sergeant or authorized designee.

Investigators assigned to the Investigative Division will, in addition to other duties and responsibilities, are responsible for intelligence functions and activities. These functions and activities will include:

1. Collecting raw intelligence in accordance with priorities determined on a Department-wide basis;
2. Serving as the principal channel for receipt and dissemination of law enforcement intelligence within the Department;
3. Providing timely analytical support to tactical operations; and
4. When requested by law enforcement groups and authorized by the Investigative Division Commander or designee, making personal contact with citizens or

organizations for use of their residences or businesses for surveillance on criminal target locations.

In order to ensure that informants are secure in their anonymity, the Investigative Division will maintain all files as outlined in SOP 100:10:45 on confidential informants. Intelligence information collected will be limited to criminal conduct and activities that present a threat to the community. All collected intelligence information must be routed to and approved by the Investigative Division Commander prior to inclusion into intelligence files and/or dissemination. These areas are as follows:

1. Organized crime activity;
2. Subversive activity;
3. Terrorist activity;
4. Vice activity;
5. Community unrest;
6. Narcotics;
7. White collar crime; and
8. Any other intelligence data of a criminal related nature.

Use of intelligence personnel and equipment will be restricted to collection of raw data, strategic intelligence, tactical intelligence, support for undercover officers and operations, and the maintenance of undercover operations or assistance in providing specialized surveillance equipment. The use of the intelligence personnel and equipment shall be directed by the Investigative Division Commander utilizing available departmental resources. Outside resources require immediate notification to the Chief of Police.

Types of Intelligence Information

The following are broad definitions of general types of criminal intelligence information;

1. **Raw data** - information from various sources that by itself may not infer criminal activity, but when combined with other information may make an inference of criminal activity;
2. **Strategic intelligence** - a situation where the problem is known and an attempt is made to determine who is responsible;
3. **Tactical intelligence** - answering requests for information from patrol or investigative components on a specific subject and/or location.

All collected information may be included into the intelligence file excluding the following:

1. Information suggesting a subject's political or religious preferences, associations, or opinions;
2. The nature of a subject's sexual preferences unless criminal in nature;
3. Because of a person's ethnicity or race

Specialized Equipment

The Department has access to specialized equipment, which may be utilized to support the intelligence function. The Investigative Division Commander maintains an inventory of specialized equipment to support surveillance and undercover operations that may be used in the criminal intelligence gathering function. This equipment may be used for the purpose of intelligence gathering. Specialized equipment not in the Mahwah Police Department's inventory may be borrowed from other agencies or purchased/rented as approved by the Chief of Police. Any officer not assigned to the Investigative Division

requiring the use of specialized equipment must make the request through the chain of command to the Patrol Division Commander.

Training in the safe, effective and legal use of specialized intelligence equipment is required prior to personnel using the equipment. All use should be carefully documented. This equipment may include audio and/or visual monitoring equipment, night vision equipment and specially designed surveillance vehicles.

B. SAFEGUARDING AND SECURING CRIMINAL INTELLIGENCE RECORDS

Intelligence Records Control

The Investigative Division Commander will be responsible for maintaining all intelligence records under his control in a secure separate file from the central records system. Electronic criminal intelligence files will be secured via password protection.

Access to the files if any will be restricted to members of the Investigative Division, the Chief of Police and Division Commanders. The intelligence files will be kept locked unless an investigator or the Division Commander is present. Access may otherwise only be granted by the Chief of Police.

All intelligence information related to terrorism will be reported directly to the Investigative Division Lieutenant and/or designated terrorism coordinator and immediately relayed to the NJSP RIOC and JTTF as per procedures by the New Jersey State Police and Bergen County Prosecutor's Office. Dissemination of intelligence information to other members within the Department or to other outside members of law enforcement agencies will be on a "need to know" or "right to know" basis.

Intelligence files and information will be reviewed periodically by the CID Commander, and out of date records will be purged when necessary based on the following criteria:

- a. continued usefulness of information
- b. Currency of information
- c. Reliability of information
- d. Availability of corroborative or related information
- e. Availability of information source
- f. Adequacy of the information for identification purposes
- g. Relevancy of the information to police needs.
- h. Purging of information is required every 5 years in accordance with 28 CFR Part 23.

All purged intelligence files will be destroyed under the direct personal supervision of the Investigative Division Commander according to departmental destruction procedures. All documents and materials purged from intelligence files if any are to be destroyed by shredding to prevent unauthorized access

Methods for Special Investigative Funds accounting are set forth in SOP 040:20:05.

Intelligence Information

1. Intelligence information compiled by this Department will be rated by the Investigative Division Commander or designee as to the sensitivity of the information received. Analysis will include evaluation of the following: source, content validity,

and sensitivity. Any intelligence that is disseminated by the Department must meet the following guidelines:

2. Be needed in an active criminal investigation by the requesting person or agency;
3. Be reviewed to determine if a "need to know" basis has been established;
4. Be reviewed by the Investigative Division Commander or designee prior to release;
5. Be approved for release by the Investigative Division Commander if the requested information is classified.

Information requested by telephone will be provided only to the requesting party. Select investigative leads may also be forwarded to other members of the intelligence community who have unique technical services not maintained in this department, such as link analysis diagramming. All requests and responses to members of the intelligence community will be subject to approval by the Investigative Division Commander.

Liaison for Exchange of Information

It is the policy of the Mahwah Police Department that the exchange of information, as well as, the coordination of effort between the department's intelligence position and other governmental agencies having similar responsibility enhances the preparedness of each. Personnel assigned to the Investigative Division will maintain liaison with federal, state, and local law enforcement agencies for the exchange of intelligence information. This may be accomplished by individual contact and participation in various organized intelligence meetings. The Investigative Division Commander shall coordinate this effort.

Internal Use of Intelligence

Recognizing that patrol officers have a significant opportunity to gather intelligence information, personnel are encouraged to forward pertinent information to the Investigative Division that may be beneficial to the department effort. All confidential information should be submitted to the Investigative Division Commander or Detective Lieutenant on the Mahwah Police Department Criminal Intelligence Form. Information developed through intelligence and crime analysis will be provided to patrol by the Investigative Division personnel in order to increase the effectiveness of the enforcement and deterrent efforts.

Mahwah Police Department – Policies and Procedures		Number 100:10:05
Subject Criminal Investigation Operations		
Issue Date 11142001		Effective Date 11142001
Revisions: a. Reviewed 01052012 CaptSJ, b. Reviewed 3/2015 DetGB, c. Revised D.Lt.GB 08/2018		
Page 1 of 5.	Accreditation Number 42.2.1-6	

I. BACKGROUND

The Mahwah Police Department will investigate reports of criminal activity to the fullest extent possible in order to resolve complaints and to present defendants for prosecution as directed by other elements of the criminal justice system.

All officers are assigned the responsibility of investigating criminal activity and are subject to the provisions of this SOP.

II. POLICY

It is the policy of the Mahwah Police Department to maintain an investigative function that is available to respond, when needed, to conduct efficient, effective and thorough investigations into incidents requiring specific expertise or equipment, as well as incidents requiring extensive time and effort to investigate.

III. ACTION

A. DEFINITIONS

Preliminary Investigation - Generally, the information collected by officers upon their initial response to an incident

Follow Up Investigation - The extension of a preliminary investigation to gain additional information

Primary Investigator - The officer assigned primary responsibility and accountability for an investigation

B. PERSONNEL

Any sworn employee of the Mahwah Police Department may conduct criminal investigations. Patrol officers will be assigned to conduct preliminary and follow up investigations of reported incidents, except in those instances as determined by supervisory staff a plain-clothes officer or member of the Investigative Division would be more effective.

The Criminal Investigation Division serves under the supervision of the Investigative Division Commander and forms the criminal investigations component of the Department, conducting follow up investigations and, when practical, initiating preliminary investigations.

Personnel are assigned to the investigation of cases on the basis of expertise. Cases requiring specialized skills are assigned to officers having the necessary ability and

training. This provision does not preclude officers from obtaining assistance from others, but is intended to use the best-qualified person available.

C. INVESTIGATIONS

Officers will fairly and impartially investigate all cases assigned to them, and will conduct investigations in the most discreet manner possible, being mindful not to endanger the reputation of any person under investigation.

1. Information Development

Information may be developed from an unlimited number of sources, including witnesses, victims, neighbors, friends, other public agencies, other law enforcement agencies, and informants. All information will be gathered in full compliance with departmental directives.

2. Interviews and Interrogations

Interviews may be conducted with persons who have knowledge regarding a certain aspect of a criminal investigation. Interrogations may be used for suspects and those persons directly involved in a criminal investigation. Interviews and interrogations will be conducted in conformance with departmental directives.

Officers will not enter into plea negotiations with a suspect. Plea negotiations will be handled by the Prosecutor's Office and should not involve the officer. This provision does not prohibit officers from presenting facts pertaining to the case, including facts relating to surrounding circumstances, expression of attitude, the defendant's conduct, etc. Officers will maintain a professional demeanor in all such matters.

3. Collection, Preservation, and Use of Physical Evidence

Physical evidence may be searched for, collected, and preserved in compliance with departmental directives when investigating any crime scene. (See Chapters 185 and 190) Investigators will be mindful of physical evidence collected from a scene and will ensure that evidence is used in the development of the case.

4. Background Investigations

Background checks and investigations are often conducted on persons who are suspects in certain crimes or who have applied for legitimate purposes such as alcohol licenses or employment. The following guidelines apply to both types of background investigations:

- The investigative report or application will indicate the purpose of the investigation.
- Multiple sources of information will be used in order to provide a thorough investigation. These sources may include but not limited to:

- Local criminal records
- National Crime Information Center (NCIC) criminal history
- Past and present employers and business associations
- Past and present neighbors and acquaintances
- Past and present educational institutions attended
- Credit history
- Personal references
- Established informants
- Lexis/Nexis or other similar database.

- Information collected from such investigations will be used and managed as police information. The distribution of such information will be in accordance with all applicable laws, policies, and procedures.

- Information collected as the result of a criminal investigation will become part of the case file and will be maintained for the required time. Information collected through background checks for employment purposes will be maintained as required by law.

5. Surveillance

Surveillance may be used in the investigation of a crime when it is necessary to observe suspects and conditions in an unobtrusive manner. Surveillance may be used to create additional information involving the crime under investigation, to gather additional intelligence information, or to observe new crimes being committed. Surveillance operations will comply with all applicable departmental directives. (See Surveillance Operations)

When conducting preliminary and follow-up investigations, officers should consider using resources available both within and outside the Department. Departmental resources include specialized investigators with specialized training. Outside resources include the State Bureau of Investigation, the State Medical Examiner's Office, other township offices, and other law enforcement agencies.

D. PRELIMINARY INVESTIGATIONS

Officers conducting preliminary investigations will, as appropriate:

- Observe all conditions, events, and remarks
- Locate and identify all witnesses
- Maintain the crime scene and protect evidence
- Interview the complainant and any witnesses
- Interview any other individuals deemed necessary
- Interrogate any suspects
- Arrange for the collection of evidence
- Follow up on any interviews or information as needed
- Effect an arrest, if possible
- Report the incident fully and accurately to necessary personnel
- Document the investigation fully and accurately in a report

E. FOLLOW-UP INVESTIGATIONS

Officers conducting follow-up investigations will, when necessary:

- Review and analyze all previous reports prepared for the preliminary investigation
- Conduct additional interviews and interrogations
- Review any pertinent departmental records
- Seek additional information from patrol officers, informants, etc.
- Review laboratory results
- Arrange for the dissemination of information, as necessary
- Plan, organize, and conduct searches, as needed
- Identify and apprehend suspects
- Collect any physical evidence available
- Determine involvement of suspects in other crimes
- Check suspects' criminal histories
- Document fully and accurately all actions and information obtained
- Prepare for court presentation
- Assist in prosecution

F. INVESTIGATIVE CHECKLISTS

The Incident Report in most cases will serve as a sufficient checklist for investigations. More complex investigations may require additional effort and inquiry. To assist officers in these investigations, investigative checklists are provided for the following situations:

- Death investigations
- Sexual crimes
- Robbery
- Property crimes
- Motor vehicle theft
- Fraud

G. CRIMINAL INVESTIGATORS AT SHIFT BRIEFINGS

Whenever the Investigative Division Commander deems necessary, a detective will attend and address patrol officers at the daily shift briefings in order to provide for the exchange of information and enhance the relationship between these two entities. At the very minimum, any pertinent information developed by the Investigative Division will be included in the electronic Roll Call database, TRAK database and/or any other appropriate means to disseminate the information to Agency personnel.

H. INVESTIGATIVE TASK FORCES

Task forces established to conduct investigations into criminal activity, whether formed within the Department or as part of a mutual effort with other agencies need to be approved by the Investigative Division Commander or Chief, and need to be evaluated for the following:

- Identify the purpose of the task force
 - Establish supervision
 - Evaluate results and the continued necessity for the task force
 - Identify staffing, equipment and resources available
 - Officer Safety Information
- Identification Procedures for Task Force Participants

I. POLYGRAPH EXAMINATIONS

Officers will comply with the following guidelines when using CVSA or polygraph examinations for criminal investigations:

- Officers desiring that a polygraph examination be administered pursuant to a criminal investigation will schedule the polygraph examination with either the NJ State Police or the Bergen County Prosecutor's Office and will comply with requirements regarding the examination.
- Only qualified polygraph examiners will administer polygraph, or CVSA examinations. Polygraph examination results will be given in accordance with NJSP or BCPO directives.

J. INFORMANTS

The use of confidential informants is important to the satisfactory completion of many investigations, including patrol related investigations; drug, vice and organized crime control functions; and intelligence functions. Investigating officers should take additional precautions when dealing with informants of the opposite sex and with

informants whose sexual preferences may make an investigation more susceptible to compromise through alleged improprieties.

Any time an officer uses an informant, confidential or otherwise, to further an investigation, the following procedures will be adhered to.

1. The informant will be included in a master file that will be maintained by the Investigative Division.
2. The file will include biographical and background information, criminal history record, if any, and code name or number of each informant.

The Investigative Division Commander will determine the code system for each informant and all files will be maintained in a secure file accessible only to Division Commanders and the Chief of Police. Every precaution will be taken to protect the identity of informants. No informant file should be left unattended or available for inspection by those not directly involved with the informant.

Informants will not be paid for information in any way, shape or form. Other types of exchange for information provided may be worked out with the approval of the Investigative Division Commander and/or the Bergen County Prosecutor's Office. An example of this type of exchange could include consideration at time of sentencing or recommendations to the prosecutor at time of trial.

Generally, informants should be protected as to identity and any information provided should be considered not for normal dissemination.

Any juvenile informants should be referred to the Juvenile Officer for information development. Juveniles must be interviewed according to the procedures in SOP Chapter 110.

Patrol officers who develop informants should consult with the Investigative Division Commander or his designee at the earliest possible time in order to determine the extent and duration that the informant will be utilized and the value of the information provided by the informant. See attached Bergen County Prosecutor's Office Directives on the use of informants.

Field interviews will be conducted for investigative purposes in accordance with the same departmental directives pertaining to patrol officers. (See SOP 095:10:20 Field Interviews)

K. COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS

Interrogation

Efforts by officers that could be construed as coercion, intimidation, threats, or attempts to obtain involuntary confessions or admissions are strictly prohibited.

Excessive or prolonged interrogation without breaks for personal needs such as meals and use of toilet facilities are prohibited.

Misstatements concerning the elements of the crime or punishment should be avoided.

Methods of interrogation must reflect consideration for the subject's age, mental capacity, physical health, and the level of impairment due to alcohol or drugs.

Arrest

Officers are required by state law to take any person arrested without a warrant, for the purpose of setting bond, before a judicial official without unnecessary delay. Delays caused by furtherance of legitimate investigative procedures are not considered unnecessary delays. Suspects will be advised of their rights, including their right to counsel and the right to protection against self-incrimination. A person's right to consult with counsel and counsel's request to consult with his/her client will be honored while a suspect is under the control of an officer of the Department. Officers will assist defendants in contacting an attorney to the extent required by law. During the course of an interrogation, if a suspect requests counsel the interrogation will cease until contact is

made. Once the opportunity to contact an attorney has been afforded the suspect, the suspect must either initiate or voluntarily agree to participate in further questioning.

Release of Information

Information released to the news media and the public will be in compliance with the State of New Jersey Public records law (OPRA act) and that which will assist the Department in its efforts to inform and protect the community. Pretrial publicity that would tend to prejudice a defendant's right to a fair trial should be avoided.

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Subject Juvenile Strip Searches		
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Revisions: a. 01112012 DetGB b. Reviewed 3/2015 DetGB		
Page 1 of 2 .	Accreditation Number 44.3.5	

I. BACKGROUND

Strip searches are by nature invasive and are governed by the Attorney General's guidelines. Strip searching of juveniles is considered even more invasive and requires further consideration and cause prior to its initiation.

II. POLICY

It is the policy of this Department that all officers adhere to the below listed guidelines regarding the strip searching of juveniles in police custody.

III. ACTION

A. STRIP SEARCH

1. Definition - A "Strip Search" means the removal or rearrangement of clothing for the purposes of visual inspection of the person's undergarments, buttocks, anus, genitals or breasts. The term does not include removal or rearrangement of clothing reasonably required to render medical treatment or assistance; or the removal of the articles of outer clothing such as coats, ties, belts or shoelaces.

2. NO strip search of a juvenile should be conducted by police officers unless there is individualized reasonable suspicion to believe that the juvenile possesses weapons or other contraband not revealed in an ordinary search.

3. Conditions: If a strip search must be completed, the following conditions will be followed:

a) The strip search **MUST** be authorized by the Officer in Charge,
AND

b) There is **REASONABLE SUSPICION** to believe that the juvenile is concealing a weapon, contraband, or a controlled dangerous substance
OR

c) A search warrant and/or consent, if the juvenile is over the age of 14. A **STRIP SEARCH WILL NOT BE CONDUCTED ON A JUVENILE UNDER THE AGE OF 14.**

4. Unless authorized by a search warrant or consent, a strip search **SHOULD NOT** be conducted if the arrested person will be released without custodial confinement **OR** will soon be released on bail **OR** own recognizance.

5. IF a strip search is conducted, the following conditions will apply (**New Jersey Administrative Code 13:95-5.7 Strip Searches**)

a) The search shall be conducted by a person of the **SAME SEX**.

b) The search will be conducted **IN PRIVATE**.

c) The search will be conducted under **SANITARY CONDITIONS**.

- d) The search shall be done in a PROFESSIONAL and DIGNIFIED MANNER, **with maximum courtesy and respect for the juvenile.**
 - e) **The search will be conducted by the number of staff members deemed reasonably necessary to provide security.**
6. The Officer who conducts the strip search MUST complete a report and include the following information:
- a) A statement of facts indicating the REASONABLE SUSPICION or PROBABLE CAUSE for the search.
 - b) A copy of the SEARCH WARRANT, if appropriate.
 - c) A copy of the CONSENT FORM, if appropriate.
 - d) The name of the Officer in Charge who authorized the search.
 - e) The names of the persons conducting the search.
 - f) An inventory of any items found during the search (Property Report).
7. In the event a strip search is to be conducted on a juvenile, every attempt must be made to contact the parent/guardian and inform them of the authorization, reason and conditions under which the search will be conducted. If contact cannot be made prior to initiation of the strip search, the parents/guardian will be notified upon their arrival at headquarters to take custody of the juvenile upon release or via telephone if the juvenile is formally detained. Under no circumstances will initiation or outcome of an authorized strip search be kept from the juvenile's parents/guardian.

Mahwah Police Department – Policies and Procedures		Number 110:15:20
Subject Juvenile Psychiatric Screening		
Issue Date 09272001		Effective Date 09272001
Revisions a. Reviewed 3/2015 DetGB		
Page 1 of 2.	Accreditation Number None (44.3.4)	

I. BACKGROUND

Juveniles in need of psychiatric care/screening are treated differently than adults in need of the same care/screening. As such, juveniles in need of psychiatric services should be handled in accordance with the Psychiatric Emergency Screening Program.

II. POLICY

It is the policy of this department that all officers adhere to the below listed guidelines when dealing with juveniles in need of psychiatric screening.

III. ACTION

A. JUVENILE PSYCHIATRIC SCREENING

1. A police officer may apprehend any juvenile whose behavior suggests the existence of mental illness such that the juvenile may be deemed a danger to himself and/or the general public.
2. After apprehension, the Mahwah Police Department shall contact the Psychiatric Emergency Screening Program located at Bergen Regional Medical Center (262-HELP).
3. After notification, the "Screening Team" will perform a crisis evaluation on the juvenile and, if appropriate, seek parental approval for the hospitalization of the juvenile. If they cannot obtain parental approval, and the juvenile is 14 years of age or older, the "Screening Team" will seek the juvenile's approval.
4. In cases where neither parental or juvenile approval for hospitalization can be obtained and the "Screening Team" deems that psychiatric evaluation is necessary, it will secure the assistance of the "Division of Youth and Family Services" (DYFS) to hospitalize the juvenile.
5. The Tour Commander may wish to contact the officer in charge of the Juvenile Bureau for assistance or guidance.
6. After apprehension of a juvenile for psychiatric reasons and the notification of 262-HELP, police officers will cooperate with the "Screening Team". However, the primary responsibility for initiating the juvenile's hospitalization will belong to the "Screening Team".
7. After apprehension, a dangerous juvenile should be searched.
 - a. If the juvenile in police custody is detained or charged with a criminal act, or has been taken into custody for psychiatric reasons, the investigating officer should complete a pat-down search of the individual.

A female juvenile WILL NOT be physically searched by a male police officer. In cases where the officer in charge determines that the search of a female juvenile is necessary, a

matron shall be contacted. The officer may only search the female's pocketbook or outer coat after removal.

Mahwah Police Department – Policies and Procedures		Number 110:15:15
Subject Motor Vehicle Complaints--Juvenile		
Issue Date 09272001		Effective Date 09272001
Revisions: a. 01112012 DetGB, b. Reviewed 03/2015 DetGB		
Page 1 of 1.	Accreditation Number 44.3.3, 44.2.1	

I. BACKGROUND

When dealing with juvenile motor vehicle offenders certain violations must be processed differently than those involving adult offenders.

II. POLICY

It is the policy of this Department that all officers adhere to the below listed guidelines when dealing with juvenile motor vehicle offenders.

III. ACTION

A. MOTOR VEHICLE COMPLAINTS

An act that constitutes a violation of Title 39 by a juvenile of any age shall NOT constitute delinquency.

1. If a violation of any of the above sections occurs by a juvenile, the violation will be placed on a motor vehicle summons and shall be heard in Municipal Court.
2. If the Municipal Court orders detention or imposes a term of imprisonment on a juvenile in connection with a violation of Title 39, the detention or term of imprisonment shall be served at a suitable juvenile institution and not a county jail.
3. Any violation by a juvenile that would constitute a crime, disorderly persons offense or violation of any other penal statute, ordinance, or regulation, will be processed on a Juvenile Complaint Form, even if the offense occurred in or while operating a motor vehicle. In this case the juvenile would then be brought through the department's juvenile arrest procedures.

B. DRIVING UNDER THE INFLUENCE

1. A juvenile that is arrested for a violation of N.J.S. 39:4-50 (Driving Under the Influence) and is a licensed or unlicensed driver, will be handled using the current procedures. He or she will be read the standard D.W.I. rights form and be given balance and coordination tests. If a Breathalyzer test is refused, then the investigating officer will issue the appropriate summonses. The same procedure applies for violations of N.J.S. 39:4-50.14 (BAC of 0.01-0.09). No blood will be drawn from juveniles unless the operator is involved in a serious collision involving serious bodily injury or death.

All offenses under Title 39 will be heard in the Mahwah Municipal Court.

2. In the event that a juvenile is arrested for a DWI offense while under the influence of drugs, all efforts should be made to contact a Mahwah Police officer certified as a DRE. If a Mahwah Police DRE is unavailable, contact the Bergen County Police department and a request should be made for a DRE to respond to the Mahwah Police station.
3. A juvenile under the age of 17 will not be a candidate for a DRE evaluation.
4. See SOP 150:05:55 "DWI Offenders".

Mahwah Police Department – Policies and Procedures		Number 110:15:10
Subject Juvenile Referral Agencies		
Issue Date 09272001		Effective Date 09272001
Revisions: a. 01112012 DetGB, b.03022015LtGB		
Page 1 of 2.	Accreditation Number None (44.3.2)	

I. BACKGROUND

When investigating incidents involving juveniles it may become necessary to involve outside agencies that are better equipped to handle the specific situation encountered.

II. POLICY

It is the policy of this Department that all officers utilize the available outside agencies when investigating incidents involving juveniles and the specifics of the situation warrant such referral.

III. ACTION

A. JUVENILE – FAMILY CRISIS

The Code of Juvenile Justice establishes a Crisis Intervention Unit to handle a juvenile family crisis. The Crisis Intervention Unit consists of personnel from the Juvenile Division and Intake Service of the Probation Department. Juvenile family crisis are those involving the following:

1. A serious threat to the well-being and safety of the juvenile.
2. A serious conflict between the parent and the juvenile regarding rules of conduct, which has been manifested by repeated disregard of lawful authority by the juvenile or misuse of lawful parental authority by parent or guardian.
3. The unauthorized absence by a juvenile from his/her home.
4. The repeated truancy by a juvenile under 16 years of age.
5. Family Crisis Intervention Unit can be contacted at 201-336-7360.

B. CHILD PROTECTION AND PERMANENCY (CP&P)

1. CP&P MUST be notified when any of the following is suspected:
 - a. Abuse, neglect, abandonment or emotional maltreatment by a parent of the child, guardian or other person having custody or control.
 - b. The child has been exposed to any incident, immoral, or unlawful act that may tend to corrupt, endanger or degrade the morals of the child.
 - c. The child has been employed in an occupation, which would be injurious to his/her life or contrary to the law of this state or in such a manner to be dangerous to the morals of the child.
2. CP&P can be contacted at 1-877-NJABUSE (877-652-2873).

C. SEX CRIMES/CHILD ABUSE

1. The Division of Child Protection and Permanency (CP&P) is required by state statute to notify the Bergen County Prosecutors Office, (Sex Crimes Unit) of suspected child abuse.

2. Local police are also directed to notify the Sex Crimes Unit regarding suspected sexual abuse or physical abuse of a child. During the hours of 9:00 A.M.- 4:30 P.M, (M-F) the Sex Crimes Unit at 201-226-5500. After 4:30 P.M. and on weekends the on-call investigator may be contacted by telephoning the Bergen County Police at 646-2700.

D. BERGEN COUNTY PROSECUTOR'S OFFICE/JUVENILE UNIT

The Juvenile Unit of the Bergen County Prosecutor's Office has the primary responsibility for management of every phase of the juvenile prosecutions in cases designated as "counsel mandatory" (formal) conducted before the Superior Court: Family Part. The Unit is responsible for the preparation of cases for prosecution, subpoenaing witnesses, dissemination of legal information and assisting local police with criminal investigations.

The Bergen County Prosecutors Office Juvenile Intake Unit can be contacted at 201-527-2322, 9:00 A.M. – 4:30 P.M. Monday through Friday.

E. BERGEN COUNTY PROBATION DEPARTMENT

The Intake Service of the Probation Department is responsible for the original screening of all juvenile complaints, referrals to Juvenile Conference Committees (JCC), Pre-Judicial Conference, interviewing public defender applicants and overseeing the Crisis Intervention Unit.

The Juvenile Division of the Probation Department is responsible for the supervision of juveniles after disposition in court. The officers advise the judge of the juvenile's status and give recommendations. The Juvenile Division also collects court ordered restitution.

Mahwah Police Department – Policies and Procedures		Number 110:15:05
Subject Juvenile Family Crisis (Crisis Intervention)		
Issue Date 09272001		Effective Date 06202003
Revisions a. 06202003, b. 01302009, c. 01112012 DetGB, d. 09222014DetGB, e.08/2018 D.Lt.GB		
Page 1 of 4.	Accreditation Number 44.2.2, 44.3.1	

I. BACKGROUND

At times, the police department may be called upon to investigate situations involving juveniles and their families that do not require criminal action. In such cases the services of the Crisis Intervention Unit of Bergen County should be contacted and advised of the situation and how best to aid the juvenile and his/her family.

II. POLICY

It is the policy of this department that all officers adhere to the below listed guidelines when investigating cases of juvenile family crisis.

III. ACTION

A. DEFINITIONS

1. **STATUS OFFENSE:** An offense which would not be considered a crime if committed by an adult, such as truancy, runaway, incorrigibility or possession of alcohol by a minor.
2. **JUVENILE FAMILY CRISIS:** Behavior, conduct or condition of a juvenile, parent or guardian or other family member, which presents or results in;
 - a. A serious threat to the well-being and physical safety of a juvenile
 - b. A serious conflict between a parent or guardian and a juvenile, regarding rules of conduct which has been manifested by repeated disregard for lawful parental authority by a juvenile or misuse of lawful parental authority by parent or guardian.
 - c. Unauthorized absence by a juvenile from his home
 - d. A pattern of repeated unauthorized absences from school by a juvenile who is subject to the compulsory education provision of Title 18A of the New Jersey Statutes.

B. JUVENILE FAMILY CRISIS

- A. Whenever an officer responds to a situation involving a Juvenile Family Crisis the following will apply:
 1. The officer shall complete an Investigation Report or any other appropriate report form, which will be forwarded to the Juvenile Bureau.
 2. If conditions allow, the Tour Commander or Juvenile Officer shall, by using those resources available to him, resolve the problem and make the proper referrals where applicable.
 3. At the discretion of the Tour Commander, if the situation warrants the stand-by Juvenile Officer or Detective will be notified.
 4. If the dispute cannot be resolved, notification should be made to the Crisis Intervention Unit. Between the hours of 9:00 A.M. and 9:00 P.M., a Crisis worker may be reached at

201-336-7360. After 9:00 P.M. and on weekends, the Bergen Promise Center should be contacted at 201-336-3951. The Investigating Officer, Juvenile Officer or Tour Commander shall brief the intake worker on the situation and make recommendations when needed.

C. SHORT-TERM CUSTODY OF JUVENILE-FAMILY CRISIS CASES

Pursuant to NJSA 2A:4A-32(a), under no circumstances shall any juvenile taken into short-term custody for a juvenile-family crisis be held more than 6 (six) hours and a juvenile taken into short-term custody shall not be retained in a detention facility or jail.

Juveniles taken into short-term custody at a police department for a juvenile-family crisis shall be held and processed in an unlocked area of the police department.

1. Under State law, the holding of a juvenile-family crisis case in a locked facility is prohibited.
2. Under federal law, the secure holding of a status offenders (juvenile-family crisis cases) and non-offenders in municipal lockups is prohibited. A status offender is a juvenile who has been charged with or adjudicated for conduct which would not be a crime if committed by an adult, such as truancy, runaway, incorrigibility or possession of alcohol by a minor.
3. For custody purposes, when a juvenile has been charged with both a delinquent and status offense, he may be processed as a delinquent. Likewise, if the juvenile is charged with a status offense and that offense constitutes a violation of probation for a delinquent offense, he may be processed as a delinquent.

An officer taking a juvenile into short-term custody shall inform the juvenile of the reason for custody and shall where possible transport, or arrange to have the juvenile transported to his home. The officer releasing a juvenile from such custody shall inform the juvenile's parents or guardian and the Juvenile-Family Crisis Intervention Unit of the reason for taking the juvenile into custody and may, if he believes further services are needed, inform the juvenile and his parents of the nature and location of appropriate services.

A law enforcement officer taking a juvenile into short-term custody may transport the juvenile to the home of a relative of the juvenile or to the home of another responsible adult or make arrangement for such transportation where the officer reasonably believes that the child will be provided with adequate care and supervision and that the child will remain in custody of the adult until such time as the Juvenile-Family Crisis Intervention Unit can bring about the child's return home or an alternative living arrangement or out of home placement. A law enforcement officer placing a juvenile with a relative or responsible adult shall immediately notify the Juvenile-Family Crisis Intervention Unit of this fact and the reason for taking the juvenile into custody.

A law enforcement officer acting reasonably and in good faith in releasing a juvenile to a person other than a parent of a juvenile is immune from civil or criminal liability for his action.

D. TAKING INTO SHORT-TERM CUSTODY

Where activity within the definition of juvenile-family crisis comes to the attention of a police officer, a juvenile may be taken into short-term custody. As in the case of delinquent activity, the taking of a juvenile into custody is not construed as an arrest but is deemed a measure to protect the health, morals and well-being of the juvenile.

A juvenile may be taken into "short-term custody" by a law enforcement officer without any court process when the following circumstances are present:

1. The officer has reasonable grounds to believe that the health and safety of the juvenile is seriously in danger and taking into immediate custody is necessary for the juvenile's protection.
 - a. The police should contact the Juvenile-Family Crisis Intervention Unit for approval of transportation of juveniles who may be in need of involuntary commitment pursuant to NJSA 2A:4A-80.
 - b. The Juvenile-Family Crisis Intervention Unit should assess the situation by telephone, and determine whether the juvenile "requires immediate services, such as medical or psychiatric care" NJSA 2A:4a-80(f).
 - c. If immediate emergency services are needed the Juvenile-Family Crisis Intervention Unit should approve transportation and the police should transport the juvenile directly to the emergency service provider.
 - d. The action of the Juvenile-Family Crisis Intervention Unit in such cases should not be construed as an out-of-home placement, but as the designation of a place to which the police shall take a juvenile being held on short-term custody who is in need of immediate emergency services.
2. The officer has reasonable grounds to believe that the juvenile has left the home and care of his or her parents or guardian without the consent of such persons.
3. An agency legally charged with the supervision of a child has notified the law enforcement agency that the child has run away from out-of-home placement, provided however, that in any case where the law enforcement officer believes that the juvenile is an "abused or neglected child" the officer shall handle the case pursuant to the procedures set forth in child abuse laws.
 - a. Running away from a DHS, DCBHS or CP&P placement (foster, group or residential placement) remains a DCBHS/CP&P responsibility and does not constitute a juvenile family crisis.

A juvenile who is taken into short-term custody cannot be held by police for more than six hours. A juvenile taken into short-term custody shall not be held in a detention facility or jail. A juvenile taken into short-term custody cannot be held in secure areas in municipal police departments. Juveniles not charged with delinquency must be kept in an unsecured location out of sight and sound of adults.

LAW ENFORCEMENT REFERRAL TO CRISIS INTERVENTION UNIT

There will be situations where the release of a juvenile who is in a juvenile-family crisis is not appropriate or where, because of the presenting problem, immediate treatment or assistance for the juvenile is needed. In such circumstances, a law enforcement officer is required to immediately notify the CIU and shall promptly bring the juvenile to the unit or a place designated by the unit. The immediate transport of the juvenile for CIU assistance is appropriate when one of the following circumstances exists:

1. The officer has reason to believe that it is not in the best interests of the juvenile or family for the officer to return the juvenile to the home.
2. The juvenile resides in another county and the officer is unable to make arrangements to return the juvenile home. The JFCIU in the county where the child is picked up should be contacted and take responsibility.
3. The juvenile resides in another state.
4. The juvenile has run away from a placement (other than a DCBHS/CP&P placement) and the juvenile refuses to return home or the juvenile, through past behavior, has demonstrated an inability to remain at home.
5. The law enforcement officer is unable, by all reasonable efforts to identify or locate a parent, relative or other appropriate person.

6. The juvenile requires immediate emergency services such as medical or psychiatric care and the parent can not be reached or refuses permission for care following consultation with 262-HELP or other mental health experts the JFCIU will provide telephonic authorization for the transport of the juvenile to the appropriate mental health facility (Bergen Regional Medical Center).
7. No identification can be obtained for the juvenile.

Mahwah Police Department – Policies and Procedures		Number 120:05:10
Subject Emergency Operations Plan		
Issue Date 08012004		Effective Date 08012004
Revisions: 01122012 LtSB		
Page 1 of 3 .	Accreditation Number None	

I. BACKGROUND

The Township of Mahwah Emergency Operations Plan (EOP) will be utilized where appropriate. In order to supplement this plan the department will also address the following provisions when a natural or manmade disaster, civil disturbance or other unusual occurrence takes place.

II. POLICY

It is the policy of the Mahwah Police Department that the protection of life and property is of primary concern when responding to natural and manmade disasters, civil disturbances and other unusual occurrences. All officers and/or employees are to abide by the guidelines as established in this SOP.

III. ACTION

A. COMMUNICATIONS

Police units are equipped with multi-channel radios to facilitate communications with other agencies and department. It may be necessary to acquire additional desk personnel to handle increased workload and citizen calls for service. The first officer on the scene will notify the dispatcher as to the seriousness of the situation, request the shift supervisor and additional backup to respond.

B. SITUATION MAPS

Situation maps are located in the Communications Center and Emergency Operations Center. **(Think Map) Computerized Mapping Program is also available.**

C. FIELD COMMAND POSTS

Depending on the nature of the incident, a field command post may be established to oversee the coordinate operations.

D. CHAIN OF COMMAND

Tour Commanders are authorized to place this plan into operation. Appropriate notification of a situation requiring plan implementation must be made to Command Staff. Command Staff will notify the Office of Emergency Management Director of the situation and will keep him advised of any changes so that the Township of Mahwah Emergency Operations Plan could be implemented, if necessary, without delay.

E. CASUALTY INFORMATION

In any situation involving casualties, provision of casualty information will be the responsibility of the hospital or hospitals involved and public inquiries will be directed to the respective health care facility.

F. COMMUNITY RELATIONS

The community will be alerted through use of press releases, emergency contact programs (such as the **Emergency Notification** system) and other available resources.

G. PUBLIC INFORMATION

The Public Information Officer or designee will have area medial outlets notified and establish a media information briefing point at the police department as feasible. Information will be provided directly to media representatives present. All media outlets will be advised that telephone inquiries should not be made in order to reduce the burden on dispatchers and telephone lines.

H. RUMOR CONTROL

Factual information will be provided to media representatives in order to control any rumors. Any rumors will be addressed by the Public Information Officer, when necessary.

I. OTHER LAW ENFORCEMENT AGENCY SUPPORT

In cases of large scale disturbances, support may be solicited from neighboring law enforcement agencies, the Bergen County Police Department or the New Jersey State Police.

J. MILITARY SUPPORT

Any incident of a magnitude requiring military support will be handled in accordance with the Township of Mahwah Emergency Operations Plan.

K. MARTIAL LAW

Any incident of a magnitude requiring the imposition of curfew or martial law will be handled in accordance with the Township of Mahwah Emergency Operations Plan.

L. PUBLIC FACILITY SECURITY

The involvement of public facilities may generate requirement for the provision of security to prevent looting, theft or trespassing.

M. TRAFFIC CONTROL

It may be necessary to block roads and reroute traffic away from affected areas. Emergency service personnel should be advised via the Communications Center. Announcements should also be made over local radio stations and alternate routes posted with appropriate signage, if possible.

N. EQUIPMENT REQUIREMENTS

For equipment needs beyond what is readily available to the shift supervisor, contact should be made with Command Staff. Special equipment may be obtained by using emergency purchase procedures.

O. TRANSPORTATION

Any special transportation needs may be requested from appropriate Township departments or other emergency services.

P. DE-ESCALATION PROCEDURES

Supervisors will ensure an orderly de-escalation of personnel as the situation stabilizes. Direction for withdrawal of resources must be as thoughtful and deliberate as the initial deployment.

Q. COURT/PROSECUTOR LIAISON

Contact will be made with the Municipal Court and Prosecutor in the event their services are required.

R. LEGAL AUTHORITY

The legal authority to handle emergency situations is in accordance with the Township of Mahwah Emergency Operations Plan as prepared in conjunction with the Office of Emergency Management.

S. POST-OCCURRENCE DUTIES

Aftermath duties include a damage control assessment. Necessary Public Works and utilities companies will be notified of any problems. Officers will be disengaged as appropriate and the command post will be discontinued.

T. AFTER-ACTION REPORTS

Supervisors will prepare after-action reports concerning all police activity during a disaster incident as well as recommendations concerning the handling of any future problems.

Mahwah Police Department – Policies and Procedures		Number 120:05:15
Subject Command Function		
Issue Date 10012007		Effective Date 10012007
Revisions a. 11112008		
Page 1 of 2.	Accreditation Number 46.1.3	

I. BACKGROUND

On most police related incidents, a single Incident Commander carries out the Command activity. The Incident Commander is the first officer on scene until relieved by an officer of higher rank or one with skills better suited to handle the incident.

The Incident Commander will designate other command functions if necessary. This could occur if the Office of Emergency Management is not involved.

Minor incidents may require only the investigating officer to act as “incident commander” and will most likely not require implementation of other components of the ICS. Incidents involving more than one agency, multiple jurisdictions, multiple services or large scale incidents (natural and man-made disasters, civil disturbances, mass arrests) would require implementation of the ICS and the All Hazard Plan.

II. POLICY

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

III. ACTION

The Incident Commander will be responsible for the following:

a. Activating the Incident Command System.

The first officer on scene will activate the incident command system by assuming command. The Incident Commander (IC) will advise all units over the radio and will name the incident. The IC will remain in command until relieved. This can occur when an officer with more skill or higher rank arrives to better handle the incident. The outgoing incident commander will brief the new incident commander prior to the transfer of command.

b. Establishing a Command Post.

The IC will establish a command post. It should be established in a safe area in view of the overall incident, if possible. The location of the command post will be broadcast on the radio channel.

c. Command and General Staff positions will be activated only if needed.

The Command Staff consists of the Public Information Officer, Safety Officer and Liaison Officer. They report directly to the Incident Commander. Additional agency personnel should be called to the scene as necessary and directed by the incident commander or designee.

d. Designate an Operations Officer if necessary.

To delegate authority and to provide a separate organizational level within the ICS structure, with sole responsibility for the tactical direction and control of resources and the operation of the incident.

e. Obtaining support from other agencies.

Support from adjacent agencies may be called via the Communications Center at Mahwah Police. Personnel from adjoining agencies may be called through the Mutual Aid Agreement for immediate assistance.

f. Maintaining the safety of all affected personnel.

To provide a safe operating environment within all parts of the incident organization.

g. Establish a staging area, if necessary.

The staging area should be away from the incident in a safe area where resources could be massed and deployed as necessary.

h. Providing public information and maintaining media relations.

The IC will provide public information until the Public Information Officer arrives on scene to assume that function.

i. Preparing a documented after action report.

The after action report will be contained in the investigating officer's investigation report, which will include:

1. Introduction and Background
2. Type/location of event
3. Description of event
4. Chronological summary of event
5. Response at police level (and other agencies involved)
6. Interacting systems, agencies and programs (mutual aid, cooperating entities, telecommunications and media interactions)
7. Recovery activities (as applicable)
8. References (maps, diagrams, etc.)

The IC will review the investigation report and note any improvements, conclusions and/or recommendations as applicable to include specific actions by the IC, follow-up activity, costs, etc. The IC will also include any training needs associated with the incident, if applicable.

Mahwah Police Department – Policies and Procedures		Number 120:05:16
Subject Mass Arrests		
Issue Date 11012001	Effective Date 11012001	
Revisions: a. reviewed 12/2011 RC, Revised 2/2015 Sgt. TO		
Page 1 of 4.	Accreditation Number 46.1.3	

I. BACKGROUND

On occasion, situations arise where mass arrests of offenders will be required by the police department: Mass arrests demand the utmost from the involved officers related to both their own safety and the safety of the detainees.

II. POLICY

It is the policy of this Department that all members engaged in a mass arrest situation adhere to the below listed guidelines.

III. ACTION

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A. MASS ARREST PROCEDURES

Although alternatives to mass arrests should always be sought, contingency plans are made in the event such action becomes necessary to facilitate the restoration of order. It is the policy of the Mahwah Police Department to have plans for mass arrest that include provisions for prisoner and officer security, as well as, facilitation of the restoration of order by means of lawful arrest. The "Mass Arrest Plan" includes provisions for the following;

1. Arrest/processing/confinement procedures (to include booking);
2. Juvenile offenders;
3. Transportation;
4. Detention facilities;

5. Evidence collection;
6. Security;
7. Identification;
8. Interagency agreements;
9. Defense counsel visits;
10. Court and prosecutorial liaison;
11. Media relationship/public information;
12. Food, water, and sanitation; and,
13. Medical treatment.

B. ARREST, PROCESSING, CONFINEMENT PROCEDURES (TO INCLUDE BOOKING)

Persons arrested will be removed as soon as possible from the scene to a nearby holding area for initial processing and to await transportation to jail or a temporary detention area. An officer will be assigned as booking officer at the jail or temporary detention area to complete the required paperwork for the arrest procedure, based upon information relayed by the transporting officers. Upon completion of the booking process the prisoners may be released on bond, taken for court appearance (if during hours of court operation), confined in a jail cell, or transported to the Bergen County jail or other nearby jail facility for confinement.

C. JUVENILE OFFENDERS

Juvenile offenders will be handled according to the provisions as described in SOP 110:05:05 and other sections of Section 110, Juvenile Operations.

D. TRANSPORTATION

Two officers will be assigned to operate a transportation vehicle for transporting prisoners from the holding area to jail, temporary detention area or to a designated medical facility for treatment of any injured prisoners. The vehicle to be utilized will be assigned by the Incident Commander or his designee. If utilizing a non-partitioned cruiser, one transport officer should ride directly behind the driver with the prisoners. No more than two (2) prisoners should be transported in one vehicle unless there is a vehicle designed to accommodate larger numbers of prisoners at one time.

E. DETENTION FACILITIES

Arrangements will be made for the use of a relatively large and conveniently located facility should the need arise for a temporary detention area. The temporary detention facility should be located near the incident scene and should be examined by the Incident Commander or his designee prior to usage. Consideration should be given to access/egress points, windows, doors, available space and security.

F. EVIDENCE COLLECTION

During the police operation at the incident scene an evidence technician will be assigned to provide evidence collection work, in addition to other duties as determined by the Incident Commander or his designee. Consideration may be given to have the scene and participants photographed for possible future use in identifying participants as well as for evidence and subsequent court proceedings.

G. SECURITY

Officers will be assigned to the holding/detention area to provide security in sufficient numbers to ensure the safety of the prisoners and the assigned staff. Coordination may be needed with the Bergen County Sheriff's Department at the discretion of the Incident Commander.

H. IDENTIFICATION

The arresting officer should transport his/her prisoners to the holding area (if at all possible.) Upon arrival at the holding area, persons arrested will be identified, if possible, photographed and booked as per departmental guidelines. The following information will be noted on the booking report;

1. Date, time, incident number;
2. Defendant's name, birth date, social security number (all pedigree info);
3. Location of arrest;
4. Offense charged, warrant or summons number; and
5. Arresting officer's name and number.

The booking report will be sent with the officer(s) in charge of the prisoners when they are transported for booking at the jail or temporary detention area. Officers should consider as valid, only those ID's they can verify to be lawful and legitimate. All others should be considered as invalid IDs.

I. INTERAGENCY AGREEMENTS

Should the nature and size of the incident require assistance from other law enforcement agencies the Department will invoke the various mutual aid agreements it has with neighboring law enforcement agencies in order to provide sufficient personnel in order to deal effectively with the Mass Arrest situation. Consideration should be given to assigning officers from other jurisdictions first to provide security at the holding areas, temporary detention areas, and the designated medical facility when any prisoner is taken there for treatment. This will permit the prisoner transportation officers to resume their transport duties in a timely manner. Officers from other agencies will be assigned additional duties as needed. Consideration should be given to using them primarily where detailed knowledge of the city geography and department policies is not essential.

J. DEFENSE COUNSEL VISITS

Upon arrival at the jail or temporary detention area, persons arrested at the incident scene will be provided the opportunity for defense counsel visitation if requested. This should only be allowed after the disturbance has been neutralized. A secure and private area will be made available for this purpose at the temporary detention area. Standard procedure will apply for the jail facility.

K. COURT AND PROSECUTOR LIAISON

Should an incident develop into a mass arrest situation the Township Prosecutor and/or County Prosecutor will be summoned at once to provide legal advice and assistance, as well as expedite the presentation of charges to the court. The Chief of Police or his designee will be responsible for contacting the Township Prosecutor and/or the County Prosecutor.

L. MEDIA RELATIONSHIP/PUBLIC INFORMATION

A Public Information Officer (PIO) will be assigned to coordinate and provide information to members of the news media regarding the incident. Refer to SOP 104:05:15 (Media and Public Information) for further detailed procedures.

M. FOOD, WATER, AND SANITATION

Although persons arrested at the scene of an incident will be in the holding area for only a brief period of time, their stay in the temporary detention area may be of longer duration requiring attention to basic human needs of food, water and sanitary facilities. Site selection of a temporary detention area includes consideration of adequate existing sanitary facilities and a water supply. The Township Manager, Finance Director or their designates will be called upon to arrange for purchase of prepared food items from local food service outlets. Delivery to the temporary detention area may be arranged as necessary.

N. MEDICAL TREATMENT

The Mahwah Ambulance Corps will be notified of any situation where mass arrests are a probability in order that they may properly plan for such an event. When such situations are imminent, the Ambulance Corps will have additional personnel available to stage extra Emergency Medical Services Units at the Ambulance building, nearby the situation location and/or Command Post. Prisoners that require medical treatment shall be transported to the Bergen Regional Medical Center per the policy and procedures of both the Mahwah Police Department and the Mahwah Ambulance Corps.

Mahwah Police Department – Policies and Procedures		Number 120:05:17
Subject Hostage/Barricaded Subject Situations		
Issue Date 11012002	Effective Date 11012002	
Revisions		
Page 1 of 3.	Accreditation Number 46.1.4	

I. BACKGROUND

Due to the ever-present possibility of hostage situations and/or barricaded suspects, the following procedures have been established to provide for uniformity in the handling of said situations and to provide for maximum safety for all those involved.

II. POLICY

It is the policy of this Department that all members comply with the following procedures whenever confronted with a hostage or barricaded suspect situation.

III. ACTION

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A. HOSTAGE SITUATIONS

1. Initially arriving officers should attempt to avoid confrontation in favor of controlling and containing the situation until the arrival of trained tactical and/or hostage negotiation personnel. Appropriate Command Personnel shall immediately be notified.
2. The Bergen County Hostage Negotiation Team will immediately be notified as soon as it is determined that there is a potential hostage situations. The Tactical Police Team (Hostage Negotiations) can be reached at the Bergen County Police Department 646-2700. The Bergen County Special Weapons and Tactics (SWAT) Team will also respond with the Hostage Negotiation Team, generally in one hour or less.
3. Interaction between the tactical and hostage negotiation personnel and the hostage taker will be at the discretion of the Hostage Negotiation/SWAT Team. The Incident Commander has the option of turning control of the incident over to the Bergen County SWAT and HNT members.
4. Negotiators associated with the Hostage Negotiation Team will be utilized for conducting negotiations. The Incident Commander will determine use of any other persons to communicate/negotiate with the hostage-taker.
5. Due to the imminent response of the Hostage Negotiation Team, those Officers making initial contact with the hostage-taker shall refrain from negotiating any items with the suspect(s). (Weapons and transportation are absolutely non-negotiable.) The goal of the Officers initially on the scene is to contain the situation and "buy time" pending the arrival of the trained negotiators.

6. Notification of persons within and outside the agency, such as command officers, dog handlers or helicopter pilots will be made by the Incident Commander after conferring with the SWAT/HNT Commander and, if practicable, the Chief of Police.
7. In situations that warrant notification to adjoining agencies (i.e. proximity of the situation), said agencies shall be notified and assistance requested, if needed.
8. The supervisor at the scene shall insure that inside and outside perimeters are established.
 - a. Inside perimeters: utilized to contain the situation to a confined area/location.
 - b. Outside perimeters: utilized for traffic control/diversion and to limit access to the scene.
9. The supervisor in charge at the scene shall make a determination as to the feasibility of evacuating bystanders who are within the inside perimeter. If the evacuation can be done without jeopardizing the safety of the bystanders or the Officers, evacuation shall be done. If the evacuation cannot be done without jeopardizing the safety of the bystanders or the Officers, the bystanders shall be notified via available communications that a hazardous situation exists and to remain at their present location.
10. Injured persons should be evacuated as soon as possible and only if the evacuation can be done without jeopardizing the safety of personnel assisting the injured persons. The Incident Commander must weigh the costs and benefits of attempting to rescue injured persons against the possibility of even more persons being injured in a rescue attempt.
11. A central command post will be established without delay. The normal chain of command shall be followed unless other agencies are utilized. If this is the case, the Chief of Police or his designee, and the appropriate command personnel of the outside agencies will determine the chain of command jointly.
12. Ambulance, rescue and fire units shall be placed on standby, unless there is an immediate need for their services. Any requests for response of these units or for additional equipment (i.e. surveillance equipment) shall be channeled through the command post.
13. Command personnel at the scene shall determine the extent of access of the news media, if any, and information to be released. Members of this Department shall abide by Chapter 140, "Media Relations" policy, which governs the contents of any press release.
14. Any use of force (type and degree) or chemical agents shall be determined by Incident Commander in conjunction with the Chief of Police or his designee.
15. Negotiators associated with the Hostage Negotiation Team will be utilized for conducting negotiations. The Incident Commander will determine use of any other persons to communicate/negotiate with the hostage-taker.
16. Any provision for chase/surveillance vehicles and control of travel routes shall be coordinated with the Incident Commander.

B. BARRICADED SUSPECT-NO HOSTAGE

1. Appropriate Command Personnel shall immediately be notified.
2. The supervisor at the scene shall insure that inside and outside perimeters are established.
 - a. Inside perimeters: utilized to contain the situation to a confined area/location.
 - b. Outside perimeters: utilized for traffic control/diversion and to limit access to the scene.
3. The Bergen County Hostage Negotiation Team will immediately be notified as soon as it is determined that there is a potential barricaded suspect.

4. Notification of any specialized units (i.e. K-9, helicopter, etc.), shall be determined by the command personnel at the scene.
5. Any injured victims shall be removed from the scene provided that it can be done without exposing the victims or the Officers to unnecessary risks.
6. The supervisor in charge at the scene shall make a determination as to the feasibility of evacuating bystanders who are within the inside perimeter. If the evacuation can be done without jeopardizing the safety of the bystanders or the Officers, evacuation shall be done. If the evacuation cannot be done without jeopardizing the safety of the bystanders or the Officers, the bystanders shall be notified via available communications that a hazardous situation exists and to remain at their present location.
7. A central command post will be established without delay. The normal chain of command shall be followed unless other agencies are utilized. If this is the case, the Chief of Police or his designee, and the appropriate command personnel of the outside agencies will determine the chain of command jointly.
8. Ambulance, rescue and fire units shall be placed on a standby basis, unless there is an immediate need for their services. Any requests for response of these units or for additional equipment shall be channeled through the command post.
9. Command personnel at the scene shall determine the extent of access of the news media, if any, and information to be released. Members of this Department shall abide by Chapter 140, "Media Relations" policy, which governs the contents of any press release.
10. Any use of force (type and degree) or chemical agents shall be determined by the Incident Commander.
11. Negotiators associated with the Hostage Negotiation Team will be utilized for conducting any communications with the barricaded suspect(s). Use of any other person(s) to communicate with the suspect(s) will be determined by the incident Commander.
12. The Bergen County Hostage Negotiation Team will conduct the dual functions of negotiations and Special Weapons utilization. Members of the Mahwah Police Department will serve the Hostage Negotiation Team in a support function.

After any incident involving a hostage/barricaded person an after-action report will be submitted by the Tour/Incident Commander.

The Chief of Police and all Division Commanders will jointly conduct an annual review of the plan to identify any deficiencies and/or any revisions are needed.

Mahwah Police Department – Policies and Procedures		Number 120:05:18
Subject Bomb Threats/Emergencies		
Issue Date 02252002	Effective Date 02252002	
Revisions		
Page 1 of 7.	Accreditation Number 46.1.5	

I. BACKGROUND

Bomb threats are not only a serious disruption of everyday functioning but they are also potentially life threatening when not acted on properly. Although most bomb threats are just that, an empty threat, no bomb threat should be taken lightly or disregarded.

II. POLICY

It is the policy of this Department to take all reasonable measures to maximize the safety of the public and Department personnel in situations involving the use or potential use of explosives. In the event a situation exists which calls for a bomb disposal unit, the Department may utilize the services of the Bergen County Bomb Squad.

III. ACTION

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A. DEFINITIONS

Bomb Threat - means any communication reported to any personnel warning of an explosive device or substance placed where it may cause injury or damage;

Bomb or Explosive Substance - means dynamite, nitroglycerin, gunpowder, and any other material that, if detonated, could cause injury to person or damage to property;

Explosive Ordnance Specialists (EOS) – means persons trained to handle, deactivate or detonate explosive materials. Only those persons recognized as certified explosive ordnance specialists or team specialists are authorized to act in this capacity.

B. GENERAL CONSIDERATIONS

The Mahwah Police Department does not have any employees who are trained in the disposal techniques of explosive devices. The role of the department's employees in

suspected explosive device situations is to provide a safe perimeter to ensure the safety of all citizens and emergency personnel.

C. COMMUNICATIONS CENTER RESPONSIBILITIES

When the Communications Center receives a call of a bomb threat, bombing, or undetonated explosive device, the dispatcher/call-taker will;

1. Remain calm and attempt to gather as much information from the caller as possible by keeping them on the telephone as long as possible. Such information may include, but is not limited to, the following:
 - The exact location of the alleged explosive device;
 - The type of device involved;
 - The reason that the explosive device was planted;
 - What the caller is attempting to achieve by planting an explosive device or making such a threat;
 - Listening for background noises such as music, traffic, other people speaking, etc.;
 - Noting pertinent information related to the caller's speech such as speech impediments, accents, specific terms used, etc.;
 - Immediately dispatch an officer to the scene; and
 - Notify the Mahwah Police Department Tour Commander and the Patrol Division Commander (whether on duty or off duty)

Frequently, bomb threats are reported directly to the victim, who then reports the incident to the Police Department and/or Communications Center. When a third party reports such an incident, responding officers shall make contact with the reporting person in an effort to determine as much information as possible about the original caller.

When dispatching a bomb threat the personnel of the Communications Center will ensure that:

1. The nature of the call and the location shall be given to all field units;
2. Any unit near the scene shall drive away from it before responding over the radio.
3. No radio transmissions shall take place from any field unit closer than 100 yards to the scene;

While at the scene, officers shall communicate with the Communications Center only by telephone, except if it is determine safe to utilize other communication means.

D. RESPONDING OFFICER'S RESPONSIBILITIES

When a bomb threat or similar complaint has been dispatched, any unit near the scene shall drive away from it prior to responding by radio. The responding officer will proceed directly to the scene. Prior to arrival at the scene, the responding officer will advise the dispatcher that he/she will be out of radio contact and turn off all electronic equipment, including:

- Overhead lights and siren;
- Mobile radio;
- Portable radio;
- Mobile data terminal;
- Cellular phone (if so equipped); and
- Telephone pagers (if so equipped).

No radio transmission shall take place from any field unit **closer than 100 yards** to the scene or as directed by the Bomb Squad personnel. On-scene communications

between police officers an/or fire personnel should be face-to-face communications or by the use of "runners."

The police officer(s) assigned will proceed directly to the location of the incident. On arrival the officer will attempt to contact the owner or the person in charge (hereafter referred to as the victim) of the premises. The officer will inform the victim of the nature of the incident and suggest to the victim how to conduct a search. Employees, each accompanied by an officer, should search the areas they are assigned to work in as they are familiar with the items in their own particular area and would readily notice any foreign object. They should be instructed not to touch it. The officer will investigate each object called to his attention. If the officer knows or believes the object is or may be a bomb, the area is to be immediately cleared. It is at this point that the officer's authority exceeds that of the victim because of public safety and protection of the property involved. The officer will then request a supervisor be sent to the scene. Only when a suspicious package or a bomb is found is it necessary to dispatch the fire department to remain at fire headquarters until called to the scene. If no bomb is found, the officer will notify communications and complete any required Department report.

The victim may refuse to search the premises or cooperate in any way further with the officer. Should this occur, the officer would complete the report, identifying the victim by name in the report and any witnesses who may have heard the victim refuse to initiate a search of the premises. Where the victim refuses to have the premises searched, the officer will confirm that the victim is the owner or the person in charge and thereby authorized to make this decision. The reporting officer will indicate in the report that the victim refused to order a search of the premises and report fully the total circumstances involved. Upon completion of the report, the officer will return to duty. No further police action will be taken when the victim refuses.

In cases of bomb threat, where no specific evidence exists of a bomb or explosive substance, the evacuation of the premises is at the discretion of the victim responsible for the property. The responding officer shall meet with the person having control of the premises and fire personnel on the scene to discuss available options. Available options may include:

1. Ignoring the threat;
2. Evacuating the premises; and
3. Searching the premises.

Until such time as an explosive or suspicious device has been located, the owner or person in charge of the premises has sole responsibility for determining whether or not to evacuate and/or search the premises. If an evacuation is conducted, all employees should be advised to remove their personal belongings (purses, lunch boxes, briefcases, etc.). If the person having control of the property wishes to disregard the threat and not evacuate or search the premises, the officer shall note such information in his/her report. The report shall contain the name of the person making such a decision as well as the name of any witnesses.

Should the person in charge of the property choose to have the premises searched the responding officer shall explain the following:

1. Employees should be utilized to conduct the search, since they are most familiar with their work areas and would readily notice foreign objects;
2. Police Officers will not conduct a search for explosive devices because of the inability for the officer to determine which items, furnishings, and other belongings should normally be present. Further explain that officers will be willing to brief search teams on how a search should be conducted;

3. Police Officers will remain at the scene of such an incident while a search is conducted, and will accompany the search team if requested.

Occasionally, the property owner or person in charge of the involved property will specifically ask that officers not remain on the scene. In such instances, officers will comply with such a request, provided no suspicious device has been located. In such cases the officer shall include this information in his/her written report, including the name of the person requesting that the officer leave. If a suspicious device has been located, the officer is required to remain at or near the scene and take the prescribed actions.

When briefing search teams on recommended procedures for searching, suggestions should include the following:

1. In order to be effective the search should be systematic and thorough;
2. The person in charge of the property may want to establish and remain at a command center where he/she can be reached by search teams in the event a suspicious device is located;
3. All areas should be searched by a minimum of two (2) people, with each person searching the entire area to ensure that no suspicious object is overlooked;
4. Unless a specific location has been identified, searches should be conducted in the following manner:
 - Ground level outside of building to include shrubbery, turf, parking lot areas, vehicles parked near the building and areas where evacuees will be gathering;
 - Door and window level around outside perimeter of building;
 - All areas above door and window level, including roof tops, on outside of building;
 - Interior of building beginning on ground floor and working way up to top floor;
 - Room searches should begin at the entry point (door) and divided into specific levels for purposes of conducting the search, i.e. search should begin with entire floor being searched first, followed by searching all furniture and walls from floor level to eye level, and then searching the walls from eye level to ceiling level, with the ceiling (light fixtures, vents, and false ceilings) level being the last area searched;
 - Rooms already searched should be sealed or marked by placing masking tape or colored tape on the door about 12 inches off the floor;
 - Prior to entering rooms, persons conducting the search should inspect the door for possible signs of booby traps, and
 - Prior to using interior lights to assist in conducting the search, the lights and switches should be inspected for signs of possible booby traps;

The search teams are not to touch, move, or tamper with any suspicious device. Any suspicious device located by the search team should be brought to the attention of the person in charge of the property and a police officer. If the object cannot be positively identified as being a non- explosive device, it shall be treated as an undetonated explosive. Action should be taken to draw attention to the object's presence. Such action might include placing objects such as cardboard boxes, rubber trashcans, or traffic cones around the device. These objects should be placed at three points around the suspicious device since the triangular shape is symbolic with an explosive device or substance. All persons within the immediate area shall be evacuated and a perimeter established. The Tour Commander will determine other types of action to be taken, such as requests for special materials and/or equipment, termination of electricity to the area, etc.

When a suspicious device is found the responding officer will notify the Communications Center dispatcher and Tour Commander. The Tour Commander will

respond immediately to the scene (if not already on-scene) and meet with the property owner/agent. After the incident has concluded, the responding officer will submit a detailed written report.

When no suspicious or explosive device is found the officer shall notify the Communications Center dispatcher of these findings and ensure that the proper report is completed before the end of his/her tour of duty.

E. TOUR COMMANDER'S RESPONSIBILITIES

The Tour Commander will respond to any and all calls for service reporting a bomb threat, a suspicious package believed to be an explosive device, the locating of an undetonated explosive device, and/or the scene of an explosion. The Tour Commander shall take command of the scene for police operations. The Tour Commander will further notify, or cause to be notified, the Chief of Police, the Patrol Division Commander, and the Investigative Division Commander in all such situations.

Once an explosive or suspicious device has been located, Bomb Squad personnel will take charge of the incident. After consultation with the ranking Bomb Squad Officer on the scene, the Tour Commander will be responsible for security operations. Security operations will include the following:

1. Establishing an incident command post with telephone communications near the scene, but not closer than 200 yards to the suspected device;
2. Establishing and securing a perimeter as determined by the Bomb Squad;
3. Restricting access to the secured area to authorized persons;
4. Evacuating persons within the perimeter, as determined by the Bomb Squad;
5. Controlling traffic, pedestrians, and bystanders in the area;
6. Securing the perimeter, evacuation procedures, and traffic control may be accomplished with the assistance of other Police Officers, Fire Police and mutual aid when necessary;
7. Making necessary arrangements to process any crime scene related to an explosive device; and
8. Providing escorts for Explosive Ordnance Specialists when requested. Explosive Ordnance Specialists will likely request an escort to the scene of any incident requiring their services. Such escorts shall be provided. Explosive Ordnance Specialists may request an escort for purposes of removing an explosive device. The Tour Commander will provide such an escort. Such escorts require prior planning that may include:
 - Utilizing personnel and vehicles from other departments;
 - Evacuation of persons along the escort route;
 - Conducting the escort without the use of sirens, radio, and overhead lights (to be determined by Emergency Ordnance Specialists); and
 - Similar safety considerations.

F. LOCATING AND DISPOSING OF BOMB

If an undetonated explosive is discovered, the officer shall notify communications by telephone. The dispatcher and/or employee receiving the call shall notify the Tour Commander and/or Officer-in-Charge and the Patrol Division Commander. The Tour Commander and/or Officer-in-Charge shall request assistance, in removal and disposing of the device, from Explosives Ordnance Disposal Personnel;

- The Bergen County Police Department, Bomb Squad is currently available to assist in removal and disposing of explosives.

A Tour Commander and/or Officer-in-Charge shall respond to the scene and take command of security operations. A command post with telephone communications shall be established. It should be near the scene, but not closer than 200 yards and should be protected from the effects of any potential explosion. The fire department will be requested to standby at fire headquarters. Radio silence is to be observed if called to the scene.

The Tour Commander and/or Officer-in-Charge shall maintain command of the scene and will brief explosive ordnance specialists when they arrive on the scene. The Tour Commander and/or Officer-in-Charge shall coordinate the security operations. No person shall be admitted into the danger zone except as authorized by the Tour Commander and/or Officer-in-Charge. The Tour Commander and/or Officer-in-Charge will offer the bomb disposal personnel assistance in arriving at the scene when requested, such as having a police officer in a marked cruiser waiting for them near a major intersection.

G. NOTIFICATION OF EXPLOSIVE ORDNANCE SPECIALISTS (BOMB DISPOSAL TEAMS)

No person shall touch, move, or otherwise tamper with any explosive device or substance or suspected device or substance prior to the arrival of the bomb squad. The bomb squad will control the device upon their arrival, assisted by police personnel. Explosive Ordnance Specialists utilized by the Mahwah Police Department will normally be the Bergen County Bomb Disposal Team. The Bergen County Bomb Squad will respond to incidents involving objects that an officer suspect may be an explosive device. They may also respond to search for explosive objects at their discretion. When no object/package is found it is up to the Bomb Squad with respect to their response to the scene.

The phone number for the Bergen County Bomb Squad is the same as the Bergen County Police Department and will be maintained by the Communications Center.

H. EXPLOSIONS

In cases where an explosion has occurred, the procedures for notification, scene security, and responsibility for follow-up investigation are the same as in incidents involving undetonated devices and substances. When the scene is secured, the Tour Commander shall coordinate the preservation of evidence by allowing no one to enter the danger zone except rescue personnel, bomb disposal personnel, investigators, crime scene technicians, and those fire personnel needed to neutralize any additional dangers.

Explosions may cause structural damage. Additionally, other undetonated explosives, flammable materials, and similar hazards may still exist. **Officers securing the scene should be aware that oftentimes a secondary device may have been planted at the scene and is set to detonate while this search is underway. The safest place in this area is close to the first explosion.** Personnel on the scene of such incidents must use caution. No officer, other than those listed above, should enter the danger zone except to prevent injury or death to another person. Investigators and crime scene technicians must work closely with Explosive Ordnance Specialists and utilize all available safety precautions. Investigators and crime scene technicians shall notify the Tour Commander when examination of the scene is completed.

I. FEDERAL NOTIFICATION

All bombing incidents, including a hoax device shall be reported to the National Bomb Data Center on their reporting form. The reporting form for bombing incidents will be completed by the Tour Commander and/or Officer-in-Charge in duplicate and the;

1. Original sent to National Bomb Data Center; and
2. Copy placed with Department case file on incident.

Certain situations require the notifications of the Federal Bureau of Investigation (FBI) and Alcohol, Tobacco and Firearms (A.T.F.). Such notifications will be made pursuant to the direction of the Chief of Police or his designee and applicable laws.

J. MEDIA RELATIONSHIP/PUBLIC INFORMATION

The Public Information Officer (PIO) will be assigned to coordinate and provide information to members of the news media regarding the incident. Refer to SOP 140:05:15 Media and Public Information for further detailed procedures. News Media accessibility to the scene will also be in accordance with the above SOP.

K. REVIEW AND UPDATING BOMB THREAT/EXPLOSIVE DEVICE PLAN

The Patrol Division Commander will be responsible to review the "Bomb Threat/Emergencies" SOP annually and shall make recommendations for updating the plan as necessary to the Chief of Police.

Mahwah Police Department – Policies and Procedures		Number 120:05:19
Subject Emergency Mobilization Plan		
Issue Date 02252002	Effective Date 02252002	
Revisions		
Page 1 of 3.	Accreditation Number 46.1.8	

I. BACKGROUND

In the event of an unusual occurrence, the planned response of agency personnel is imperative. An emergency mobilization plan is necessary to maintain readiness for unusual occurrences or emergencies that require maximum manpower and resources to handle the emergency.

II. POLICY

It is the policy of this Department that all officers adhere to the below emergency mobilization plan and be prepared to respond to unusual occurrences as needed.

III. ACTION

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A. COMMUNICATIONS

It shall be the duty of each officer to report immediately, through the chain of command whenever possible, all events or situations, which have or may evolve into conditions beyond the capability of a normal Patrol Tour to effectively control. Standard radio procedures are to be utilized in emergency situations, except that radio traffic on certain frequencies may be restricted or moved to other frequencies as determined by the on-duty Patrol Tour Commander.

B. ALERT STAGES

The highest ranking officer available, as outlined in Section 025, SOP 025:05:10, within a reasonable period of time will issue orders placing members of the Department on standby in cases of pending need or activate all members as the situation requires. Upon notification of an "**ALERT**" condition, employees will place themselves in readiness and maintain this condition until otherwise notified. They will immediately provide for or

ascertain that transportation is available in case of recall, and at no time place themselves in a position whereby they cannot be contacted by telephone or other means as conditions dictate and respond immediately. Employees will at all times maintain a complete uniform and associated equipment in readiness to report for duty properly equipped without delay. In cases of immediate recall, the dispatcher will contact as many members as ordered by the Tour Commander and/or Officer-in-Charge by the most expedient means available and order them to report for duty.

C. PRIMARY AND ALTERNATE ASSEMBLY AREAS

Unless otherwise specified, all members will report to the Police Department for assignment in the uniform of the day. Alternate assembly areas, such as the Bergen County Police Academy, Mahwah Municipal Building, Ramapo State College or other suitable building will be specified at the time of alert.

D. EQUIPMENT DISTRIBUTION

The Patrol Division Commander, or his designate, will immediately assess the equipment needs of the situation and see that any equipment necessary is issued as determined by the circumstances and the direction of the Chief of Police.

E. SPECIAL TASK FORCE ACTIVATION

If a situation requires an immediate response of officers and/or specialized equipment assigned to a Specialized Task Force and/or tactical team, the appropriate personnel are to be notified. This may include, but is not limited to the following;

- Bergen County Special Weapons and Tactics (SWAT) Team;
- Bergen County Narcotics Task Force;
- Saddle River Valley Search and Rescue; and
- Other Special Task Forces as approved by the Chief of Police.

F. KEY PERSONNEL DESIGNATIONS

The Command Staff (Chief, Patrol Division Commander and Investigative Division Commander) will be considered key personnel in the event of an emergency mobilization. The Chief of Police, Patrol Division Commander, and Investigative Division Commanders will be contacted and placed on standby or ordered to report for duty as required.

G. COORDINATION WITH EMERGENCY MANAGEMENT PERSONNEL

The Chief of Police will designate a member of the Command and/or Supervisory Staff to act as liaison with other emergency management personnel (Township of Mahwah and Bergen County Office of Emergency Management) so as to achieve maximum coordination between the respective agencies. As a normal part of his duties the Patrol Division Commander will serve as liaison with the Township of Mahwah Office of Emergency Management and any other emergency management agencies.

H. TRANSPORTATION REQUIREMENTS

The Patrol Division Commander, or his designee, will immediately assess the transportation needs of the situation and take what action is necessary to secure the required transportation.

I. MANAGEMENT CONTROL MEASURES

Depending on the nature of the mobilization and duration of manpower commitment, personnel in all Divisions, Sections, and/or Units may be temporarily re-assigned. The Tour Commander and/or Officer-in-Charge or any Command Officer may restrict the type of calls that will be responded to by the Police Department in an emergency situation. An example of this would be holding routine calls for a period of time while a tactical emergency or Townshipwide emergency (i.e., weather related) is handled.

The Communications Center is responsible to keep the Tour Commander and/or Officer-in-Charge aware of call load status. The Tour Commander and/or Officer-in-Charge is responsible to decide when calls will be held and when normal operations will resume. Division Commanders will attempt to permit adequate and timely relief to personnel assigned to the mobilization.

J. REHEARSALS/EXERCISES

Rehearsals and/or exercises will be conducted as needed and determined by the Chief of Police and the Division Commanders. Such rehearsals and/or exercises may be conducted in conjunction with "Emergency Preparedness Plan" activities of the Township of Mahwah and Bergen County.

Mahwah Police Department – Policies and Procedures		Number 120:10:05
Subject Special Operations—Tactical Units		
Issue Date 02252002		Effective Date 02252002
Revisions a. 10302008, b. 08/2018 D.Lt.GB		
Page 1 of 1.	Accreditation Number 46.2.1	

I. BACKGROUND

During certain special operations it may become necessary to request the assistance of Tactical Units or Hostage Negotiation Teams. Because this agency does not have a Tactical Unit of its own, a request for assistance must be relayed to the Bergen County Sheriff's Department. The Bergen County Sheriff's Department have at their disposal a regional Special Weapons and Tactics (SWAT) Team and Hostage Negotiators, available to local police departments on a 24-hour basis.

II. POLICY

It is the policy of this Department that all members adhere to the below listed guidelines when requesting the assistance of Tactical Units.

III. ACTION

A. SPECIAL OPERATIONS—TACTICAL UNITS

Since our agency does not have a Tactical Team, deployment of tactical teams, to supplement other operational components, can be accomplished by requesting the Bergen County Sheriff's Department Regional Special Weapons and Tactics (SWAT) Team via the Public Safety Operations Center at 21-785-8505. The SWAT Team, along with the Hostage Negotiation Unit, is available 24 hours a day, seven days a week. The Tour Commander or Incident Commander at a situation where either specialized unit is required should not wait until the situation becomes uncontrollable or more dangerous than it already is. The Unit Commander (Bergen County Sheriff's Supervisor) who arrives on-scene first will assume command of the operation and deploy his personnel as he/she sees fit.

The Hostage Negotiation Unit travels jointly with the SWAT Team and is generally made up of two to four negotiators. The Hostage Negotiation Unit will also assume command of incidents involving hostage taking. The Incident Scene Commander will coordinate and cooperate with the Commanding Officer of either or both Bergen County Units and will make available any resources or manpower requested by the Team Commander. The intent of coordination and control is to establish procedures to alleviate potential misunderstandings among all components, to provide for the safety of officers and to ensure the success of the operation. Notification shall be made to the Chief of Police and the Investigative Division Commander if the SWAT Team is requested.

Mahwah Police Department – Policies and Procedures		Number 120:10:30
Subject VIP Security		
Issue Date 02082001		Effective Date 02082001
Revisions a. 11052001, b. 08/2018 D.Lt.GB		
Page 1 of 3.	Accreditation Number 46.2.6	

I. BACKGROUND

In an effort to establish a uniform procedure for providing security for VIP's who may visit the Township of Mahwah, the following policy has been established.

II. POLICY

It is the policy of this Department that security for any VIP visiting the Township of Mahwah be handled in the following manner.

III. ACTION

A. RESPONSIBILITIES

1. The Commander of the Investigative Division shall have overall responsibility for the supervision of the Department security detail and coordination with the appropriate agency assigned to the VIP.
2. The Commander of the Investigative Division shall coordinate planning and staffing requirements with the Commander of the Patrol Division.

B. EQUIPMENT REQUIREMENTS

The Investigative Division Commander shall be responsible for all equipment needs to include the following:

1. Vehicle needs:
Limousine (as needed); Vans or buses; Escort vehicles; Marked/unmarked vehicles; Aircraft; and Public work vehicles.
2. Communication needs:
Radios; Pagers; and Telephones.
3. Body Armor requirements for officers which may also include the VIP, if necessary);
4. Weapons approved for assignment to officers on the detail in addition to the Department issued on-duty handgun;
5. Special equipment as required;
6. Identification of Personnel
 - Uniformed officers shall be identified as per normal procedures;
 - Non-uniformed personnel shall be identified by:
 - Special identification tags; or
 - Color designated tape/pins as determined by the Chief of Police.

C. CONCEPT OF OPERATION

Prior to the arrival of any VIP, advance notice must be received from the responsible security agency in order to effect planning. Planning activity will include the following, as a minimum:

1. Consult local, state and federal intelligence agencies for known or suspected personalities residing in the area who might pose a threat to the VIP.
2. Coordinate VIP itinerary with other adjacent law enforcement agencies that might be affected.
3. Arrange for primary and alternate motor routes within the Township. The Investigation Division Commander will work closely with the VIP or his staff on these routes. The Investigation Division Commander should keep in mind needs of the VIP as well as timetables and public relations requirements. These routes should be preplanned and pre-traveled to identify any hazards or problems that may arise. Alternate routes should be planned.
4. Inspect buildings and concealment sites along motor routes and at destination prior to VIP arrival. Advanced on-site inspections will be conducted including aerial overview when available. One final inspection prior to arrival will be made of the immediate area the VIP is likely to occupy. All intelligence gathering and coordinating will be assigned to the Investigations Section.
5. Alert Township fire/rescue service on impending VIP visit for emergency medical response.
6. Designate a hospital as primary emergency medical receiving point.
7. All officers assigned to VIP security duty will utilize body armor.
8. Officers assigned to close security will wear their issued firearm.
9. Communications: All Department personnel assigned to VIP escort duty will be equipped with portable radios. Frequencies are as follows:
 - a. Primary frequency utilized will be any frequency other than channel one.
 - b. Alternate frequency utilized will be determined by the Commander of the Investigative Division.
10. Identification: The Commander of the Investigative Division will coordinate methods of identification of escort officers not in uniform with other participating agencies. All assigned personnel, conspicuously displayed on the lapel, front pocket, or collar will wear issued color-coded identification pins. The commander of the detail will determine what color and designation will be worn. Officers/employees will carry i.d.'s with them in case of challenge made to them by another member of the security detail.
11. Special vehicle requirements: Armored or other special vehicle requirements will be coordinated with the VIP escort agency in sufficient time prior to VIP arrival, if a need exists.
12. Armored vests will be made available to all visiting VIP's.

13. Prior to the VIP's arrival, the Commander of the Investigative Division will schedule an organizational meeting in order to coordinate operational activities. All participating members of the Police Department and other agency representatives will attend.

D. COORDINATION OF OPERATIONS WITHIN THE AGENCY AND WITH OUTSIDE AGENCIES

In the event the VIP has an accompanying security detail, the Investigation Division Commander will work with the person in charge of that detail for a coordination of efforts. The Investigation Division Commander will assign as many officers as necessary to provide adequate security of the VIP and his/her staff. If additional manpower is needed, the Investigation Division Commander will contact other area law enforcement agencies for assistance through mutual aid and/or other provisions..

When the VIP has their own security detail, such as the U.S. Secret Service, and keeps intelligence information on groups or persons that may be hostile toward the VIP, the Investigation Division Commander shall assign an investigator to work with the detail in checking on known persons in our area.

Prior to the VIP's arrival, the commander of the detail will conduct a briefing. This briefing will be attended by all affected department supervisors and by a representative from all outside agencies involved in the operation. These agencies may include the Secret Service, FBI, any local or private law enforcement agencies, and the Mahwah Fire Department. Duties and responsibilities of all agencies will be outlined in the briefing and written operational plan.

E. IDENTIFICATION OF EMERGENCY FIRST-AID, AMBULANCE, AND MEDICAL FACILITIES

The Investigation Division Commander shall arrange for the Emergency Medical Service of the Mahwah Rescue Squad. EMS must be at or immediately available at each site the VIP may visit. Planning will also be made for the most direct route to the nearest hospital at all times. The Investigation Division Commander should visit and arrange with the emergency hospital to plan for any type of medical emergency that could arise. If at all possible, medical information on the VIP should be provided to the hospital beforehand.

F. COMMUNICATIONS

All assigned officers will carry portable radios, cellular phones, pagers, etc. in order to maintain communication with the dispatcher or a command post if one is established. In addition, provisions should be made for the methods of communicating between the various law enforcement agencies involved in the operation that may not be on the Communications Center 800 MHz system.

Mahwah Police Department – Policies and Procedures		Number 120:10:35
Subject Special Events		
Issue Date 10012007		Effective Date 10012007
Revisions: a. 08/2018 D.Lt.GB		
Page 1 of 3.	Accreditation Number 46.2.7	

I. BACKGROUND

Special events require the development of an overall plan, setting our requirements, in turn, for specific planning and operation for each individual event. Plans should address any or all of the following situations/problems if they are to be encountered: ingress and egress of vehicles and pedestrians, parking space, spectator control, public transportation, relief of officers assigned, news media, alternate traffic routes, temporary traffic control and parking prohibitions and emergency vehicle access.

II. POLICY

It is the policy of this Department that all officers engaged in the planning of special events adhere to the below listed guidelines.

III. ACTION

A. INTRODUCTION

A “**Special Event**” is an activity such as a parade, athletic contest, public demonstration, or other event, which results in the need for the control of traffic, crowds or crimes.

B. FUNCTIONAL RESPONSIBILITY FOR SPECIAL EVENTS

The Patrol Division Commander or his designate shall be responsible to coordinate and assign units for the coverage of a given event. The Patrol Division Commander shall develop specific plans relative to an event to include:

1. As necessary, designate a single supervisor and/or coordinator of a given special for the event, known as the Special Event Coordinator;
2. Issue a special order detailing estimates of traffic, crowd control and crime problems expected;
3. Determine how many, if any, special operations personnel are needed and provide for their assignment;
4. Logistic requirements - to include coordinating equipment needs through the other Divisions and components of the Department;
5. To serve as a liaison between this Department and all other outside agencies or organizations involved; and
6. To provide for a debriefing of involved personnel and submit an “After-Action Report” to the Chief of Police identifying any problem areas or recommended changes, if necessary.

The Investigative Division will provide any information concerning anticipated crime problems, other than those generally associated with large crowds.

C. WRITTEN ESTIMATE OF TRAFFIC, CROWD CONTROL, AND CRIME PROBLEMS EXPECTED

As a part of the "Special Events Operational Plan" the Patrol Division Commander or his/her designate will provide a written "Memorandum" which details the operational plan which will include written estimates on traffic numbers, crowd control numbers and issues, and crimes expected at the special event. This shall be provided in writing at the earliest possible date.

D. CONTINGENCY PLAN FOR TRAFFIC DIRECTION AND CONTROL

For the purposes of traffic control, "Special events" are those at which a large volume of vehicular and/or pedestrian traffic is anticipated and, hostile crowds are not anticipated. Special events may include parades, sporting events, highway construction and maintenance activities, picketing, etc.

This Department will provide only that degree of traffic direction and control service in support of special events as is absolutely necessary. The primary task of Departmental personnel conducting traffic direction and control in support of a special event is to assist motorists and/or pedestrians in the vicinity of the event.

Upon learning of the special event, a command level officer will be assigned to participate in planning for the event. The time, location, and anticipated attendance shall be determined. If the event is a parade, the route will be determined and coordinated with other public service and transportation agencies, including any public transportation lines, which may exist, and public works, to provide an opportunity in adjusting the normal schedules for their services. The perimeter streets of the special event shall be used to maximum advantage by eliminating or increasing parking space, making temporary one-way streets and assigning personnel to key intersections for control. Adequate emergency service access will be provided to the scene of the event, including fire and ambulance services.

The Department will provide for adequate crowd control. If the event is a parade, ropes or other appropriate barriers may be used along the parade route with officers stationed at intervals as needed. The Department will ensure adequate publicity for any changes or alterations in street utilization, parking availability, public transportation services and the location of the event or parade route.

Provisions will be made for identifying those persons working directly with the event to assist them in crossing police lines. They include promoters of the event, vendors, and press personnel.

Consistent with the scheduled or anticipated duration of the need for traffic direction and control services, provision will be made for scheduling adequate breaks for the departmental personnel providing those services.

If traffic direction and control services are to be provided in support of the event by private sources, the Department will review those services and their duty assignments prior to the event, to ensure their adequacy.

E. SPECIAL OPERATIONS PERSONNEL USE

In the event the special event requires the use of the Bergen County Sheriff's SWAT Team and/or other Special Operations personnel the Patrol Division Commander will meet, discuss, decide, and prepare the written plan with the SWAT Team and Hostage Negotiation Team (HNT) Commanders, if necessary, via the Bergen County Sheriff's Department. Such plan requires review and approval by the Chief of Police and should be prepared at the earliest possible time prior to the event.

F. LOGISTICAL REQUIREMENTS

Logistic requirements will include coordinating equipment needs through the other Divisions and components of the Department. This may also include the number of barricades, barricade positioning, fixed post assignments, and any other relevant considerations that will assist in a smooth and effective operation. If the logistics indicate there will be need of barricades or other relevant materials and/or considerations, it shall be the responsibility of the Special Event Commander to handle those arrangements through the Department of Public Works.

G. COORDINATION INSIDE AND OUTSIDE THE AGENCY

The Patrol Division Commander will assign as many officers and/or other personnel as is necessary to provide adequate coverage and security of the "Special Event." In addition, the Patrol Division Commander will work with the person in charge of any other entity outside the Police Department (other Township Departments, other Police Agencies, and other organizations) for a coordination of efforts. If additional manpower is needed, the Patrol Division Commander will contact other area law enforcement agencies for assistance through mutual aid and/or other provisions.

Prior to the Special Event, the commander of the detail will conduct a briefing. This briefing will be attended by all affected department supervisors and by a representative from all outside agencies involved in the operation. Duties and responsibilities of all agencies will be outlined in the briefing and written operational plan.

All assigned officers will carry portable radios, cellular phones, pagers, etc. in order to maintain communication with the dispatcher or a command post if one is established. In addition, provisions should be made for the methods of communicating between the various law enforcement agencies involved in the operation that may not be on the Communications Center 800 MHz system.

H. DEBRIEFING AND AFTER-ACTION REPORT

After certain significant "Special Events" the Chief of Police may require the Special Events Coordinator to conduct a debriefing with personnel participating in the operation. This debriefing can be held informally and may involve only the request for written comments from those involved in the operation of significant issues and/or events.

The Patrol Division Commander may be required to produce an "After-Action Event Report" on certain special events as determined by the Chief of Police. The purpose of the report is to document the services provided and to critique the operation in order to provide the impetus to make changes in future similar events for the better. The "After-Action Report" should address the following issues;

- What was the event?
- What police services were provided?
- Internal and external resources utilized?
- How effective was our response?
- What problems did we encounter?
- What was effective/ineffective?
- What could be done better in future similar special events?
- What mistakes were made?
- Open comments

Mahwah Police Department – Policies and Procedures		Number 120:15:05
Subject Homeland Security		
Issue Date 10012007		Effective Date 10012007
Revisions		
Page 1 of 2.	Accreditation Number 46.3.2	

I. BACKGROUND

The increased possibilities of acts of terrorism require law enforcement agencies to share and report terrorism related information/intelligence as quickly as possible to the appropriate authority. Law enforcement must act to preempt terrorist acts through information gathering and dissemination whenever possible.

II. POLICY

It is the policy of this department to adhere to the below listed guidelines regarding the collection and dissemination of terrorism related information and intelligence.

III. ACTION

TERRORIST INFORMATION/INTELLIGENCE

Any information that is related to terrorism will be reported to the proper agency or task force. This will be accomplished through the use of the Office of Counter-Terrorism, Lead Data Sheet. The Investigative Division will review any reports related to terrorism and complete the Lead Sheet.

The OCT Leads Data Sheet is formatted in Microsoft Word and can be saved onto the Mahwah Police network for e-mailing as an attachment. Information from the Leads Data Sheet can be copied into any other word processing software. A hard copy of the Data Sheet should be completed for faxing to the OCT and FBI.

The Lead number on the Data Sheet will start with 0233 (Municipal Code), followed by the two digit year and then the actual sequential Lead number generated by this agency for that year.

The Source Information section is the person providing the information including address and telephone number. The officer's name and report number will be included on the "Prepared By" line. Date, time and location of the incident should also be provided in this section.

The Subject/Suspect Information Section should include any and all possible identifiers and miscellaneous numbers (FBI, SBI, Resident Alien, Visa, etc.) related to the subject.

Vehicle Information should include any partial license plate information and distinguishing features of the vehicle if full description information is not available.

In the Narrative Section a detailed summary of all pertinent information should be included. Include dates, times, locations, additional subjects, addresses, businesses, vehicles and any other pertinent data.

Once complete the Data Sheet should be faxed to the Office of Counter-Terrorism, Newark Office of the FBI and the Philadelphia/Cherry Hill Office of the FBI. The fax numbers are listed at the bottom of the OCT Lead Data Sheet.

A copy of the Data Sheet will be retained by the Investigative Division for future referral and development.

Mahwah Police Department – Policies and Procedures		Number 150:05:35
Subject Traffic Stops and Approaches		
Issue Date 03272001	Effective Date 03272001	
Revisions a. 12292011 b. 02/26/2015 SgtMB, c. 08/2018 D.Lt.GB		
Page 1 of 6.	Accreditation Number 61.1.7	

I. BACKGROUND

Statistics indicate that a high percentage of the incidents resulting in officer injuries and deaths begin as "routine traffic stops." No two stops are exactly alike. Officers should approach all traffic stops with caution, and remain flexible in the tactics used depending on the circumstances involved in a particular stop. It is the policy of the Mahwah Police Department to provide officers with safe guidelines to be used in making traffic stops. This procedure is a guide as to how to conduct the various stops that are encountered. Officers shall extend every courtesy reasonable and act in a prudent manner as dictated by the stop circumstances.

II. POLICY

It is the policy of this department that all members adhere to the below policy on traffic stops and vehicle approaches.

III. ACTION

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B.	Unknown Risk Stops	pp. 2-4
C.	High Risk Stops	pp. 4-6

A. INTRODUCTION

Patrol officers make vehicle stops for a variety of reasons--to warn or cite traffic violators, to identify suspicious persons, to detain or apprehend criminal suspects. Regardless of the reason for the stop, officers should be aware that every vehicle stop involves some degree of risk, whether from actions taken by occupants of the stopped vehicle or from actions of other traffic or other persons on or near the roadway. Officers should preplan vehicle stops on every occasion. Although officers may not be able to predict the actions taken by the operator of a vehicle to be stopped, each officer should be aware of the risks involved and plan his/her actions should the unexpected occur during a vehicle stop. The following procedure(s) are suggested as a guide to officers making stops of vehicles.

Traffic stops are generally classified as being in one of two threat levels;

- 1.. Unknown risk, and
2. High risk.

The majority of traffic stops made by officers are in the unknown risk category. For the most part, traffic stops in this category are made for moving violations, equipment violations, and other reasons that appear to present minimal threats to the officer. At best, such stops can **only** be categorized as having an unknown risk to the officer, regardless of the apparent threat potential. High risk traffic stops are traffic stops involving circumstances where the threat potential against an officer is either known or believe to be high, based on specific information. High risk stops would include: stopping stolen vehicles, vehicles containing wanted or suspected felons, vehicles with known or suspected deadly weapons inside, and stops at the conclusion of a pursuit.

B. UNKNOWN RISK STOPS

Stops of an unknown risk can be divided into five basic parts:

1. Initiating the stop;
2. Making the approach;
3. Conducting the stop;
4. Re-approaching the vehicle; and
5. Releasing the violator.

Initiating the Stop

Predetermine the location of the stop whenever possible, avoiding bridge overpasses, hillcrests, curves, congestion, construction zones, and liquor/retail establishments. Consider such things as available cover in the event it would be needed, adequate nighttime lighting, etc. Prior to activating the overhead emergency lights, advise the dispatcher of the intention to initiate a vehicle stop ("Sector X to 657, 402") and wait for Communications to acknowledge ("Go Ahead, Sector X"). Next give your location, the State of registration and the license plate itself twice. If applicable, give additional information so back-up may be dispatched, such as "suspected D.W.I.," or "suspicious vehicle cruising businesses." The officer should note the license of the vehicle on a note pad to be left inside the patrol vehicle or log the plate into the vehicle's mobile data terminal.

After dispatch acknowledges the information above, activate the overhead emergency lights to alert the violator to the stop. If necessary, utilize horn, high beams, and siren to gain the attention of the violator. If the violator stops somewhere other than predetermined location, update dispatch as to the correct location for the stop. Position the police vehicle approximately 10-15 feet behind the violator vehicle, and offset to the left, approximately 3-5-feet, of the violator vehicle. If stop is during low light period, use spotlight, take down lights, high beams to illuminate violator vehicle and occupants, and to conceal the officer's actions. Use caution not to be silhouetted by lights during approach.

Before approaching, observe the violator vehicle and occupants for a brief period of time (10-15) seconds. If the violator exits his vehicle and begins to approach the police vehicle without being instructed to do so, officers should consider whether it would be prudent to conduct business with the violator outside of his vehicle. If it is determined that the officer would be safer to conduct such business with the violator back in his vehicle, the violator should be ordered to return to his vehicle. If the violator is outside of his/her vehicle, observation of the violator's hands becomes easier and the door of the

patrol vehicle can be used as cover or a barrier between the violator and officer. This position allows the greatest advantage with respect to access to the patrol vehicle, radio or other equipment.

Approaching the Violator Vehicle

There are several risks associated with approaching a violator vehicle. In order to minimize these risks, officers should adhere to the following procedures:

1. While approaching the violator vehicle watch the occupants for suspicious or sudden movement;
2. Briefly observe the license plate for indications of being fictitious, stolen, or altered;
3. Check the trunk lid to ensure that it is secured by pushing down on it;
4. Avoid passing between police vehicle and violator vehicle;
5. If approach is made with a second officer, avoid setting up crossfire situations. Approach from opposite sides of the vehicle;
6. Watch for hidden occupants in the rear seat area of the violator vehicle;
7. Stand near the violator vehicle, and to the rear of the driver's door;
8. Keep constant view of the violator's hands. If necessary, have other occupants in the vehicle keep their hands in a visible location (rear seat passengers on the head restraints of the front seat and front seat passengers on the dash or headliner);
9. Use non-gun hand to handle violator's license, registration, etc., and consider weapon readiness on all traffic stops, during all phases.

Procedure During Traffic Stops

1. Run appropriate computer checks on violator for license validity, driving record, and wants or warrant (DMV, NCIC/SCIC, ATS, MARS);
2. Run appropriate computer checks on the violator vehicle and registration;
3. Run appropriate computer checks on any occupants or property in the violator car;
4. Complete any paperwork with the clipboard resting on the steering wheel, where the violator vehicle and occupants may be observed with only slight eye movement. Officers may choose to complete paperwork outside the police vehicle, but should avoid standing to the rear of the police vehicle, or between the police and violator vehicles;
5. Do not remain in the police vehicle if the violator or other persons exit their vehicle and approach the police vehicle, use the ready position as listed above with the driver's side door open and offering cover and barrier capabilities between the violator/passenger and the officer. This position allows for the officer to enter the patrol vehicle and back away from multiple occupants that exit the suspect vehicle from both sides.

Procedure for Reapproach or Recontact with the Driver.

When returning to the violator vehicle to issue the citation, warning, or for any other reason, use all applicable precautions used during the initial approach.

Releasing Violator

Officers should not assume that just because conversation with the violator has ended that all risks to the officer are neutralized. Officers shall remain cautious as long as the violator is still present. When business with the violator is concluded and the violator is about to be released, officers should keep emergency equipment (overhead lights, etc.) activated until the violator safely reenters the flow of traffic and leaves the area. However, spotlights, high beam headlights, and take down lights should be turned off, dimmed, or aimed elsewhere as these lights may affect the violator's vision while attempting to enter traffic.

Other Tactics to Consider on Unknown Risk Type Stops:

1. Have the driver turn on the interior light;
2. Instruct the driver to exit the vehicle and approach you (use the technique listed above to gain the maximum advantage of cover and protection while speaking with the violator);
3. Approach the violator vehicle from the passenger side, but do not walk between police vehicle and violator vehicle to do so - instead, walk around rear of police vehicle (this technique is especially effective at night when the patrol vehicle's lights obscure your actions and approach);
4. If violator stops in an area presenting special traffic hazards, such as the middle of the roadway, instruct him to move his car to a safer location via P.A. prior to approaching the vehicle;
5. If necessary, use the P.A. system to issue special instructions to the violator;

Any time a violator is removed from a vehicle that contains other occupants, such as during field sobriety tests, conduct business with the violator to the rear and right of the violator vehicle, with his back to his own vehicle. This provides the officer with the best opportunity to keep the violator under constant observation, and watch the other occupants as well. Officers may be able to detect any suspicious or threatening moves made by other occupants, and then react accordingly.

While approaching violator vehicles during nighttime traffic stops, quickly flashing the flashlight across the inside and then outside rearview mirror as the officer reaches the left rear corner of the violator vehicle serves to temporarily distract the violator's attention, and effect his night vision.

In all motor vehicle stop situations, do not hesitate to request backup from other patrol units. Back-up officers will be able to observe occupants, suspicious activity and other areas of the vehicle that one set of eyes may miss. The second officer's patrol vehicle will also add to cover and visibility of approaching motorists along the roadway.

C. HIGH RISK STOPS

High-risk stops are generally broken down into three phases:

1. Initiating the stop;
2. Removing and securing occupants; and
3. Approaching and Clearing the vehicle.

Initiating the Stop

Once an officer has ascertained a need to conduct a high-risk stop, communications should inform other officers to insure that sufficient back-up is responding. Whenever possible, high-risk stops should not be made until at least one back-up unit is with the initial officer. The primary officer should provide dispatch and other officers responding as back-up with information including license and description of vehicle, number of occupants observed in vehicle and if any occupants appear to be young children, and the reason for the stop being considered high risk.

Whenever possible, officers should determine responsibilities on such stops by prior arrangement. When such assignments are not predetermined, the officer initiating the stop should be the officer giving commands to occupants/suspects in the vehicle. This will determine assignments such as:

1. Officer assigned to give commands;
2. Search and handcuffing officer;
3. Back-up/support officers; and
4. Traffic diversion officer.

The primary officer should predetermine the location of the stop, and advise the dispatcher. Things that need to be considered are available cover, lighting, traffic volume, pedestrians in the area, etc. Activate emergency equipment to signal the driver to stop, using all available lighting directed at the violator vehicle. Advise the dispatcher if the violator stops somewhere other than the predetermined location of the stop.

Positioning of the police vehicles will depend on a variety of factors, such as the individual officer's assignment, the number of units involved in such a stop, the location and type of roadway, and the number of persons in the suspect vehicle. The initial police vehicle will generally be about 30-40 feet behind the suspect vehicle, with the engine compartment angled to the left. First backup units will generally be positioned to the left of the initial police vehicle. These units will usually advise other responding units on how and where to respond.

Removing and Securing Occupants.

NEVER approach an occupied vehicle during a "high risk" traffic stop. Prior to removing any occupants from the suspect vehicle, officers should first attempt to gain control and cooperation of the occupants by using, clear, concise commands. Whenever possible, all suspects should display their hands. The driver should be instructed to turn the engine off, remove the keys and drop them out the window. Occupants, beginning with the driver, should be ordered out of the vehicle one at a time, checked for weapons, and then secured. During this time, only one officer should be issuing commands. Backup officers must concentrate on their assigned responsibility, such as watching other occupants and the vehicle, as opposed to watching the officer giving the commands, or all officers watching one suspect outside the vehicle while other occupants are ignored.

Other Tactics to Consider Include:

1. Unlock the passenger side of police vehicles for other officers who may position themselves at that location when they arrive to assist;
2. Use the P.A. system to issue orders, commands;

3. At officers discretion, a carbine or shotgun may be utilized during this phase of the stop;
4. Provide other officers with the opportunity to get prepared before bringing any occupant out of the vehicle. Proper preparation includes steps such as:
 - Permitting officers to get into position,
 - Permitting officers opportunity to gather intelligence information by observations,
 - Permitting the searching officer to gather sufficient restraint devices from other officers.
 - Positioning an officer on the flank of the suspect vehicle to observe vehicle/occupants from the side if possible.
 - Positioning officers, when available, to control traffic.

NEVER have more than one unsecured occupant out of the vehicle at any given time. Have occupants all exit the same door, by reaching outside to open the door. Once out of the vehicle, have them close the door with their foot to hinder successful escape or attack by other occupants still in the vehicle. As occupants exit, have them turn 360 degrees, slowly, and with arms raised, palms opened, to make a visual check for weapons, then have the occupants walk backward to the searching officer. Secure occupants separately whenever possible, and attempt to gather intelligence information in reference to number of people in vehicle, weapons, etc.

Approaching and Clearing the Vehicle

NEVER approach the vehicle if intelligence information would indicate that there might be a concealed occupant remaining inside the car. Use extreme caution when approaching the vehicle, and consider the possibility of hidden occupants, vicious dogs, etc. Check trunk areas and other hidden compartments with sound tactics providing safety for all officers.

Mahwah Police Department – Policies and Procedures		Number 150:05:40
Subject Traffic Violator/Officer Relations		
Issue Date 03272001	Effective Date 03272001	
Revisions		
Page 1 of 2.	Accreditation Number 61.1.8	

I. BACKGROUND

Traffic law enforcement is a task that is routinely performed by patrol officers. However, to a violator such contact is usually not routine, and frequently results in a highly emotional experience. Due to these conditions, officers should strive to make each contact an educational one, leaving the violator with the impression that the officer has performed a necessary task in a professional and courteous manner.

II. POLICY

It is the policy of this Department that all members adhere to the below policies with respect to traffic law violator/officer relations.

III. ACTION

Generally, traffic stops are made with two goals in mind:

1. To take appropriate action for a violation that has occurred; and
2. To favorably alter a violator's future driving habits.

These goals require officers to have a thorough understanding of human relations, and demand flexibility on the part of the officer. Officer/violator relations begin once the violator vehicle has been stopped, and the officer is about to communicate with the violator.

The following procedures are recommended to minimize conflict that may develop between the officer and the violator, and to assist the officer in achieving the desired goals. The officer should:

1. Be alert at all times for the unexpected, but not be obviously apprehensive;
2. Be certain that the observations of the violation were accurate without reservations;
3. Present a professional image in dress, grooming, language, bearing and emotional stability;
4. Be prepared for the contact by having the necessary forms, if they are to be used, immediately available;
5. Decide on the appropriate enforcement action based upon the violator's behavior, not attitude. In most cases it is advisable to have the form of enforcement action decided prior to the initial contact with the violator;
6. Greet the violator with appropriate title and in a courteous manner;
7. Ask for and accept the violator's driver's license, registration, and proof of insurance;

8. Inform the violator of the traffic law he has violated and the intended enforcement action; the violator should not be kept in suspense;
9. Attempt to obtain another document of identification if the driver has no driver's license;
10. Allow the driver to reasonably discuss the violation;
11. Complete the forms required of the enforcement action;
12. Explain to the driver exactly what he is supposed to do in response to the action taken;
13. Make sure the violator knows when and where to appear if the enforcement requires a court appearance. Explain any alternatives to the violator, but do not predict the actions of the court. Refer questions about the appearance or fine schedule to the court;
14. Be alert for any emotional stress exhibited by the driver. If the stress is present, the instructions may have to be repeated or the violator may need to calm down before resuming driving;
15. Return the violator's driver's license, registration, proof of insurance, and a copy of the citation;
16. Assist the violator in safely re-entering the traffic flow.

Do not:

1. "Lecture" the driver.
2. Quiz the driver on knowledge of traffic laws.
3. Indulge in personal remarks or altercations.

The officer should be mindful that this might be the only contact that a citizen may have with the Mahwah Police Department, and the manner in which they treat the violator can reflect favorably or unfavorably on the citizen's perception of the department as a whole.

Mahwah Police Department – Policies and Procedures		Number 155:10:05
Subject Detainee Restraint Methods		
Issue Date 02072001		Effective Date 09062002
Revisions a. 09062002 b. 01122012 Ofc JH, c. reviewed Sgt MB 3/2015 d. revised Ofc. KS 10/2015, e. 08/2018 D.Lt.GB		
Page 1 of 4.	Accreditation Number 70.2.1	

I. BACKGROUND

It is necessary for officer to know when and how arrestees and/or prisoners are to be restrained and when, where and how particular restraining devices are to be employed, including special and prohibited methods. The purpose of this SOP is to provide a written directive that describes restraining devices to be utilized during arrestee and/or prisoner transports.

II. POLICY

It is the policy of the Mahwah Police Department that all arrestees and/or prisoners shall be restrained with appropriate devices that provide for the safety of the officer and the safety and security of the arrestee and/or prisoner while being transported except as provided in this directive.

III. ACTION

A. RESTRAINING DEVICES DURING TRANSPORT

Mahwah Police Officers, when transporting arrestees and/or prisoners, will implement reasonable methods and techniques that provide for the security of the arrestee and/or prisoner, and the safety of the arrestee and/or prisoner and the officer. In order to achieve the maximum safety for the officer, the arrestee and/or prisoner being transported, all arrestees and/or prisoners transported in Mahwah Police Department vehicles shall be secured in handcuffs, or body belt handcuffs

Suspects Under Arrest and/or Prisoners

All persons placed under arrest will be transported with their hands behind their back whenever possible. These requirements may be waived with the permission of a supervisor under the following circumstances:

- Arrestees that are elderly, crippled, injured, ill, or otherwise physically incapacitated and apparently incapable of escape or attack.
- Arrestees who because of their size or build cannot be handcuffed behind the back shall be restrained in some other manner, such as; flex cuffs, using multiple of sets of handcuffs, being cuffed in front, etc.
- Arrestees being transported a long distance (more than 90 minutes in duration or 90 miles in distance) may be restrained with hands cuffed in front as opposed to being restrained behind the back.

- If an arrestee is handcuffed in front, the handcuffs should be passed through a belt to limit the prisoner's movement.
- Multiple arrestees being transported together may be handcuffed either left arm to left arm or right arm to right arm, or arms intertwined. Reasonable efforts should be made to handcuff multiple arrestee's individually, wherever possible, and handcuffing multiple arrestee's together is not the preferred method, however acceptable with due cause.
- Other circumstances approved by the shift supervisor.

The Principles and Techniques of handcuffing are explained in SOP 005:15:21 (Handcuffing). The purposes for utilizing such restraining devices are to restrict or inhibit the arrestee's and/or prisoner's ability to escape by running away and to protect the officer(s) and others by restricting the person's ability to launch a physical attack. Such efforts are inhibited because the restraints generally limit upper torso mobility.

Persons under arrest and/or in our custody, when transported in departmental vehicles shall have vehicle restraint systems (seat belts) applied. Exceptions to this requirement are described in SOP 005:15:20.

Application of restraining device(s) is strictly confined to the following circumstances.

- A person is placed under physical arrest and is being transported for whatever reason.
- A prisoner is being transported for the purpose of trial or preliminary hearing or other judicial hearing.
- A prisoner is being transported for medical assistance, if it does not further complicate the medical condition.
- A prisoner is being transported to a detention facility for incarceration.

Restraining devices shall be utilized without regard to the race or sex of the arrestee and/or prisoner. The following restrictions apply in reference to restraining devices:

- No arrestee and/or prisoner shall be handcuffed to any part of a vehicle.
- Arrestees and/or Prisoners of the opposite sex shall not be handcuffed together.
- Juvenile arrestees and/or prisoners shall not be handcuffed to adult arrestees and/or prisoners, unless they are related to one another.
- Use of restraining devices on commercial airlines or other forms of public transportation shall be governed by the airlines or other carrier, and comply with the Policies of the Mahwah Police Department in as much as possible.

Use of Restraints on Single Arrestees and/or Prisoners

A single arrestee and/or prisoner shall be restrained in the following manner:

- Restraining devices shall be applied to the wrists of the arrestee and/or prisoner with the hands behind the arrestee and/or prisoner; palms turned out, if possible.
- A body belt handcuff may be applied to the waist of the arrestee and/or prisoner, with the hands positioned in the front of the arrestee, if necessary.

Use of Restraints on Multiple Arrestees and/or Prisoners

In the event of Multiple Arrestees and/or Prisoners, the following procedures shall apply:

- Each arrestee and/or prisoner shall be restrained as indicated above, if possible.
- Two arrestees and/ or prisoners may be restrained with one cuff to the hand of each arrestee (either both left or both right hands) or by intertwining their arms.

Use of Body Belt Handcuffs

Prisoners being transported (i.e. to/from County Jail, to/from Court) may be transported utilizing body belt handcuffs. This allows the officer to handcuff a prisoner in front yet restricts the movement of the prisoner's arms and hands. Officers will place and secure the belt buckle behind the prisoner's back and the handcuffs will pass through the metal loop in front of the belt.

- The belt should be tightened securely, but not overly tight as to cause discomfort to the prisoner.
- The handcuffs ideally will be placed between the ulna bone and the bottom of the wrist.
- Handcuffs will not be "slapped" on the wrist
- The handcuffs should be tightened securely, but not overly tight (you should be able to slide the tip of a finger completely around the cuff).
- The handcuffs are to be double locked.

Leg Restraint Cuffs

The application of leg restraints cuffs is to reduce the inherent dangers that come from trying to control violent, aggressive subjects whom may be handcuffed, but still present a significant threat to Officer Safety, themselves, and the public by directing forceful kicks.

The intended use of the leg restraint cuffs is to control the movement of an arrestees and/or prisoners legs, to protect officers, the public, and the subject themselves, and, when appropriate, to preserve the physical integrity of the patrol vehicle.

Leg restraints should not be used as a primary restraint device. Leg restraints should only be used in circumstances where the actions of the subject (violent resistance, kicking etc.) present a significant risk to the safety of the officers, the public, and the subject. Leg restraints may also be used, when appropriate, to avoid property damage.

There are a number of scenarios in which the leg restraints can be applied. Listed below are some representative samples but this is by no means an exhaustive list:

- Moving an arrestee from a scene of an arrest to a police vehicle
- Placing an arrestee/prisoner into a police vehicle or cell
- Transporting a arrestee/prisoner from a police vehicle to a confinement facility

Note: Whenever leg restraints are applied, officers must always be prepared to justify their use and document such usage in an incident report.

- The leg restraint cuffs will be placed around ankle.
- The leg restraint cuffs will not be "slapped" onto the ankle
- The leg restraint cuffs should be tightened securely, but not overly tight (you should be able to slide the tip of the finger completely around the cuff).
- The leg restraint cuffs are to be double locked

Use of Restraints on Mentally & Physically Handicapped Persons

Mentally and physically handicapped arrestees and/or prisoners present unique conditions that may dictate special care and treatment during the transport process. It is the policy of the Mahwah Police Department that such arrestees and/or prisoners be transported in the most secure and safe manner possible. Whenever a handicapped prisoner is to be transported, a Mahwah Police Department vehicle should be used if possible. If a physical handicap precludes reasonable or comfortable transportation in a police vehicle, the Mahwah Ambulance Corps should be called to assist.

It should not be assumed that restraints are not required or inappropriate for handicapped arrestees and/or prisoners. However, physical restraints should be applied within reason, at the discretion of the transporting officer when transporting prisoners with such disabilities. If a handicapped arrestee and/or prisoner is transported without restraints, a minimum of two officers should be assigned to the transport, and both should conduct a thorough and separate search of the arrestee and/or prisoner. If the transport requires the transportation of crutches, wheel chair, non-attached prosthetic devices, medicines, or other special items for the prisoner, those items will not be transported in the back seat of the police vehicle with the arrestee and/or prisoner. The Department will take into consideration any applicable Federal or State Law, such as the Americans with Disabilities Act (ADA) in the transportation of handicapped persons.

Mentally disturbed arrestees and/or prisoners may pose a significant threat to themselves and/or the transporting officers. Therefore, mentally disturbed arrestees and/or prisoners are to be restrained securely. This should be accomplished without causing injury whenever possible. When it appears evident that an arrestee's and/or prisoner's violent or bizarre behavior may constitute a risk of harm to himself or other, the arrestee and/or prisoner may be transported on a stretcher in the ambulance with handcuffs and/ or other restraints being applied. The ambulance is equipped with leather restraints. This method of transportation should only be used after other methods have been eliminated as being unfeasible under the circumstances, and when in the best interests of safety for the transporting officer, the arrestee and/or prisoner, and others concerned.

Handcuffs are an acceptable means of restraining mentally disturbed arrestees and/or prisoners in emergency situations, or under circumstances when it does not appear that a mentally disturbed arrestee and/or prisoner will attempt to harm himself. However, officers are reminded that such rigid restraints can sometimes cause further injury to arrestees and/or prisoners, and to be ever mindful in considering optional restraining devices when possible. The type of restraint used when transporting mentally disturbed arrestees and/or prisoners should be noted in the Police Incident Report.

The transporting officer has the option of placing handcuffs to the wrists with the hands in front in unusual circumstances:

- Elderly arrestee
- Juvenile arrestee
- Arrestee physically incapable of placing hands behind the back

It should be noted that placing handcuffs in front of the arrestee greatly increases the risk of attack to the officer(s)

Mahwah Police Department – Policies and Procedures		Number 175:05:10
Subject Communications		
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Page 1 of 16.	Accreditation Number 81.2.1-.13, 81.3.1, 82.2.5	

I. BACKGROUND

The basic function of the communications system is to satisfy the immediate information needs of the law enforcement agency in the course of its normal daily activities and during emergencies. With the ever-increasing complexity of the communications function, it has become necessary to establish specific guidelines and procedures to assist desk personnel in the performance of their duties.

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. ORGANIZATION

Departmental communications functions include radio, telephone, Teletype, automated data communications, and alarm monitoring.

1. Communications personnel, (9-1-1 Operators), fall under the command of the Management Information Systems Officer.
2. Communications personnel will receive specific and specialized training prior to assignment to the communications function.
3. Suggestions, procedural problems, policy failures, equipment breakdowns, or any other related communications information shall be relayed to the shift supervisor, via the chain of command.
4. The Management Information Systems Division is assigned responsibility for the communications function and will, on a part-time basis, serve as the primary focal point for matters associated with this function.

B. AUTHORITY AND RESPONSIBILITIES

1. The term Telecommunicator will be the term used for a telecommunicator (non-sworn) or Desk Officer (sworn) operating communications equipment. The

communications operator must know the capabilities and limitations of the communications system that he/she is authorized to operate. He/she must be familiar with the organization of the Department so as to be able to route communication traffic properly, and be knowledgeable of the equipment and resources available to this Department. He/she must be familiar with the applicable rules and regulations of the Federal Communications Commission (FCC) and is required to conduct all operations in accordance with those requirements. The communications operator has the authority to dispatch cars to calls and control cars in and out of service. The shift supervisor will direct certain police emergencies, which will be defined in this policy.

2. It is the responsibility of the Municipal agency holding the radio license to assure that the system is operated in accordance with FCC rules and regulations. While no operators' license is required for most dispatching duties, the FCC requires that any person operating a radio transmitter be familiar with its rules.

3. An operator, whether licensed or not, has the right to protect himself concerning his communications activities. In so doing, he/she has the duty to advise his/her supervisor of any message he/she has been requested to dispatch or of any act he/she has been requested to perform, which in his considered opinion, may reasonably cause a violation of the rules and regulations of the FCC.

If, in such an instance as that noted above, the operator is again requested to perform the reported act by his/her supervisor, then the operator should immediately do so, and should enter his/her pertinent and relative comment on a memorandum, to be forward through the chain of command.

C. OPERATIONS

1. 24-hour Emergency Access

Telephone access for emergency calls for service is provided for the Mahwah Police Department by the Communications Center, which is staffed by dispatch personnel 24 hours daily. The Communications Center has the Enhanced 9-1-1 System and the service is provided throughout the entire county on a 24 hours basis. In addition to the Enhanced 9-1-1 system, the Communications Center provides a number that is available for use on a 24-hour basis (201-529-1000).

Three TTY (Text Telephone Devices) instruments, for communication with hearing impaired persons, are maintained in the Communications Center. The telecommunicator, upon receiving a call, which sounds as if it could be from another TTY, is to utilize this instrument. The TTY is to be used for police related purposes only.

A Facsimile Terminal (FAX) machine is maintained at the Mahwah Police Department (201-529-0240) and may be used to electronically send and/or receive police documents to those criminal justice agencies requiring or requesting such items. Additionally, the FAX machine may be used for the purpose of electronically sending and/or receiving documents, which assist in the conduct of department business.

The agency contracts with a language line vendor that has the ability to provide immediate translator services if a caller does not speak the English language. This ensures that the agency can provide emergency services to a caller of any nationality.

The Communications Center has a contract for emergency repair service through Electronic Service Solutions.

Line load studies are to be conducted periodically to assess equipment needs. The Management Information Systems office shall be responsible for these studies and shall report to the Chief of Police.

2. Emergency 9-1-1

The emergency number for Police, Fire, and EMS services for all of Mahwah is 9-1-1. This number is routed to a single location, the Communications Center. This emergency number is published in telephone books, on the side of police cruisers, and other conspicuous places.

3. 24-hour Radio Communication

The radio system utilized by the Mahwah Police Department is a 400 MHz radio system. The Communications Center is staffed on a 24-hour basis and maintains operation continuously with back-up equipment and procedures available as described in this SOP. Telecommunicators while on duty are to monitor all radio, telephone, and computer traffic throughout their shift.

All sworn officers are equipped with a portable radio. Each radio is programmed to a specific Identification Number identifying the officer assigned to that radio.

All marked vehicles normally utilized for patrol operations are equipped with a mobile radio and Mobile Data Terminal/Computers. Each radio is programmed to a specific Identification Number identifying the vehicle assigned to that radio. All unmarked vehicles normally utilized by the Department are equipped with a mobile radio. One unmarked vehicle is also equipped with Mobile Data terminal/Computer. Each radio is programmed to a specific Identification Number identifying the vehicle assigned to that radio.

4. Recording Information

The CAD system utilizes a specific format to be utilized by communications personnel whenever a call is received via landline, letter, in person, self-initiated by the officer, or reported to the officer in the field. This format will consist of the following information:

- a. Event number (generated automatically by the CAD system);
- b. Date and time of request;
- c. Name and address of complainant and victim (if possible);
- d. Type of incident reported;
- e. Location of incident reported;
- f. Identity of officers detailed to and responding to call;
- g. Time of dispatch;
- h. Time of officer(s) arrival;
- i. Time of officer(s) return to service;
- j. Disposition or status of reported incident; and,
- k. Comments.

All calls for service are date and time stamped automatically by the CAD system and cannot be altered.

5. Radio Communications

a. This section is to provide procedures for radio communications to and from field officers/employees of the Mahwah Police Department. Radio identification systems in the Communications Center system are based on sector numbers or other assignment numbers, officer identification numbers, or a combination of the two. Operations are more efficient and officer safety is enhanced when telecommunicators, supervisors, and

officers know the status of other officers, their locations, the nature of cases, and the developments in their investigation.

Field officers and/or personnel will be responsible for maintaining contact with the telecommunicator at all times while on duty, keeping the telecommunicator informed of their status and location, and are to carry their portable radio in an approved case with them at all times when away from their assigned vehicle, unless unusual circumstances exist.

Members of the Department are to use the radio system (mobile radios, portable radios, and Mobile Data Terminals) only for the transmission of police-related messages. All messages are to be transmitted in a professional and concise manner. Members are to avoid showing emotion (anger, frustration, etc.) over the air. Words or voice inflection which reflect (or seem to reflect) laziness, irritation, lack of concern, loss of temper, sarcasm, or can be construed as editorializing or are derogatory in nature will not be tolerated and will not be used. Officers shall also refrain from asking the telecommunicator questions that have no bearing on the officer's ability to handle the call in a safe and effective manner. The on-duty Tour Commander is responsible for resolving inappropriate radio usage. Courtesy is more effectively reflected by tone of voice and manner of presentation than by the content of the message.

When called by a telecommunicator or other unit, officers shall promptly answer the radio. Officers will not acknowledge messages as being received unless the message was completely and clearly understood. If necessary, officers should ask that the message or parts of the message be repeated or explained further.

Radio messages must be concise, and should be as brief as possible. When it is necessary to transmit a lengthy message, officers will "break" the message into smaller segments. This procedure will allow the intended receiver time to complete any necessary notes, and provide other officers and the telecommunicator an opportunity to interject any emergency radio traffic that may exist.

For purposes of clarity and brevity, a uniform set of radio signals and the phonetic alphabet will be utilized. All officers shall become familiar with the signals and alphabet used by the Department, and will utilize them, when appropriate, while transmitting radio messages.

When transmitting radio messages involving numbers or letters of the alphabet, officers should repeat the numbers and letters twice. The numbers should be broadcast two separate ways. For example, numbers may be broadcast the first time individually as separate integers, and then broadcast the second time either as a whole number or broken into small sections. Letters should be broadcast phonetically. When spelling names during a radio transmission the phonetic alphabet should be utilized, unless the name is of a common spelling.

If a telecommunicator transmits a message of a sensitive nature, he/she will broadcast "Signal Zero", which means that all non-sworn personnel should be out of hearing distance of the next transmission.

b. The telecommunicator shall record all changes in the status of officers/employees and their availability for dispatch. In addition, the telecommunicator shall record pertinent information such as the time of status change, the location of the officer, and the reason for status change. Officers shall be responsible for keeping the telecommunicator current and informed on their status changes. The telecommunicator can then determine where and how long each officer has been out on a call or unavailable for service.

All on-duty patrol officers shall notify the telecommunicator whenever they leave their cruiser or will be out of service, providing their location and the reason for doing so.

On-duty patrol officers shall notify dispatch whenever they leave their assigned sector or are leaving the Township. The telecommunicator shall change the officer's status in the CAD computer to accurately reflect the officer's location and availability.

c. Patrol officers, when on duty, shall identify themselves by their sector number. Officers should not normally refer to one another on the radio system by name or by abbreviated unit number. When calling the Communications Center, officers are to refer to the Communications Center as "657".

Calls should be dispatched by the appropriate sector number of the officer being called, and waiting for the officer to respond with his/her location. The exact location, nature of the call, and known pertinent information should then be transmitted to the officer(s). Officers must acknowledge receipt of a completed dispatch. In the event the dispatch is not understood, it is the officer's responsibility to seek clarification.

Patrol officers, upon arrival at an incident or call for service, shall advise the telecommunicator that they are on scene. In the event an officer is done obtaining information and is able to clear the location, he/she shall advise the telecommunicator of this fact.

Upon affecting a traffic stop, officers shall provide the telecommunicator with:

- the location of the stop;
- the license number (two times) and state of the vehicle being stopped;
- when appropriate the reason for the stop.

Vehicles displaying no visible registration shall be described in detail.

When making contacts with suspicious persons, pedestrians, and similar people, officers shall notify the telecommunicator of their location, a brief description of the subject, and, when appropriate, the reason for stopping the subject.

d. Communications with interacting agencies will normally be handled via telephone in the most efficient and mutually conducive manner as possible. Any agency that interacts with this department on the Mahwah Police main channel will be subject to direction by the Communications Center or Tour Commander. Normally, police related interactions will not take place on the Mahwah Police main channel. Dispatch personnel will coordinate all interactions with outside agencies when events or circumstances require police actions with the outside agency in question.

e. A single unit will generally be dispatched to handle routine calls for service. However, the nature of some calls may require additional units be dispatched for purposes of safety as well as more effective handling of a situation. Any additional units dispatched on a call are expected to clear the scene as soon as it has been determined that their presence is no longer needed to deal with the situation.

Two units will normally be dispatched on the following types of calls: (NOTE: Additional units may be dispatched to a call when a supervisor, officer or telecommunicator has reason to believe they may be needed to handle the situation.)

1. Officers calling for help.
2. Any crime in progress.
3. Any crime having just occurred where there exists a need to check the area for suspects. One unit should respond directly to the scene while the other unit checks for suspects.
4. Calls involving weapons.
5. Domestic Disputes.
6. Neighbor Disputes with a known or suspected potential for violence.
7. Disturbances involving intoxicated or disorderly persons.
8. Emotionally Disturbed Persons.
9. Alarms.

10. Open door and/or window calls.
11. Upon request of the responding unit if, based upon his judgment, the need exists for additional officers;

When any officer of this Department is involved in a pursuit, emergency response, has activated his/her emergency button, or indicated that he/she is in trouble or need of assistance, all other officers shall clear the radio until the emergency situation has been resolved, except for other emergency traffic or necessary radio traffic pertaining to the emergency at hand.

The Communications Center is equipped with two distinct alert tones that can be activated prior to any radio transmission. The alert tones should be utilized in situations where the telecommunicator needs immediate access to radio traffic or to alert road officers to calls of a serious nature.

f. Incidents of a serious nature often arise that require the presence of a supervisor who possesses the authority necessary to deal with the problem. In order to assume command, a patrol supervisor will respond to the scene of the following incidents, when possible:

1. Homicide
2. Suicide
3. Natural disaster
4. Rape
5. Hostage or barricaded suspect
6. Any crime in progress
7. Any other incident as directed, dispatched, requested, or at the discretion of the on-duty Tour Commander.

g. In the event an officer requests emergency assistance the Communications Center will immediately dispatch the supervisor and backup officers to that location. A minimum of two additional officers will be sent to the location. If an activated emergency alarm is received by the Communications Center the Telecommunicator/Desk Officer will attempt to raise the officer via radio and determine the status of the officer. If the officer cannot be located the supervisor will be notified and a search will be undertaken to locate the officer. If the officer's location is known the same procedure will be followed as that of a request for emergency assistance.

6. Department Access

Communications Center personnel have immediate access to at least the following Police Department resources:

- a. **Officer in charge** (Communications Center personnel always have immediate access to Tour Commander via radio, portable radio, MDT, cellular phone, and/or department telephone);
- b. **Duty roster of all personnel** (copies of the current department schedule, personnel rosters, and the current shift assignment sheet are available in the records area, report room, and at the Communications Center for use in the event there is a need to contact officers concerning court appearances or other matters as authorized by the Chief of Police.

This information shall not be released to any outside agency or person without prior approval of the individual employee or the Chief of Police);

- c. **Telephone number of every agency member** (a current department roster is available to Communications personnel listing each officer's address and home telephone number, along with pagers if applicable);

d. **Visual maps detailing the agency's service area** (the Communications Center has maps of the Police Department's service area posted to assist the communications personnel in dispatching police units. These maps are updated as necessary. In addition, an updated street directory is also located in the Communications Center.

The Mahwah Communications Center utilizes a computer aided dispatch system that integrates a complete geo-file system for Mahwah. The geo-file system is integrated with the enhanced 9-1-1 system to verify address validity and determination of the proper police/fire/ems jurisdiction. Calls not received by the enhanced 9-1-1 system are verified through the geo-file's integration with the computer aided dispatch system);

e. **Officer status indicators** (the Communications Center utilizes a computer aided dispatch system that integrates an officer assignment color status monitor at each dispatch position. The status monitor reflects officer status changes made by the telecommunicator or made by the officer through MDT status update);

f. **Written procedures and telephone numbers for procuring emergency and necessary external services to the agency** (emergency and necessary services external to the Mahwah Police Department may be required at certain times and circumstances. The Communications Center has directories & listings for these services readily available); and

g. **Tactical dispatching plans** (the Communications Center will maintain copies of The Telecommunicator's Guide to Crimes/Incidents in Progress, The Telecommunicator's Guide to Medical Emergencies and The APCO Institute Criteria Based Dispatch Guide-cards. These guides outline various responsibilities and key priorities in medical, disaster or serious emergency situations.

In a Tactical Response situation, the Bergen County Police Department Communications Center will remain the communications coordination point. The on-scene commander will coordinate with the commanding officer of the Bergen County SWAT Team.

Standard radio procedures are to be utilized in emergency situations, except that radio traffic on certain frequencies may be restricted or moved to other frequencies as needed. The Tour Commander may restrict the type of calls that will be responded to by the Police Department in an emergency situation. An example of this would be holding non-emergency calls for a period of time while a tactical emergency or Township wide emergency (i.e., weather related) is handled. The Communications Center is responsible to keep the Tour Commander aware of call load status. The Tour Commander is responsible to decide when calls will be held and when normal operations will resume.

The Chief of Police or in his absence a Division Commander may initiate an emergency alert and recall of personnel. This would be done to provide additional manpower resource for a major disaster, civil disturbance or similar emergency situation. The Tour Commander is responsible to inform the Communications Center of the size and scope of the recall. When notified of a recall situation, communications personnel will notify the communications supervisor and recall additional communications operators as appropriate).

7. Calls for Information or Service

Communications personnel in responding to calls for information or services will determine whether an emergency or non-emergency response is required. Communications personnel will use information provided by the caller and use the guidelines in this SOP and SOP 145 to determine the response to be received by the caller. If the communications personnel have any doubt about the seriousness of the

situation, information should be referred to the on-duty police supervisor as soon as possible. Even in cases of "routine" or non-emergency calls, information shall be forwarded to an on-duty police supervisor in an expedient manner so the call is prioritized and is not left pending any longer than necessary.

Communications personnel in responding to calls for information or services will inform the caller of the agency's response, including direct law enforcement service and/or referral to other agencies. The telecommunicators will advise the caller if an officer will be responding to the call and if there will be a delay and will provide them with an estimated time of arrival; however, the telecommunicator is not to commit the officer to a specific arrival time. When a supervisor's response is required, the telecommunicator will advise the caller of any expected delay. Referrals will normally be at the discretion and/or direction of an officer, who should inform the caller of alternatives.

Communications personnel may utilize materials on hand to provide immediate information concerning alternate sources of assistance. (See SOP 145)

8. Playback Capabilities

The Mahwah Police Department has the capability of immediate playback of recorded telephone conversations while it maintains a continuous recording of radio transmissions and emergency telephone conversations within the Communications Center. The citizen requesting service or the officer wanting assistance may not be able to repeat an emergency conversation that was garbled or too quick for easy understanding. Therefore, the Department has the capability to replay a conversation while recording other calls and radio transmissions. These recordings are an indispensable source for criminal investigations, internal investigations, training, and audits of the agency's service delivery system. The capability of continuous recordings is provided with the NICE Voice logging system.

a. Retention

All radio and all published operational telephone lines into and out of the Communications Center are recorded on the NICE voice logging system which is a time-coded digital recording solution. The system is capable of replaying a conversation maintaining continuous recordings of radio and telephone communications within the Communications Center. The NICE voice logging system records approximately 90 days activity onto a DVD Disk which is stored for 30 days before being formatted and reused. Communications Center personnel shall be familiar with immediate playback procedures and may use them to clarify information received during a radio or phone conversation. Each Telecommunicator position is equipped with a NICE voice playback device for both radio and telephone conversations to permit the telecommunicator to replay the last sixty (60) minutes of conversations if necessary.

b. Storage

The NICE voice logging system provides a digital recording and shall be set for 32 day storage. If a particular incident is needed for law enforcement purposes the incident can be flagged in the system for retrieval at a later date.

c. Review

Any police supervisor or officer acting in such capacity may review the contents of an incident or request a copy if it is in conjunction with the conduct of official business. Generally, such requests are necessitated by citizen complaints, departmental complaints, and as a result of a criminal investigation. Any other Department personnel must receive approval of the Chief of Police or a Division Commander to review a particular incident.

It should be noted that all such recordings have been deemed to be "public records" under the Open Public Records Act (absent legally defined exclusions) and as such may be accessed by virtually any person without being required to identify a specific or legitimate reason.

9. NCIC/SCIC

The Mahwah Police Department participates and has access to local, county and state criminal justice information systems. The effectiveness of investigative efforts depends heavily upon the quality of information resources. The Mahwah Police Department has the equipment to gain access to information from nearby agencies, regional law enforcement information networks, statewide information resources, and the National Crime Information Center. The Department is equipped with an NCIC/SCIC terminal and interface line giving the Department access to SCIC/NCIC and criminal history files from the Bureau of Criminal Identification. This terminal and interface will be utilized in accordance provisions outlined in the NCIC manual. The Bureau of Criminal Identification maintains centralized criminal history records. As these records are created and substantiated by the submission of fingerprint cards, this department will participate in the system. Officers are encouraged to utilize the CCH when such use is appropriate for criminal justice purposes. Such access will be in accordance with department policy and procedures as well as operating procedures.

10. Interjurisdictional Radio System

The purpose of the Bergen County Alert and SPEN (State Police Emergency Network) is to allow communication with units of another jurisdiction when communication with another agency is necessary. These systems are available throughout the county and state, respectfully. The system within the Department is designed allow station-to-station or station-to-car communication via radio. Such communication is limited official police business.

11. Emergency Messages

Emergency notification, either from citizens or law enforcement agencies, shall be handled as a call for service. Each call will be judged on its own merit as to priority (response code). Death, illness and injury messages will be handled as outlined in SOP 145. Generally, non-emergency message delivery will not be made unless other unusual circumstances exist. The telecommunicator receiving such request, and not certain as to whether the request necessitates a response, is to consult with the On-Duty Tour Commander. In the event of a Death Notification, the Tour Commander may wish to personally deliver such a message, or assign the call to an officer with instructions on the delivery of the message. Such messages should be handled discreetly, tactfully, bearing in mind the feelings of the person receiving the message. A member of the clergy or a Victim-Witness Advocate may also be utilized to respond to such calls if the situation warrants.

12. Misdirected Emergency Calls

Routing of Misdirected Emergency Calls (non 9-1-1): Occasionally, the Mahwah Police Department receives non-emergency 9-1-1 phone calls intended or under the jurisdiction of another law enforcement agency or public service agency. In those cases of emergency assistance, the communications operator will properly route the call. If unable to do so, he/she will take all the information and will notify the agency via other means (i.e.: landline, Radio, etc.).

If the call is an emergency in nature the caller should be kept on the line while the employee immediately phones the appropriate agency to provide the caller's name, address, call back number and the specific nature and location of the call. The employee must make a determination, based upon known facts, if keeping the caller on the line is the most appropriate action. Things to consider include: will this prevent or save the victim from harm, or aid in the capture of the suspect (such as may be the case during a burglary progress); will the employee be able to give instructions which may prevent or reduce further injury, or aid in the capture of the suspect; the caller in a state of mind that hanging up may cause the situation to further deteriorate; is the caller, by staying on the phone, being prevented from administering first aid to the victim or removing him from further danger. This list is not all-inclusive and the employee, based upon the information at hand, must make the determination whether to allow the caller to hang up or stay on the phone. Nothing in this section shall preclude an employee from contacting the appropriate agency when the employee believes this will be the most efficient manner to handle the call.

13. Private Security Alarms

Homeowners installing private security alarms are required to register the alarm and authorized key holders with the department. These alarms are kept on file in the CAD system under the Alarm system. Generally, calls received from a private alarm monitoring company will be entered via phone number into the CAD system and the necessary dispatch information will automatically be entered onto the CAD dispatch screen. In the event that the alarm is not registered or already in the database, the telecommunicator should obtain all the necessary information from the private security company operator. See **SOP 095:10:46 Alarm Response** for specific procedures.

The Department provides a schedule of compensation for false alarms that exceed three in a calendar year. Residential and Businesses are required to pay \$25 per false alarm above three in a calendar year.

14. Telephone/Mail Complaints

Unless unusual circumstances exist, all calls for service are to be handled by the response of an officer to the scene, or the complainant coming to the station. Under unusual circumstances, when a complainant, victim, etc. cannot report an incident in person, the Tour Commander may grant permission to take the complaint by phone and/or mail. All crimes and criminal offenses must be handled in person by a sworn police officer. The Tour Commander is to ensure that every effort has been made to have the report made in person.

Complaints or information received by telephone should be relayed to an officer. The officer may handle the complaint by telephone;

- When the caller is relaying information only;
- When the infraction is minor or civil in nature; and
- When the call should be directed to another city department or government agency.

A sworn officer of the Department will answer all other calls in person. Crime reports are not normally received by mail by the Department. If they were to be, they would be assigned to an officer to personally make a contact with the complainant.

The approval of the Tour Commander is necessary in order to delay a call, assign to the next shift or assign to the next day.

15. Emergency Instructions via Telephone

All Communications Center personnel are certified in the APCO (Association of Public-Safety Communications Officials) Emergency Medical Pre-Arrival first-aid instruction. Every telecommunicator/call-taker is certified. In addition, each telecommunicator/call-taker receives CPR instruction from the Red Cross approved course of instruction and is re-certified every two years. The Communications Center is equipped with APCO emergency medical dispatch guide cards for use in providing emergency first-aid instruction over the radio or telephone. These guide cards must be used every time Pre-Arrival instruction is given on a 9-1-1 call.

D. FACILITIES AND EQUIPMENT

1. Security Measures:

a. Limiting Access:

- 1) The communications center door will be closed at all times.
- 2) Unauthorized police personnel shall not enter/be allowed into the communications center unless absolutely necessary to conduct Departmental business.
- 3) Non-sworn personnel shall never be allowed in the communications area unless:
 - a) They are employed as communication operators;
 - b) They are repair personnel;
 - c) They are part of a guided tour;
 - d) They are of a service nature.

2. Protecting Equipment: The following measures have been taken to protect all communications equipment and the communications personnel:

- a. The communications center is equipped with bullet resistant glass to protect the communications personnel from the public.
- b. In order to gain entry into the station, the proper access code is required to open the electronic security door or the communications operator and/or shift supervisor may allow access via the release button located at the communications center.

3. Back-up Resources

- a. A back-up power source is automatically activated any time there is a power failure to ensure continuous uninterrupted operation of the communications equipment.

4. Security of Lines

- a. All transmission lines are located in a secure area of the Police building and access is limited to authorized personnel.
- b. The antenna is located outside next to the main Police building.
- c. The main telephone trunk line room is located in the lower level of the Police Department, which should be kept secured at all times. Access into the phone system itself requires both an accepted password and ID number.

5. Alternate Power Source

The Mahwah Police Department maintains a back-up generator to assure electrical power to the Police Building and for communications. This generator is tested on a regular basis by the Department as recommended by the manufacturer.

6. Separation of Calls

The Communications Center provides all primary central dispatch services for the Law Enforcement, Fire, and EMS agencies in Mahwah via an Enhanced 9-1-1 System for emergency calls. The system is capable of handling a high volume of calls and can be increased in number as the need dictates.

The Mahwah Police Department maintains separate administrative and informational telephone lines for calls to the Department that are administrative and informational in nature.

E. PERSONNEL ACTIONS

1. Communications personnel shall not:

- a. Transmit any false or superfluous call;
- b. Interfere with any distress communication;
- c. Fail to respond to official communication from the FCC;
- d. Fail to keep proper log/computer entries;
- e. Deny access to properly identified representatives of the FCC;
- f. Permit profane, indecent, biased or obscene language;
- g. Willfully permit damage to radio equipment;
- h. Allow the interception, use or publication of the content of a radio message without permission of the proper authority.

2. It is the responsibility of each operator reporting for duty to become familiar with any activity called to his attention by the operator going off duty.

3. It shall be the responsibility of each communications operator to maintain the communication center in a clean manner. Any deficiencies shall be reported via the chain of command.

4. Communications operators are not permitted to leave the communications center unless a relief operator/substitute call taker is available. Food and drink should not be consumed while seated at the console.

5. Procurement of necessary services external to the agency:

a. **Fire Equipment:** Any request for the fire Department that comes into the police communications center shall be entered into the CAD (Computer Aided Dispatch) system for dispatch. The communications operator shall then dispatch the Fire Department. Simultaneously, a police unit will be dispatched.

b. **EMS:** Any request for an ambulance shall be entered into the CAD (Computer Aided Dispatch) system for dispatch. The communications operator shall then dispatch a police unit and the appropriate EMS unit required. To insure that the Zetron Tone Encoder is in proper working order, communications/desk personnel shall conduct a daily test in the following manner: At 18:15 hours each day, the communications operator will activate the tones. Once the tones have been sent, the Telecommunicator will state: "Mahwah to all Emergency Service Personnel, this is your daily 18:15 evening test, time: ____". This message

will be repeated twice. If there are any special messages to be given out to the Fire or EMS units, it will be done at this time.

c. **Paramedics:** Any request for emergency medical services that meet the paramedic Dispatch Protocol shall necessitate the requesting of a paramedic unit. The communications operator shall make such request by notifying MICOM via landline. If there is some question as to the need for such unit, the unit shall be dispatched.

d. **N.J. State Police:** If the communications operator receives a request for services on I-287, the Telecommunicator shall immediately notify the Totowa Barracks of the N.J. State Police. However, if the request is for emergency services (i.e., motor vehicle accident with injuries, etc.), a Mahwah unit will also be dispatched pending the arrival of the State Police.

e. **Bergen County Police:** If the communications operator receives a request for services in any of the County properties, the Telecommunicator shall immediately notify the Bergen County Police. However, if the request is for emergency services (i.e., injuries, etc.), a Mahwah unit will also be dispatched pending the arrival of the County Police.

f. **Wrecker Service:** Wrecker services utilized by the Police Department shall be dispatched in accordance with the "rotation wrecker on call sheet" maintained at the communications center. The only exception to utilizing the rotation wrecker who is on call is if the citizen requests a specific wrecker and if the utilization of such a wrecker will not adversely affect traffic flow or require unnecessary time of the officer. If there is no response from the "on call" wrecker, the next wrecker on the "on call sheet" will be contacted. Dispatch of heavy-duty wreckers shall be done in the same manner as regular wreckers.

g. **Cab Service:** The communications operator will dispatch (via landline) the closest cab service when a citizen requests such service. If at all possible, the decision as to which service to utilize will be left to the citizen.

h. **Medi-vac Helicopter:** (See sections E & F for specifics) If a situation arises in which a person must be evacuated via helicopter to a specialized medical facility, the communications operator shall contact the N.J. State Police unit responsible for this service. The number can be found in the information book at the communications center, or can be obtained by calling any State Police barracks. Once the Medi-vac Helicopter is put on stand-by, the Fire Department will be dispatched to stand by at the Landing Zone.

i. **Environmental and Human Services:** Any such services shall be contacted via landline by the communications operator. All such

information is located in the Township information book maintained at the communications center.

j. **Medical examiner:** If an investigation results in a death, the Bergen County Medical Examiners office shall be contacted (via Bergen County Police Department) by the communications operator via landline. All related information available shall be conveyed to the medical examiner or the on-call investigator at that time.

k. **Emergency Management:** Any request/need for the services of the Township Office of Emergency Management shall be made through the communications operator, who will contact the necessary personnel via radio/landline/beeper, depending on the time of day. Any further emergency notification to any federal, state, county or municipal agency shall be made by emergency management personnel who are equipped with the mobile cellular telephone at the scene.

l. **State/County/ Municipal Road Departments:** Any emergency road condition shall be made to the proper maintenance agency via landline. The only exception to utilization of the landline is that the Township Road Department may be contacted during normal business hours via radio.

6. **Obtaining Additional Relevant Information:** For each call for service, the communications operator shall utilize the information provided by the CAD system for guidance in obtaining the information needed for the call. This becomes particularly important in certain categories of calls, such as crimes in progress and emergency medical calls. The elicitation of such additional information will enhance the safety of the officer(s) and assist in anticipating conditions to be encountered at the scene.

7. **Stolen Vehicle Information:** Police Officers completing stolen vehicle reports during a specific tour of duty shall ensure that such information is forwarded to the supervisor for attachment in the "hot sheet" book for proper dissemination at roll call to on-coming shifts and placement in the roll call notebook. Communications operator shall make the appropriate entries into the NCIC\SCIC systems and send a general statewide information Teletype. Communications personnel who receive information from other agencies (via landline, NCIC/SCIC hits, or Teletype) regarding stolen vehicles that may be in the area shall notify the field units with the pertinent information. Communications personnel shall also notify other surrounding agencies of stolen vehicles that occur in the Township of Mahwah (via landline, Teletype and/or SPEN 1) if there is information as to the possible destination/suspects involved.

F. RADIO FAILURE

Repeater Down:

In the event that the main Repeater on Police 1 goes off the, the following procedures will allow the Desk Officer to switch to the Back-up Repeater at Police Headquarters, or if need be, the OEM Channel.

There are a number of reasons that Police 1 could go offline.

1. Loss of Power on Stag Hill

- a. Loss of Phone Lines
- b. Loss of both power and phone, (Fail lights for Police, Fire, Public Works, and OEM will come on for the Stag Hill Receivers)

In the event that it is limited to the Police repeater, switch over to the Back-up Repeater at Headquarters.

Procedures for switching from Main to Back-up

First turn the Police Repeater off.

- a. Locate the Repeat On/Off button.
- b. This button is located on the top rack of buttons, below the Siren Controls.
- c. There are four individual buttons, Orange in color, and marked Police, Fire, OEM and DPW
- d. Pushing the button marked police will turn the green light off, and illuminate the yellow light. The Repeater is now off.
- e. On the Police Module, directly above the volume control will be the Main/Standby button. If the Main Repeater is selected the light will be green, yellow if on Standby.
- f. Push the button once, the light will turn yellow, and the Back-up Repeater is now selected.
- g. Push the Orange Repeater On/Off button once, the green light will turn on, and the Stand-By repeater is in operation.
- h. The Stand-By Repeater is located at Headquarters; Coverage could be less, in the area of Janice Court, and Edison Road. Otherwise the channel will be fine.

In the event that Police 1 is down, or coverage is spotty, switch over to the OEM Channel.

1. Activate the Alert Tone #1, located on the right side of the clock and the main Push-to-talk Button. Push and hold this button for two seconds twice.
2. After the Alert Tone sounds, state the following:
"657 to all Mahwah cars switch over to OEM in the cars; channel six on your portables, a role call will follow on OEM."
3. Follow this up with an MDT message,
"Mahwah cars, switch to OEM on the car radio, channel 6 on your portable."
4. As soon as this message is send, start the role call on the OEM channel, Sector cars first, followed by Specialized Units, Detectives, Road Supervisors and EMS Units.
5. Sector cars will acknowledge:
"Sector X on OEM." (X signifies sector number)
6. If any car does not acknowledge the role call, either on Portable or Mobile, headquarters will contact that specific unit, and advise them of the channel we will be using. Headquarters will continue to do so until all operating units are accounted for and on the new channel.

To switch off of OEM and back to Police

Activate the Alert Tone #1, located on the right side of the clock and the main Push-to-talk Button. Push and hold this button for two seconds twice.

- a. After the Alert Tone sounds, state the following:
"657 to all Mahwah cars switch back to POLICE 1 in the cars; channel one on your portables, a role call will follow on POLICE 1."

- b. Follow this up with an MDT message,
"Mahwah cars, switch back to POLICE 1 on the car radio, channel 1 on your portable."
- c. As soon as this message is send, start the role call on the POLICE1, Sector cars first, followed by Specialized Units, Detectives, Road Supervisors and EMS Units.

A CAD entry should be made when POLICE 1 drops and we either have to change to the back-up repeater, or switch to another channel.

- a. In the event of a radio console failure, in which no radio communications are possible. All traffic will proceed thru the Mobile Data Terminal system.
- b. In the event of a Failure of the Main Repeater on Police 1, the Telecommunicator will switch to the Stand-By repeater at Headquarters.
- c. If in the event that radio transmissions are not clear, or coverage is becoming an issue, radio transmissions, will switch over to the OEM command channel on the console.
- d. Notify radio repair of the problem.