believed to be operated by persons who do not have a valid operator's license or who are on the revoked or suspended list; vehicles with expired registrations or other Title 39 violations; persons who are subject to a restraining order or curfew issued by a court or by the Parole Board, or who are subject to any other duly issued order restricting their movements; persons wanted by a law enforcement agency who are of interest in a specific investigation, whether or not such persons are themselves suspected of criminal activity; and persons who are on any watch list issued by a State or Federal agency responsible for homeland security.

B. Batch Downloading of BOLO List Data

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

C. Updates to BOLO Lists

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BOLO list as expeditiously as possible, and shall remain in the initial BOLO list until the AMBER Alert expires or is withdrawn.

D. Special Instructions for Immediate Alert Response

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

V. POLICE ACTIONS IN RESPONSE TO AN IMMEDIATE ALERT

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

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

VI. SECURITY OF STORED ALPR DATA

A. Physical Security and Limited Access

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

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

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

VII. RETENTION PERIOD AND PURGING OF STORED DATA

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

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

A. Access to Positive Alert Data

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

B. Access to Non-Alert Data

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

C. Post-Scan BOLO Query

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

D. Crime Scene Query

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

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

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

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

E. **Crime Trend Analysis**

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

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

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

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

3. Nothing in this Section shall be construed to prohibit a computer program from accessing and comparing personal identifying information of one or more individuals who are associated with a scanned vehicle as part of the process of analyzing stored non-alert data, provided that such personal identifying information is not disclosed to a

person unless the "specific and articulable facts that warrant further investigation" standard is satisfied. The "specific and articulable facts that warrant further investigation" standard set forth in this Section applies only to the crime trend analysis of non-alert data, and nothing in this Section shall be construed to limit disclosure of personal identifying information of a person who is the registered owner of a vehicle that is on an initial or post-scan BOLO list (i.e., alert data).

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

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

IX. SHARED LAW ENFORCEMENT ACCESS TO STORED ALPR DATA

A. Authorization to Share and Aggregated Data

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

B. Record of Shared Access and Responsibilities of the Receiving Agency

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

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

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

XI. PROMULGATION AND ENFORCEMENT OF DEPARTMENTAL POLICIES

A. Required Contents of Departmental Policies

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

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

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

XII. ALPR PROGRAM ACCOUNTABILITY

A. ALPR Program Audits

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

B. Handling of Complaints

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

XIII. SANCTIONS FOR NON-COMPLIANCE

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

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

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

PARAMUS POLICE DEPARTMENT

VOLUME: 3	CHAPTER: 27	# OF PAGES: 5

SUBJECT: MOBILE IN-CAR VIDEO

ISSUED BY: Chief Kenneth R. Ehrenberg	EFFECTIVE DATE: 01/27/2014	ACCREDITATION STANDARDS: 41.3.8
SUPERSEDES ORDER #: GO 1.09.00		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE

The purpose of this policy is to identify when the in-car recording/video systems should be used and procedures to be followed when using the recording equipment. When the system is properly utilized, it will have the following capabilities:

A. Creation of accurate documentation of all actions, conditions and statements made during arrests and critical incidents, so as to enhance officers' reports, collection of evidence, and testimony in court; and

B. The enhancement of Paramus Police Department's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, and evidence for investigative purposes, as well as for officer evaluation and training.

POLICY

It is the policy of the Paramus Police Department to use the mobile in-car video systems to collect evidence and document interactions between officers and the public. The video will be utilized to produce an audio and video recording in a format admissible in court as an impartial witness to the events as they occurred. The procedures outlined will ensure the integrity of the system and its acceptance by the courts. Only approved equipment will be used by department members and usage shall comply with the manufacturer's instructions. Only those members trained in the use of the recording devices are authorized to use the equipment. All videos are the property of the Paramus Police Department. Any distribution of the video or portion of a video shall only be done with the authorization of the Chief of Police or his/her designee. The playing or copying of any unauthorized video is strictly prohibited. **While documenting interactions with the public and the gathering and preservation of evidence is an important function of the in-car video systems, nothing contained herein shall take precedence over officer safety.**

PROCEDURES

I. Equipment

The mobile in-car video system consists of the following major components:

A. A video camera is windshield mounted on a swivel bracket on the passenger's side of the patrol car. The camera can swing; rotate360 degrees and tilt to film the desired location. It films in color and features power zoom, auto zoom, auto focus for near and far distances, and a sensitivity switch to compensate for low-light conditions. An additional camera and hardwired in-car microphone has been installed to record the rear seat passenger.

B. The color monitor is affixed to the overhead console between the sun visors. It has controls for volume, and an on/off switch for covert usage or when transporting persons who may become antagonized with the video system. This console contains other controls used to activate various features of the system.

C. The electronic recording medium is located in a tamper-proof and environmentally controlled enclosure. Keys to the enclosure will be kept only by the Chief of Police or his/her designee. The electronic recording medium has a record-inhibiting feature to prevent the operator from erasing or recording over previously recorded information. It also has a built-in time and date indicator to protect against claims that the recording has been edited or manipulated.

D. An electronic USB key has been issued by the department to each officer for use in signing in and out.

E. A wireless microphone with an operating range in excess of 100 feet will transmit all conversations back to the vehicle to become part of the recording. A rechargeable battery is permanently installed and will be charged in a docking station located within the patrol vehicle.

F. A sticker is affixed inside the rear passenger compartment warning the occupants in English and Spanish, that everything they say and do is being recorded. A verbal warning shall also be given by the officer to any occupant(s) placed in the rear of the patrol vehicle that everything they say and do is being recorded.

G. Recordings will be temporarily written to a hard drive located in the DVR. Upon entering the rear parking lot of the police building, sensors will connect to and download the hard drive onto a server located within the building.

II. Training and Maintenance

A. Only officers who have been properly trained in the use and routine maintenance of the mobile in-car video system will be permitted to operate the system. Each authorized operator must have demonstrated his/her competence to the satisfaction of the training officer.

A. Equipment installed in a patrol vehicle is the responsibility of the officer assigned to that vehicle. Based on the training he/she will have received, the officer must ensure that the audio and video equipment is operating properly prior to the start of his/her shift and must report all malfunctions, damage or other problems to a supervisor. Personnel who have not been trained and authorized to make repairs will not attempt to repair any component of their unit.

B. None of the installed components of the system may be removed from their positions without authorization from the Chief of Police or his/her designee.

III. Mobile In-Car Video System Officer's Responsibilities

When using the in-car video system, the assigned officer will adhere to the following:

A. The equipment installed in the patrol vehicle is the responsibility of the officer assigned to that vehicle and will be maintained according to the manufacturer's recommendations.

B. Prior to the start of each shift, the assigned officer shall ensure that the equipment is operating properly. Any problems with the equipment will immediately be reported to a supervisor.

C. At the beginning of each shift, the officer will insert his/her assigned USB key and log onto the system.

D. At the end of the shift, officers will then log off of the system.

E. It is each officer's responsibility to ensure that the USB key remains in their possession and in good working order.

F. Officers will not erase, reuse or in any manner alter video/audio recording media.

G. The mobile in-car video system must be powered "ON", whenever the vehicle is in operation. This will ensure the system will automatically activate when the vehicle's emergency warning devices are engaged.

H. Officers that capture evidence or critical incidents will bring it to the attention of a supervisor as soon as possible.

I. The wireless microphone will be worn by the officer at all times.

J. In two-person cars, it will be the officers' responsibility to secure a second microphone if available.

K. The officer must note all usages of the mobile in-car video system on their Daily Activity Report. This must, at a minimum, indicate the date and time of each incident recorded.

IV. Mobile In-Car Video Activation Procedures

It will be the responsibility of the officer assigned to a patrol vehicle equipped with a mobile in-car video system to adhere to the following guidelines:

A. While responding to emergency calls, the camera will be activated. Upon arrival at the scene, the officer may shut off the recording system, if the officer believes that the mobile in-car video recording device will not record any significant information.

B. Motor vehicle stops. All motor vehicle stops will be recorded using the vehicle's mobile recording system. Recording will continue until the motor vehicle stop is concluded.

C. Motor vehicle stops that involve a DWI (driving while under the influence) investigation will include the recording of all field sobriety testing.

D. Vehicle pursuits. The video system will remain active for all officers involved in a pursuit, including backup vehicles.

E. While conducting stationary police details, such as DWI sobriety checkpoints, truck inspections, and shoulder-riders, the use of the in-car video system is encouraged.

F. Crimes in progress.

G. All transports of prisoners.

H. All other situations that by virtue of the officer's training and experience, he/she believes should be recorded.

I. The camera should be positioned and re-positioned to record the pertinent incident, **but officer safety always comes first.**

J. During incidents listed in Section 4 (B, C, D, E,& F), if the officer believes that the mobile in-car video recording device will not record any significant information, the system may be turned off with the approval of a supervisor. The name and the rank of the supervisor shall be memorialized either on the recording, or in a written report of the incident and the officer's daily report.

K. The mobile in-car video system will automatically activate when the emergency lighting equipment on the patrol vehicle is activated.

L. Manual activation of the wireless microphone also turns on the video camera.

M. Activation of audible warning signals will not activate recording.

N. A sensor placed within the vehicle will cause the recording to begin in the event of a collision.

O. The engine of the patrol car need not be running in order for the audio and video equipment to activate. The system will however, power down after sixty minutes without the ignition on. The system will be programmed with a thirty second pre-record.

P. Once the system is activated, the mobile in-car microphone will remain on. A sign in the rear passenger compartment warns the occupant that he/she is being recorded. In the absence of the sign, no recording may occur unless the officer is actually present.

Q. Subjects who inquire about taping must be told that the event is being recorded, but subjects have no right to have the camera or microphone turned off.

V. Incident Reports and Motor Vehicle Summonses

A. Whenever a person is arrested and all or any part of the incident is recorded on the mobile in-car system, a notation of the recording must be made on the summons, warrant, traffic ticket, daily activity report and incident report.

B.

VI. Supervisor Responsibility

A. Supervisory personnel who manage officers operating vehicles equipped with the mobile in-car video system shall ensure the following:

B. That all officers follow established procedures outlined in sections 3 and 4, for the use and operation of the mobile in-car video system.

C. That requests for repairs and replacement of damaged or non-functioning equipment is documented and forwarded to the appropriate personnel.

D. Periodically and randomly review the recordings of each officer under his/her command to ensure adherence to Department policies and procedures.

VII. Record Keeping Responsibilities

A. Officers must note all usages of the DVR on his/her Daily Activity Report. This must, at a minimum, indicate the date and time of each incident recorded the nature of the incident, and whether criminal or motor vehicle charges resulted.

B. No one shall duplicate or erase any recording without permission from the Chief of Police.

C. Officers may, at the direction of their supervisor, review recordings to assist in completing written documentation of incidents.

VIII. Retention and Duplication of Recordings

A. All recordings will be saved on a computer server for no less than 30 days. Recordings will be burned onto a DVD located in the Records Division. Such recordings will then be kept within the Records Division.

B. The Records Division will duplicate such recordings only at the direction of the Chief of Police, his/her designee, or under such rules as determined by legislation or court order.

C. Recordings containing incidents that were the subjects of criminal, civil or administrative proceedings or citizen complaints must be retained pursuant to evidence-retention guidelines, but in no event less than 28 months. The recording must be appropriately labeled to ensure that evidence is not destroyed.

D. Departmental procedures for security and chain of custody must be followed for recordings of evidential value.

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<tr><td colspan="3">SUBJECT: NASAL NARCAN PROCEDURE</td></tr>
<tr><td>ISSUED BY:
Chief Kenneth R. Ehrenberg</td><td>EFFECTIVE DATE:
September 9, 2019</td><td rowspan="2">ACCREDITATION STANDARDS:</td></tr>
<tr><td colspan="2">SUPERSEDES ORDER #: Original issued 10/06/2014
Updated 7/05/2017</td></tr>
<tr><td colspan="3">The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.</td></tr>
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PURPOSE: To establish guidelines and regulations governing utilization of the Nasal Narcan (Intra-Nasal Naloxone) administered by the Paramus Police Department. The objective is to treat opioid overdoses and reduce fatal opioid overdoses.

POLICY: It is the policy of the Paramus Police Department that officers who will be administering Nasal Narcan are properly trained in the use and deployment of the Narcan according to the laws of the State of New Jersey. The Narcan Program is being administered by the Paramus Police Department under the supervision of the Valley Hospital, Ridgewood NJ, (the County Coordinator"). The "County Coordinator" will provide training and medical oversight of the Narcan Program

PROCEDURE:

A. The Paramus Police Department will deploy the Nasal Narcan kit into the field the following in following manner:

1. Kits will be secured and stored within police defibrillator cases

2. Defibrillators must be kept within the interior of the vehicle due to risk of damage by extreme temperatures, both high and low. Officers will return defibrillators to the police desk at the end of their tour.

B. The Nasal Narcan kit will include medication, atomizer and instructions for administering Nasal Narcan

C. **Nasal Narcan Coordinator:** The Patrol Division Commander is designated as the Nasal Narcan Coordinator. The Nasal Narcan Coordinator or his/her designee shall be responsible for the following:

1. Ensuring the Nasal Narcan is current and not expired.

2. Proper and efficient deployment of Nasal Narcan for patrol.

3. Replacement of any Nasal Narcan that is damaged, unusable, expired or deployed.

4. Ensuring all personnel that will be using Nasal Narcan has received appropriate training in such.

5. Ensure that any deployment of Nasal Narcan to a subject will have a corresponding police report documenting such deployment.

6. The coordinator will be responsible for ensuring that the members of the department register ODMap and ODForm (Case Explorer) accounts and that only current department employees have access to the application and portal.

7. Ensuring that any use of law enforcement Nasal Narcan is reported contemporaneous to the event utilizing the ODMAP application and within twenty-four hours of the event utilizing ODForm (Case Explorer).

8. Ensuring that any suspected overdose to which law enforcement responded (but did not deploy law enforcement Nasal Narcan), is reported contemporaneous to the event utilizing the ODMAP application and within twenty-four hours of the event utilizing ODForm (Case Explorer).

9. Being a liaison with the County Coordinator and ensuring the requirements are met for the continuing operation of the Narcan Program

D. Nasal Narcan Use

1. When using the Nasal Narcan kit officers will maintain universal precautions, perform patient assessment; determine unresponsiveness, absence of breathing and or pulse. Officer(s) should update their communications dispatcher that the patient is in a potential overdose state. Dispatcher will then notify the local EMS and Paramedic Unit. Officers shall follow the protocol as outlined in the Nasal Narcan training.

2. <u>Officer Nasal Narcan Deployment Protocol</u>

a. Identify and assess victim for responsiveness, pulse and status of breathing
b. If no pulse, initiate CPR and AED as per normal protocol; notify incoming EMS
c. If pulse is present and the victim is unconscious, assess breathing status

i. If breathing is adequate (>8 per minute, no cyanosis) and no signs of trauma, place in the recovery position

ii. If breathing is decreased or signs of low oxygen (cyanosis) and overdose is suspected (based on history, evidence on scene, bystander reports, physical examination) then proceed with Narcan administration

d. Retrieve Narcan kit
e. Assemble kit
f. Administer a maximum of 1mg in each nostril for a total of 2 mg, using the mucosal atomizer device
g. Initiate breathing support with bag-valve-mask and oxygen if available
h. If no response after 3-5 minutes and a second dose of Naloxone is available, repeat the administration
i. Continue to monitor breathing and pulse – if breathing increases and there is no evidence of trauma, place in the recovery position
j. If at any time pulses are lost, initiate CPR and AED as per normal protocol
k. Keep responding EMS advised of patient status when able to do so
l. Give full report to EMS when they arrive
m. Complete documentation and internal department procedures for restocking and notification

Medical Care: When an officer deploys Nasal Narcan and it results in a resuscitation of an overdose victim, that officer should ensure that person receives appropriate follow-up care. The effects of Narcan only last for a limited period of time and the person may experience another opiate overdose when the effects of the Narcan wear off. As such, every effort should be made to encourage that person to be transported to the hospital for additional care. If the victim refuses medical aid, they should be turned over to EMS for proper refusal procedures. If necessary the officer should accompany the ambulance personnel for their safety. Local police and EMT procedures should not be otherwise circumvented as a result of this protocol.

Recovery Specialist: An officer who administers Nasal Narcan that results in a reversal shall, when immediately practical, notify the Bergen County Public Safety Operations Center (PSOC) at 201-753-7762, and request that a recovery Specialist be dispatched to the medical facility to which the overdose victim is transported. This will allow the Recovery Specialist to respond to the medical facility and counsel the victim to enter addiction treatment. The Recovery Specialists are coordinated by the Children's Aid and Family Services, which can be contacted at **551-500-7560** if there are any issues or concerns regarding the program

SEE: Barna v. City of Perth Amboy, 42 F.3d 809, 820 (3rd Cir. 1994)(citing Terry v. Ohio, 392 U.S. 1, 16 (1968)) and State v. Edmonds, 211 N.J. 117, 132 (2012)(citing State v. Frankel, 179 N.J. 586, 599 (2004)) which stated "(1) the officer had 'an objectively reasonable basis to believe that an emergency requires that he provide immediate assistance to protect or preserve life, or to prevent serious injury' and (2) there was a 'reasonable nexus between the emergency and the area or places to be searched.' Also, SEE: Morey v. Palmer, 232 N.J.Super. 144, 153 (App. Div. 1989); Barna, supra, 42 F.3d at 820 which held that when a person is so "intoxicated" that they appear to the officer to be "incapacitated," the officer not only has the discretion but the duty to transport the incapacitated person to a hospital[1] with reference to N.J.S.A. 26:2B-16.

E. Maintenance / Replacement

1. An inspection of the Nasal Narcan kit shall be the responsibility of the personnel assigned the equipment and will be conducted each shift.

2. Missing or damaged Nasal Narcan kit(s) will be reported directly to the Officer in Charge of the shift who shall notify the Department's Nasal Narcan Coordinator. If Nasal Narcan is missing or damaged an Investigative Report will be filed by the officer making the claim.
3. Where any condition that necessitates the Nasal Narcan kit to be taken off line or be submitted for replacement this information shall be directed to the Department's Nasal Narcan Coordinator.

4. Replacement: The Department's Nasal Narcan Coordinator shall be responsible for replacing the Nasal Narcan and ensure the police department has an adequate supply available for patrol use.

F. Documentation / Nasal Narcan Report

1. If an officer completes a medical assist involving a suspected overdose event, whether or not Nasal Narcan is deployed, the officer shall report the event, first using the ODMAP application and then by completing the ODForm. The ODMAP entry must be made contemporaneous to the event and should be made from the scene to ensure the correct geographical reporting.

2. To ensure that ODMAP and ODForm reporting is completed properly, the Nasal Narcan Coordinator or his/her designee shall oversee the reporting process. Along with making sure that the reports are made, the coordinator or his/her designee will be responsible for ensuring that the members of the department register ODMap and ODForm (Case Explorer) accounts and that only current department employees have access to the application and portal.

PARAMUS POLICE DEPARTMENT

VOLUME: 3	CHAPTER: 29	# OF PAGES: 4
SUBJECT: CRIME SCENE PROCEDURES		
ISSUED BY: Chief Kenneth R. Ehrenberg	**EFFECTIVE DATE:** March 19, 2018	**ACCREDITATION STANDARDS:**
SUPERSEDES ORDER #:		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: The actions taken by patrol and investigative officers at crime scenes often determine the course and success of a criminal investigation. Initial responding officers play the lead role by protecting the crime scene, rendering emergency services and initiating the investigation. Thus, it is the purpose of this policy to provide officers with guidelines for responding to and dealing effectively with the operational demands at crime scenes.

POLICY: It is the policy of this law enforcement agency that all officers understand and follow applicable procedures established herein to effectively protect, collect and preserve evidence of a crime and conduct initial investigative and other essential tasks at major crime scenes.

PROCEDURE:

I. Initial Response

Initial responding officers shall initiate the preliminary investigation and perform tasks as designated below until otherwise directed by a superior officer, detective or other officer specifically assigned to criminal investigations.

A. In transit to crime scenes, officers shall be cognizant of suspects/vehicles that may be in flight.
B. Upon arrival, verify that a crime has been committed and relay essential information to communications.
C. Administer first aid and/or summon emergency medical assistance if required and take those steps necessary to protect victims or others.
D. Arrest the perpetrator if at the scene. A decision to leave the crime scene to arrest or pursue the perpetrator should be made based on weighing the immediate needs of victims and others against the safety of the public if the perpetrator were allowed to escape.

E. Provide communications with such information as;

1. Nature of the crime committed;
2. Description of the perpetrator and mode/direction of flight;
3. Description of any vehicle used by the offender and any accomplices;
4. Use of firearms or other deadly weapons; and
5. Any support required at the crime scene.

F. Identify any witnesses to the crime, secure their identities and request that they remain present at the crime scene until they can be interviewed.

1. Where reasonably possible, obtain the identities on any other persons who were present upon arrival at the crime scene.

2. Note the license tags of vehicles parked near the crime scene and be aware of suspicious persons on hand at or near the crime scene.

G. Provide superior officers and any other investigative personnel arriving on the scene with complete information on the offense and the measures taken thus far by officers and others.

II. Preservation of the Crime Scene

A. Responding officers shall enter crime scenes only for purposes of aiding victims or bystanders in need of immediate assistance, apprehending perpetrators or securing the area. Other entries shall be permitted only under direction of a supervisor.

1. Officers making initial entries for the above purposes shall, where feasible, avoid touching, walking upon, moving objects or otherwise altering or contaminating the crime scene.

B. Define the boundaries of the crime scene to include all areas that may reasonably be searched for evidence. As necessary, considering the nature and seriousness of the crime, officers should

1. Request backup assistance to restrict access to the crime scene and control any on-lookers;

2. Erect barricade tape, rope or cordon off, lock or otherwise secure the immediate crime scene and restrict access to defined crime perimeters; and

3. During major crimes the ranking officer will assign an officer to prepare and maintain a crime scene log

4. Record any alterations made at the crime scene due to emergency assistance to victims, the actions of persons reporting the crime, handling of any items of evidentiary value or other actions.

C. Restrict all persons from the crime scene who are not directly involved in the investigation. In the case of homicides or other major crimes the officer-in-charge (OIC) shall ensure that the identity of all persons entering the crime scene is recorded.

D. Homicides and other major crime scenes should be approached only as needed in a single defined line in order to avoid destruction of footprints and other impressions and the contamination of scent trails that may be useful in canine searches. The "place last seen" of kidnapped or missing persons should also be protected in a similar manner.

E. The Bergen County Prosecutors Office must be immediately notified of any suspicious deaths. This notification will be made by the ranking detective at the scene.

III. Collection of Evidence

Unless exigent circumstances exist or authorization of a supervisory officer is received, initial responding officers at major crime scenes shall not engage in collection of items of potential evidentiary value. Officers may engage in the following tasks as directed by the OIC.

A. The chain of possession of all evidence shall be clearly and completely documented in accordance with agency policy beginning with initial collection, packaging and labeling at the crime scene.

B. Officers shall search the crime scene—in a manner or method prescribed by the OIC—for any items that may establish how the crime was committed or who committed the crime. This may include but is not limited to

1. Unusual objects or objects found in unexpected or unusual locations; and

2. Weapons, tools, clothing, stains, blood spatters, fingerprints, footprints, tire or tool mark impressions, broken glass, fibers, soil or other items or substances.

C. Officers shall comply with this agency's policy and procedures on "Evidence Control" for purposes of properly photographing, preserving, packaging and labeling criminal evidence.

IV. Interviewing Witnesses

Witnesses at the crime scene shall be identified and preliminary interviews conducted as soon as possible. As soon as possible, the neighborhood surrounding the crime scene should be canvassed in order to identify additional witnesses or others who may have some knowledge of the crime. The purpose and scope of these interviews is to gather as much basic information as possible about the crime at the earliest point possible in order to identify the perpetrator and establish the basis for the follow-up investigation.

V. Crime Scene Reporting

Officers conducting the preliminary and follow-up investigations shall complete appropriate reports in accordance with agency policy. At a minimum, reports shall include

A. Date and time of arrival at the scene;

B. Any relevant weather or situational conditions at the scene to include the status of the crime scene upon arrival (e.g., fire, crowds, and initial observations);

C. How the crime was discovered and reported and the relationship of reporting individuals to victims or others if appropriate;

D. Identity of other officers or emergency personnel present upon arrival and those who responded to the crime scene thereafter;

E. Physical evidence discovered and officers responsible for collection (special note should be made of any valuables collected at the scene, such as currency or jewelry);

F. Name, address and telephone number, or other appropriate identification of witnesses to the crime;

G. Results of interviews with victims and witnesses to include in particular the identity or best possible description of suspects, method of operation, means of escape and any other pertinent identifying information;

H. Diagrams, sketches, photographs video tape or other similar information made at the scene or the identity of officers or civilians who made such recordings; and

I. Recommendations for further investigation such as the names of witnesses or others who may be able to provide additional information.

PARAMUS POLICE DEPARTMENT

VOLUME: 3	CHAPTER: 30	# OF PAGES: 3

SUBJECT: SCHOOL RESOURCE OFFICER (SRO)

ISSUED BY: Chief Kenneth R. Ehrenberg	EFFECTIVE DATE: July 30, 2018	ACCREDITATION STANDARDS:
SUPERSEDES ORDER #:		

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PURPOSE: The purpose of this General Order will be to define the duties, procedures and areas of responsibilities of the School Resource Officers

POLICY: It is the policy of the Paramus Police Department to promote a safe and orderly environment in the Borough's Public Schools. The School Resource Officer (hereafter SRO) is funded by the Paramus Police Department and is designed to provide school administrators and staff with law enforcement resources and expertise to maintain safety and order in the school environment. The SRO Program is intended to be a proactive model, to ensure that no student's right to receive an education is abridged by violence or disruption. To accomplish this mission the Paramus Police Department will deploy a SRO at Paramus High school and at any other public school it deems necessary.

PROCEDURE:

I. General

A. The School resource officer is first and foremost a law enforcement officer and shall take police action as required by the written directives of the Paramus Police Department. The SRO shall inform the school administration of activity as part of the courses of action in such events.
B. The SRO program is a cooperative effort between the Paramus Police Department and the Paramus Board of Education to ensure safety on school campuses through presentation, intervention and enforcement.
C. The SRO will work with the school administration and faculty utilizing the ability to communicate in an effective manner.
D. The SRO will coordinate activities with the school administration and staff members and will seek their advice and guidance prior to enacting any educational program in the school.

E. Any questions in regards to the SRO's duties should be directed to the SRO's immediate supervisor.
F. The SRO will comply with all Paramus Board of Education policies while functioning within the school environment.

II. Uniform / Hours

A. The SRO will be in full Class A or Class C uniform with full duty belt including duty weapon. The SRO will be equipped with a department issued two-way radio having school radio capabilities. Any deviation from this must be expressly approved by the Chief of Department or his designee.
B. The SRO will be assigned a marked police vehicle that will be conspicuously parked at the school.
C. **The SRO will be on duty from 0715 am until 1515 pm, Monday through Friday.** Any changes to these hours must be approved by the Chief of Police or his designee.
D. In the event the SRO is unable to work due to illness, or other circumstances, the Juvenile Community Outreach Unit commander will assign another officer to replace them.

III. Responsibilities

A. The SRO is expected to be highly visible and serve as the liaison between the Police Department and the School System.
B. The SRO will not act as a school disciplinarian. Student discipline is a school administration responsibility.
C. The SRO will respond to all calls that occur on or near their school grounds involving students either as victims or perpetrators.
D. The school resource officer will assist in coordinating the scheduling of Paramus Police Department personnel at extracurricular events including after school security activities.
E. The SRO will relay messages and information between the police department and the school during emergency situations such natural disasters or storms.
F. The SRO will handle all Incident Reports generated at their school during their working hours.
G. The SRO will notify the police communications division of all calls for service generated at the school.
H. The SRO will assist juvenile detectives during all investigations taking place at their school.
I. The SRO will coordinate with school administrators, staff, security officers and law enforcement to promote order and safety on campus.
J. The SRO will assist with developing, implementing and evaluating security programs in the schools.
K. The SRO will act as a resource person in the area of law enforcement education at the request of the school administration.
L. When requested, the SRO will attend parent/ faculty meetings to explain the SRO program and/or present other requested law enforcement information.

IV. Training

A. The SRO will be required to attend the Basic SRO course as soon as reasonably possible
B. The SRO is expected to attend advance training and keep abreast of developments in juvenile delinquency, child abuse, adolescent sexual assault, substance abuse, mental health, and any other training determined by the department.

V. Reporting

A. The SRO will complete a weekly operating report. This report will be submitted to the Juvenile/ Community Outreach Unit commander.

B. This report will include but not limited to all programs presented, counseling sessions, referrals, and investigations.

VI. Notifications

A. The SRO will be notified of all major incidents occurring in the entire school system. Such as school threats, fires, violent incidents, death of students, etc.
B. The SRO will be notified of all police, fire and ems calls to their school during working hours.
C. The SRO will be notified of incidents involving their students that occur during non-school hours or off school property.
D. The SRO will immediately notify their supervisor and the station house commander of any incident or potential incidents that could be disruptive to the school
E. The SRO will notify their supervisor and station house commander of any lockdowns, "hold in place" or evacuations of their school.

PARAMUS POLICE DEPARTMENT

VOLUME: 4	CHAPTER: 6	# OF PAGES: 3

SUBJECT: MUTUAL AID

ISSUED BY: Chief Kenneth R. Ehrenberg	EFFECTIVE DATE: September 20, 2018	ACCREDITATION STANDARDS: 2.1.3, 2.1.4
SUPERSEDES ORDER #: *Original Issued 10-01-2009*		

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PURPOSE: The purpose of this directive is to codify this department's policy and procedures concerning providing or receiving mutual aid from other law enforcement agencies

POLICY: It is the policy of this department to assist other law enforcement agencies within the County of Bergen and the State of New Jersey to the fullest extent possible without jeopardizing the safety and security of the Borough of Paramus.

It is also the policy of this department to request mutual aid from other law enforcement agencies within the County of Bergen and the State of New Jersey when an incident overwhelms the capabilities of this agency.

PROCEDURE:

I. General

a. Under the provisions of Municipal Resolution 94-44-550, dated 11-15-1994, and codified as Ordinance 3.21, the Borough of Paramus is entered into a mutual assistance agreement with all municipalities in the County of Bergen to provide police assistance when summoned. The mutual aid agreement is adopted in accordance with the provisions of N.J.S.A40A:14-456, 40A:14-156.1, 40A:14-156.4 and N.J.S.A. App.A:9-40.6.

b. This agreement does not require this agency to deplete its staffing levels to the extent of creating an inordinate danger within our borders.

c. The Bergen County Police Chief's Mutual Aid Plan (Dated January 2015) is self-explanatory. (See Appendix A)

II. Operations

A. Request for Mutual Aid from Other Agencies:

1. Requests will usually be made through communications center. To the extent possible, the duty communications supervisor should ensure that all pertinent information regarding the request for mutual aid is obtained, including but not limited to:
    a. Type of incident;
    b. Exact location, with directions if necessary;
    c. Staging area, if applicable;
    d. Weapons involved;
    e. Number of personnel required;

2. Requests for police assistance from other agencies shall be forwarded to the highest-ranking officer on duty at the time of the request.

3. The request and subsequent response shall be logged as a CAD entry call for service ***44- ASSIST OTHER AGENCY*** with the responding personnel accounted for in the dispatch transaction.

4. Depending on the magnitude or type of request, the desk officer shall notify the next level of command. ***(See Mem-2013-02 Command Staff Notification.)***

5. The officers selected for response shall assemble in a location selected by the attending supervisor and briefed on their duties and responsibilities at the incident. The officers and supervisor should normally respond together.

6. The attending supervisor shall ensure that the Borough of Paramus is adequately staffed to be able to handle emergencies.

7. Upon arrival at the scene of the mutual aid, the attending supervisor should make an effort to meet with the incident commander to discuss the deployment of our personnel.

8. All Paramus Police officers will always be under command of the attending Paramus Police supervisor. Officers will remain on the scene of the mutual aid incident until relieved by their supervisor.

9. All enforcement actions (arrests, summonses, etc.) must be thoroughly documented. Arrested persons should be immediately turned over to the requesting agency for processing in accordance with that agency's procedures.

10. Once this agency's involvement in the incident has been concluded, the attending supervisor shall cause an incident report detailing this department's involvement, the names and duties of all Paramus personnel involved in the incident, the name of the local incident commander, and a list of any of our equipment used or supplies expended during the incident. This report will be forwarded to the Chief of Police.

B. Request for Mutual Aid from This Agency:

1. When an incident, disaster, or other emergency develops where this agency cannot contain or control, a request for mutual aid assistance can be utilized.

2. Requests for mutual aid assistance should come from the highest-ranking officer on duty or at the scene of the incident.

3. The duty communications supervisor will cause notification to any or all of the agencies via SPEN or telephone. Ensure that adequate information concerning the type of call is broadcast (disturbance, weapons, location, etc.).

4. The duty communications supervisor shall cause TIMESTAMP entries as appropriate when requesting mutual aid assistance.

5. The incident commander shall be kept apprised of the status of the mutual aid request and the anticipated responses.

6. The incident commander should deploy the mutual aid personnel in cohesive groups under the command of their own supervisors.

7. Mutual aid personnel taking enforcement actions within this jurisdiction will normally turn over any arrested persons to us to be processed in accordance with our arrest procedures.

The incident commander should ensure that the names of all personnel responding from other agencies are recorded for inclusion into the incident report, supplemental report, or command report of the incident precipitating the request for mutual aid.

PARAMUS POLICE DEPARTMENT

VOLUME: 4	CHAPTER: 10	# OF PAGES: 6

SUBJECT: RESPONSE TO DEMONSTRATIONS AND PROTESTS

ISSUED BY: Chief Kenneth R. Ehrenberg	EFFECTIVE DATE: October 28, 2016	ACCREDITATION STANDARDS:
SUPERSEDES ORDER #: GO 4.10.00 December 17, 2014		

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PURPOSE: The purpose of this directive is to provide guidance for department personnel in the efficient handling of demonstrations, protests and labor disputes. These guidelines will assist the police in protecting constitutional rights, preserving the peace, and protecting life and property.

POLICY: It is the policy of the Paramus Police Department and its officers to ensure that rights guaranteed by the constitution of the United States and the State Of New Jersey are protected for all individuals. A primary mission of the police at events involving free speech activity is to protect and respect First Amendment rights to freedom of expression and assembly. Police action will only be initiated when activities violate the law, constitute a hazard to the safety of the public or result in the destruction of property.

PROCEDURE: Government has the power to regulate the conduct associated with speech and assembly. The scope of this power depends on the forum in which the speech or assembly is to occur. With regards to public forums such as streets, public sidewalks and parks, the State is severely limited in restricting free speech. The State may place what is known as Time, Place and Manner restrictions on the conduct. In general the Courts will support free speech and make sure that these restrictions are content neutral, narrowly tailored to serve a significant purpose, and leave open alternative channels of communications.

I. Prior to Event

A. Special Investigations / Intelligence Unit (SIIU) will constantly monitor for upcoming events and issues

B. Event organizers will be directed to file a **Paramus Police Demonstration-Labor Dispute-Public Assembly Report** prior to the event. An incident case number will be generated for all events. Desk officer may fill out form via phone.

C. Police desk supervisor will notify Command Staff and SIIU detectives of all events.

D. Command staff will delegate officers to plan for all events as necessary

II. Arriving at the scene of a demonstration or labor dispute:

A. Responding Officers Responsibilities:

1. Take action necessary to preserve the peace and prevent destruction of property.
2. Notify desk officer of immediate personnel and/or equipment needs.
3. Request response of patrol supervisor.
4. Interview, separately, a property owner / management representative and a demonstration / labor representative.
    a. Determine if the demonstration / labor dispute / public assembly report was completed in advance of the event.
    b. If not, obtain necessary information and complete the report.
    c. Ascertain if any court orders have been issued imposing injunctive, restrictions on location and manner of the demonstration.

B. Patrol Supervisor's Responsibilities:

1. Respond to location.
2. Establish Command Post
3. Establish and assign an officer (Staging Manager) to a staging area if necessary
4. Determine personnel and / or equipment needs. Options include:
    a. Paramus ESU
    b. Mutual Aid
    c. Bergen County Police Department
    d. Bergen County Sheriff's Department
    e. Bergen County Rapid Deployment Force (RDF)
    f. Paramus OEM for support duties
    g. Field Communications Unit

h. Paramus Police Recall

5. Meet with property owner / management representative and demonstration / labor representative. Advise both that:

   a. Force or violence will not be tolerated.

   b. Destruction of property will not be tolerated

   c. The law will be enforced impartially.

   d. Right of public to use streets and sidewalks will be protected.

   e. Orderly picketing may be conducted on public property in accordance with conditions at the location.

   f. The use of language offensive to public decency should be discouraged.

   g. The carrying of sticks, poles, or other objects that may be injurious to the public should be discouraged.

6. Disperse crowd if necessary

7. If necessary, direct officers under their command to make arrests and transport prisoners to police headquarters.

8. If the demonstration site is an abortion service provider, notify the desk officer. Also, advise the desk officer of any threats or violence towards an abortion service provider.

C. Desk Officer's Responsibilities:

1. Determine any additional personnel and / or equipment needs.

2. Make Command Staff Notifications

3. If the demonstration site is an abortion service provider, make notification to:

   a. Paramus Detective Division
   b. US Marshall Service
   c. Bergen County Prosecutors Office
   d. Federal Bureau of Investigation
   e. New Jersey State Police (ROIC)

4. Review demonstration / labor dispute / public assembly report.

D. Tactics and Restrictions

1. **Emergency Response Vehicle (ERV) (MRAP) -** Under no circumstances will this vehicle (ERV) be utilized as part of a response to public assemblies, protests, demonstrations, exercises of the First Amendment right to free speech, or for the control of civil disorder unless the risk of serious bodily injury

or death to officers or others as posed by a criminal offender(s) has been demonstrated and other response measures are insufficient.

2. The ERV will not be part of any public protest and shall not be staged for any such protest on any institution campus unless such staging or deployment is in immediate preparation for its operational use in a life threatening emergency where the risk of serious bodily injury or death to others as posed by a criminal offender(s) has been demonstrated and other response measures are insufficient. Staging of the vehicle should be off site and out of the view of demonstrations and protests. Even though the ERV is staged to protect and ensure the safety of demonstrators and their first amendment rights, this protocol is in place as to not create fear and distrust in the community.

3. **Crowd Control Tactics** shall only be based on the behavior of the protesting group. Tactics will not be affected by the content of opinions alone being expressed, nor by the race, sex sexual orientation, appearance or affiliation of the participants

4. The Paramus Police Department will not attempt to limit the size, location, time or activity at any demonstration, march, protest or picket unless there are articulable facts or circumstances causing reasonable concern for public safety, public health or safe movement of person in the area.

5. **Announcements-** To ensure that participants can hear and understand the order to disperse, equipment necessary to complete this task must be used such as **bullhorns or Public Address systems.** The order to disperse shall be given repeatedly over a period of time

6. **Dispersal-** Crowds shall not be dispersed or ordered to move unless there are reasonable and articulable factors justifying the order in accordance with law. Before giving an order to disperse, the Incident Commander must consider whether dispersal endangers the public or participants in the crowd. If the Incident Commander directs that the crowd be moved by any means, including the use of force, time to disperse and a safe and clear route for individuals must be provided and announced in the same manner as the order to disperse.

7. **Arrests and Use of Force-** When the use of force is justified, the minimum degree of force necessary to accomplish an arrest or dispersal shall be employed. Officers are permitted to reasonable and necessary force to protect themselves or others from bodily harm and to protect property.

III. Demonstrations on Public Property

Individuals have a free speech right to protest / strike on public property under both the US and NJ Constitutions. This right however is subject to reasonable time, place and manner restrictions. These restrictions must be content neutral, narrowly tailored to serve a significant government interest and leave open alternative channels of communication. Of course, the NJ Criminal Code and other NJ statutes are applicable to protests/strikes. These laws include: disorderly conduct, 2C:33-2; obstructing public passages, 2C:33-7; and criminal trespass, 2C:18-3. (**IMPORTANT:** Under a charge of criminal trespass, the actors have justification if their conduct under the circumstances establishes a defense of privilege in a civil action. IE: The court finds that the actors were properly exercising a valid free speech right.)

In the great majority of cases, protests / strikes on public property in front of private property ("sidewalks") will be handled through "injunctive" relief by the civil courts. (Ex. Protestors in front of abortion sites using profanity; strikers picketing in front of private residences). Additionally, there are federal laws that specifically apply to **abortion service providers.** If the location of a demonstration is an abortion service provider, the US Marshal's Service must be notified. When there are threats or violence towards the provider, then the FBI or NJ State Police must receive notification.

A. The area from the curb of a public street approximately 10 feet into the stated property is quasi-public property that is open to the public (examples; sidewalks, town trees, etc) **As a general rule protestors should be allowed to use this area for free speech purposes including picketing and leafleting**

B. Protestors **are required** to follow all state laws and local ordinances. This includes noise ordinances, laws prohibiting the hanging of sign on poles or the planting of signs on public property.

C. Protesters **are not allowed** to block the access of other persons to any given property or roadway.

D. While they may not block access to others, **they however, are not required to keep moving. They may standstill but must allow persons to pass as needed**

IV. Demonstrations on Private Property

There is no right to protest / strike on private property under the US Constitution. The US Supreme Court held that the constitutional privacy right to own property outweighed any 1st amendment right of third parties. The US Constitution protects against "state" action, not against the actions of private persons or entities.

The NJ Constitution, **barring two very narrow exceptions**, allows property owners to prohibit protests / strikes on their property. The NJ Constitution strongly protects the rights of private property owners to control the use of their property. This right of course is enforced through civil and criminal trespass laws. Only the property owner or an "authorized representative" can sign a complaint for this offense. It's quite probable that the two sides will reach a compromise before any action becomes necessary.

THE TWO "PUBLIC USE" EXCEPTIONS

Under two specific sets of "private property circumstances", the NJ Constitution provides broader free speech rights than the US Constitution. In NJ, free speech guarantees "extend to private entities that have otherwise assumed a constitutional obligation not to abridge the individual exercise of such freedoms because of the public use of their property". With this in mind, the NJ Supreme Court carved out two, and only two, "very narrow" "Public Use" exceptions to the general private property rule:

A. **Private Universities** that have invited public uses of its resources in fulfillment of its broader educational ideals and free objectives. Ex. Princeton University

B. **"Regional" Shopping Centers** and, in some cases, possibly "community" shopping centers.

According to the NJ Supreme Court, there is definitely no right to protest on the following types of private property: Medium and small shopping centers; strip malls; sports stadiums; single huge stores; stand-alone uses; or theaters.

Importantly, the right to protest under the "public use" exceptions is confined solely to leafleting and the normal speech associated with it. There is no right to use bullhorns; megaphones; soapboxes; placards; pickets; parades or demonstrations. Further, there is no right to sell literature or to solicit funds on the spot.

Finally, the property owners have broad power to impose reasonable regulations as to the time, place and manner of the leafleting. Restrictions adopted by a mall owner must "be designed to achieve the legitimate purposes of protecting business interests while preserving free speech rights." Mall owners may in most cases limit the leafleting to specific days or even to a specific amount of days. Thy may also confine the leafleting parties to certain areas, including parking lots; common sidewalks; and other areas outside the enclosed mall. On the other hand, the requirement of $1,000,000 insurance policy was held to be unreasonable. Lastly, it is probably unreasonable for a property owner to restrict the leafleting to only one day a year.

PARAMUS POLICE DEPARTMENT

VOLUME: 4	CHAPTER: 12	# OF PAGES: 7

SUBJECT: EMERGENCY RESCUE VEHICLE (MRAP)

ISSUED BY: Chief Kenneth R. Ehrenberg	EFFECTIVE DATE: 11/01/2016	ACCREDITATION STANDARDS:
SUPERSEDES ORDER #:		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: The purpose of this policy is to guide the use of the Emergency Rescue Armored Personnel Vehicle (ERV) (Mine Resistant Ambush Protected / MRAP) acquired through the Department of Defense/Defense Logistics Agency's Military Assistance 1033 Program and assigned to the Paramus Police Department in accordance with Executive Order 13688.

POLICY: The Paramus Police Department has one (1) Mine Resistant Ambush Protected Vehicle (MRAP) for use by its Emergency Service Unit for support during high risk warrants, homeland security buffer zone protection details as well as hostage rescue. The Vehicle will also be used to evacuate civilians during an active shooter event at one of our 3 malls. The Paramus Police Department will utilize the MRAP for rescue response to natural disasters, such as hurricanes, blizzards, and flooding. The Vehicle will assist with access to areas in the Borough of Paramus that the regular patrol vehicles would be unable to access during those events.

The acquisition and operational use of this vehicle is as an element of the Emergency Service Unit (ESU). The ESU program relies on substantial research regarding the historical and current threat posed by active shooters and armed intruders in Paramus and the geographical area encompassed by Paramus and the associated risk management and threat mitigation measures that should be considered. The ESU program in general, and this resource, in particular, has a single guiding principle and intention: that the Paramus Police Department does everything possible to fulfill our responsibility and obligation to protect and keep safe the citizens residing in Paramus, and the surrounding areas during weather and police emergencies.

PROCEDURE:

I. Constitutional Policing:

The Paramus Police Department supports and promotes, through policy, procedures, and training, the rights embodied in the First Amendment concerning freedom of speech and freedom of assembly; the principles required by the Fourth Amendment concerning privacy and unreasonable searches and seizures of persons, places and things; and the Fourteenth Amendment's requirements for providing all persons with due process and equal protection of the law.

The Paramus Police Department supports and promotes, by means of agency policies, procedures and training, as appropriate, adherence to fair and impartial policing. This requires that all persons be treated fairly and equitably irrespective of race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, cultural group or political status.

II. Community Policing and Impact:

A. Community Policing is the concept that trust and mutual respect between police and the communities they serve are critical to public safety. Community policing fosters relationships between law enforcement and the local community which promotes public confidence in Law enforcement agencies, in turn, enhances LEAs ability to investigate crimes and keep the peace.

B. Public relations are important and necessary to help the public understand the lifesaving capability of the Emergency response vehicle (ERV) and its true mission as stated above. When possible the ERV, at the discretion of the Chief, should be displayed at community events, but not limited to national night out, touch a truck, and shown/ discussed during tours of headquarters to local community groups.

C. The Chief of Police through interaction with the community and community leaders will constantly monitor for any issues arising from the ERV. The Chief of Police will also have to take into account the possible impact on the community in deploying the ERV. If the Chief of Police determines there is an issue with the MRAP concerning public trust, it is within his right to limit or suspend the MRAP program until the issue is resolved.

III. Documentation and Reporting:

A. Record-Keeping Requirement: Paramus Police Department must retain comprehensive training records and significant incident reports. The Training Unit Supervisor will keep all records for a period of at least 3 years, and must be able to provide a copy of the records to the 1033 program, upon request.

B. An annual report on the use of the ERV will be submitted to the Chiefs office for review concerning the following deployments: training, community policing, significant incident. The Police Chief's Office will include the Emergency Rescue Vehicle in its year-end report that is available to the public.

C. Paramus Police Department must collect and retain required information when they are involved in activity that involves significant incident, requires, or results in, the use of the ERV; or when unlawful or inappropriate police actions are alleged and trigger a federal compliance review, and the federal agency determines that the ERV was used in a law enforcement activity under review, the Paramus Police Department must produce or generate a report containing required information

D. Significant incident defined: Any law enforcement operation or action that involves (a) a violent encounter among civilians or between civilians and the police; (b) a use-of-force that causes death or serious bodily injury; (c) a demonstration or other public exercise of first amendment rights; or (d) an event that draws, or could be reasonably expected to draw, a large number of attendees or participants, such as those where advanced planning is needed.

E. Required information to be collected and retained: (a) identification of controlled equipment used (e.g., Categories and number of units of controlled equipment used, make /model/ serial number); (b) description of the law enforcement operation involving the controlled equipment; (c) identification of LEA personnel who used the equipment and, if possible, civilians involved in the incident; and (d) result of controlled equipment use (e.g., arrests, use of force, victim extraction, injuries).\

F. Format of information collection and retention: Required information must be retained in a manner that is easily accessible and organized. The ESU commander will do an after action report of the significant incident and attach any applicable reports.

IV. Training:

A. The training plan submitted to the LESO program will be followed for initial training on the MRAP. Officers will receive annual training on General Orders and specific controlled equipment standards. This will include the review of possible constitutional concerns with the deployment of the ERV, specifically relating to the Response to Demonstrations and Protests.

B. ESU members who operate the ERV will receive annual training on the operational and technical training and demonstrate proficiency in operation and controlled equipment.

C. When possible the ESU members should conduct scenario training that combines constitutional and community policing principles with equipment specific training. Personnel authorizing or directing the use of controlled equipment should have enhanced scenario- based training to examine, deliberate, and review the circumstances in which controlled equipment should or should not be used. Table top exercises can be a valued part of the training.

V. Utilization:

A. It is the position of the Paramus Police Department, that all geographical areas within the Borough of Paramus can be supported by the ERV.

B. The ERV remains a permanent asset of the Department of Defense/Defense Logistics Agency, and Your Agency is a temporary custodian and user to which care and control has been transferred by the Your State Department of Public Safety, consistent with the requirements of the 1033 Program.

C. The ERV is considered an option to be used only in the following circumstances and with the express authorization of the Your Agency: In response to armed intruder or active shooter situations in which first responder or other tiered defensive measures have failed, been defeated or overwhelmed or the nature of the violence is so substantial or protracted that the use of the ERV is required immediately; this includes inserting officers into live fire zones to conclude an active shooter threat; extracting wounded victims or those exposed to active shooter fire or related dangers; inserting tactical medical assets in an effort to reduce casualties and provide emergency tactical casualty care to those already wounded; use as a defensive position or barricade; response to similar high risk tactical events/operations (e.g. a terrorist attack) where the risk of serious bodily injury or death to others as posed by a criminal offender has been demonstrated and other response measures are insufficient. The Chief of Police, based on the totality of the circumstances, can deploy The ERVto protect Civilians or Officers.

D. Under no circumstances will this vehicle be utilized as part of a response to public assemblies, protests, demonstrations, exercises of the First Amendment right to free speech, or for the control of civil disorder unless the circumstances cited above in Paragraph (V. C) exists concurrently.

E. This vehicle will not be part of any public demonstration or display of police resources or equipment and shall not be staged on any institution campus unless such staging or deployment is in immediate preparation for its operational use as cited above in Paragraph (V. C). Also must be in accordance with Response to Demonstrations and Protests. Staging of the vehicle should be off site and out of the view of demonstrations and protests. Even though the ERV is staged to protect and ensure the safety of demonstrators and their first amendment rights, this protocol is in place as to not create fear and distrust in the community.

F. The only authorized alternative use for the ERV shall be as assigned and operationally required in anticipation of or response to a natural disaster or catastrophic event without a criminal nexus (e.g. hurricane, tornado, flood, earthquake, and wildfire) where lifesaving access to areas that cannot otherwise be achieved is critical.

G. The ERV has limited capabilities during flooding as outlined in Operations section below (VI. W)

H. At the direction of the Paramus Police Department, ESU commander, or incident commander, this vehicle may be used to transport injured peace officers or civilian victims to a hospital or trauma center if necessary for urgent medical purposes; any such decision would be made in coordination with other Emergency Medical Services providers on the scene of the incident as necessary.

VI. Operations:

A. This vehicle is equipped with emergency equipment, but is not intended for high speed response or operation; therefore it should be driven within posted speed limits and not to exceed 60 mph. Unless in the most exigent of emergency circumstances, both a driver and observer shall be deployed to operate the vehicle and ensure its safe operation.

B. The ERV has an empty weight [redacted] occupants and a 50% fuel load), a [redacted] with fully inflated tires and turre[redacted] (mirror to mirror) and [redacted] and should be operated accordingly.

C. The ERV is appropriately titled and registered both with NJ State Department of Motor Vehicle. The vehicle shall also be made available for any applicable state inspection program.

D. Paramus Police Department is responsible and accountable for the operation of the vehicle, maintenance of the vehicle, the appropriateness of its use for actual operations as well as training and deployment. Monthly vehicle mileage and maintenance logs for vehicle usage will be in the custody of the Training Supervisor.

E. The Training Supervisor is designated as the program coordinator for this vehicle.

F. Proprietary security measures shall be taken as required.

G. Other than in emergency or exigent circumstances, only drivers who have had proper training and familiarization on the characteristics of operating this vehicle will be authorized to drive this vehicle. When possible and the vehicle is being moved for non-emergent circumstances, only a driver with a minimum NJ Class B CDL shall operate the Vehicle. The ESU Commander or his designee will maintain a log of authorized drivers to ensure compliance.

H. The specific ballistic level of vehicle armoring, ballistic protection afforded and associated vehicle specifications/configurations is Law Enforcement Sensitive Information and shall not be disclosed other than to those with a demonstrated need and right to know. At the end of the life of the vehicle it shall be returned to the 1033 program.

I. The maintenance schedule unique to this vehicle will be adhered to by the ESU Commander or his designee.

J. The vehicle will be located at a confidential secure location under the control of the Paramus Police Department and should be appropriately protected from the elements. Prolonged exposure to direct sunlight will cause accelerated deterioration of the laminate glass that is used for ballistic protection. Ballistic glass, while hard on the outside, is composed of a softer surface on the interior side of the vehicle that can be easily scratched; therefore interior cleaning of the glass should only be conducted by trained operators of the vehicle utilizing a clean soft cloth and foam window cleaner. This function should not be performed by untrained personnel. The exterior glass of the vehicle can be cleaned by pressure washing and wiped down in a conventional manner without damage.

K. Paramus Police Department utilizing Paramus Mechanical Maintenance will be responsible for providing fuel and routine maintenance of the vehicle. This vehicle will be insured through the Borough of Paramus. Negligence on the part of a vehicle driver or the assigned responsible officer shall be addressed through standard agency complaint procedures. As Truck 39 remains a permanent asset of the Department of Defense/Defense Logistics Agency, under no circumstances shall the physical appearance of the vehicle be altered or any modifications made of any kind without the express authorization of Your Agency.

L. The vehicle should be started weekly and tires inflated to the recommended pressure.

M. The vehicle should be maintained with approximately one half a tank of diesel fuel at all times.

N. The vehicle will be equipped with the appropriate medical/trauma care equipment to include, but not be limited to, an emergency medical kit.

O. The ESU Commander should ensure that officers receive training in emergency medical evacuation supported by similarly equipped vehicles.

P. Only in an extreme emergency or under the most extraordinary of conditions should officers be transported outside the passenger compartment of this vehicle. Ingress and egress from this vehicle will be primarily through (and trained via) the rear doors as the seating has been specifically modified to allow quick unobstructed access at this entry point.

Q. The vehicle should be equipped with at least two multi-purpose fire extinguishers.

R. The vehicle tires are outfitted with run flat tire inserts which have the capability to allow the vehicle to travel some distance at low speeds.

S. The Operations division commander will oversee and approve any movement of the vehicle.

T. The ESU Commander will develop and incorporate the appropriate team tactics utilizing this vehicle in support of the ESU mission guidelines/ or required. The ESU Commander, in coordination with the ESU team, will develop and implement training protocols for officers that are most likely to utilize this vehicle. This training will include, at a minimum, engagement and deployment with this vehicle as well as use of the vehicle to successfully and safely rescue those requiring evacuation.

U. All security devices on the vehicle will be activated when the vehicle is left unattended. In any instance in which the vehicle is left temporarily in a public location, the vehicle will be parked such that it can be viewed by the vehicle operators and responded to immediately or an officer will be assigned to provide security on the vehicle.

V. Inspection of this vehicle by Paramus Police Department shall be conducted as both a part of the regular vehicle inspection and on other occasions as determined by the program manager.

W. The ERV has very limited capabilities during flooding. When available, the Light Medium Tactical Vehicle should be used for high water rescue, not the ERV. If the ERV is to be deployed for water rescue, the Training Supervisor should be notified immediately to verify the intended water rescue or deployment fits within the capabilities of ERV and this policy. The ERV can only operate in up to 36 inches of water and only if there is known and stable ground under the water. A safety brief shall be performed prior to any use during natural disasters were standing water could occur. The operator must assess any entry into standing water and not enter standing water, if it does not fit the above listed criteria and/or would put the ERV or personal at risk for damage or injury. The operator has the option to abort if he/she feels that a water rescue would far succeed the capabilities of the ERV or their ability to maneuver the vehicle in standing water.

VII. Deployment and Mutual Aid Requests:

A. This vehicle shall be deployed only in support of the operations and responses outlined in Paragraphs V.C. and V. F as cited above or for related training. The decision to deploy this vehicle may be based upon the request of the Paramus Police department or local area Agencies.

B. Deployment of the vehicle for mutual aid or at the request of an outside law enforcement agency is permissible only with the authorization of the Chief of Police or his Designee and if the operation or response meets the requirements for the vehicle to be otherwise deployed. Only Paramus Police Department trained drivers and one additional officer will operate the vehicle for mutual aid or at the request of another law enforcement agency. Under no circumstances shall the vehicle be operated by a member of another law enforcement agency as this would be in direct violation of Federal Executive Order 13688. Your Agency may decline a request to use the vehicle, if the use is not consistent with the vehicle mission and use criteria and may terminate the use of the vehicle if the circumstances are not being managed appropriately, public safety is being threatened or jeopardized, or continued use of the vehicle would serve no demonstrable law enforcement purpose any longer.

C. Prior to entering in a shared services agreement or Memorandum of Understanding with another agency for there a use of the ERV. The Defense Logistics Agency must be notified and the LEA entering into the agreement must have appropriate policies and procedures in order as outlined in the Federal Executive Order 13688.

PARAMUS POLICE DEPARTMENT

VOLUME: 4	CHAPTER: 13	# OF PAGES: 6

SUBJECT: OFFICER INVOLVED SHOOTING / IN-CUSTODY DEATH

ISSUED BY:	EFFECTIVE DATE:	ACCREDITATION STANDARDS:
Chief Kenneth R. Ehrenberg	January 30, 2019	
SUPERSEDES ORDER #:		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: It is the purpose of this policy to provide guidelines for the investigation of officer-involved shootings. The policy also provides guidance for investigation of in-custody deaths and other serious uses of force.

POLICY: It is the policy of this department that officer-involved shootings, whether on or off duty, be investigated so as to determine whether officer actions conform to the law and this department's policy, procedures, rules, and training. This policy may also apply to the investigation of situations in which a person dies while in police custody or while an officer is attempting to effect custody and other serious uses of force.

PROCEDURES:

I. Definitions

Companion Officer: An officer assigned to another officer to provide emotional support and assistance following a critical incident, such as an officer-involved shooting. The assigned officer is normally a member of the department's peer support program but may also be another officer who has had a similar experience, a close friend, or both.

Critical Incident: An incident that is unusual, is violent, and involves perceived threat to, or actual loss of, human life. The incident is a significant emotional event that breaks through an individual's normal coping mechanisms and may cause extreme psychological distress.

In-Custody Death: The death of an individual while in custody or while attempts to effect custody are being made.[1]

Involved Officers: Unless otherwise indicated, refers to those sworn personnel in on-duty or off-duty status who discharge their firearm in a hostile situation or by accident; arrest or are in the process of arresting an individual who subsequently dies; engage in other serious uses of force; and are direct witnesses to such events.

Officer-Involved Shooting: A discharge of a service weapon by an officer during a hostile encounter or an accidental discharge, while on-duty or off-duty, irrespective of injuries to suspects, officers, or third parties.

Serious Use of Force: Any use of force that results, or is reasonably likely to result, in death, permanent or substantial injury, loss of any body part or function, or permanent disfigurement. Also included are situations where a person is **admitted** to a medical facility for treatment that is the result of police use of force.

II. Operations

A. Officers shall be thoroughly familiar with this department's policies on Post-Shooting Personnel Support and Critical Incident Stress Management. Awareness of and attempts to mitigate the potential effects of critical incident stress, combined with professionally accepted investigative procedures provide the best opportunity for establishing an accurate record of events surrounding officer-involved shootings.

B. Officers involved in a shooting incident shall, to the degree reasonably possible, take initial steps to protect their safety and to preserve evidence.

C. Incident Command Responsibilities

The ranking officer at the scene shall serve as incident commander (IC) and brief superior officers of investigation status when turning over IC responsibility. The IC shall assign responsibility for completion of the following tasks as appropriate and in the order deemed necessary.

1. Identify any remaining threats and take necessary action.
2. Determine the physical condition of officers, suspects, and third parties; provide emergency first aid if necessary; and ensure that emergency medical assistance has been summoned.
3. Ensure that a brief public safety statement is collected individually from the involved officer(s), covering only information necessary to focus initial police response and direct the preliminary investigation. This includes information on
    a. type of force used;
    b. direction and approximate number of shots fired by officers and suspects;
    c. location of injured persons;
    d. description of at-large suspects and their direction of travel, time elapsed since the suspects were last seen, and any suspect weapons;
    e. description and location of any known victims or witnesses;
    f. description and location of any known evidence; and
    g. Any other information necessary to ensure officer and public safety and to assist in the apprehension of at-large suspects.

4. Ensure the adequacy of the inner perimeter. Direct that an outer perimeter be established to prevent all from entering except those who have a specific function to perform. Ensure the names of all those who enter the perimeter are recorded.

5. Locate and secure—or secure in place—the officers' weapon(s) and mark expended ammunition casings. Physically check the firearms and other weapons of all officers who were present during the incident for evidence of a discharge. Weapons that were fired shall be secured as evidence, and primary service firearms shall be replaced by a similar firearm as soon as reasonably possible.
6. Locate and secure in place weapons, ammunition, and expended cartridges used by the suspect.
7. Collect information available about the suspect from anyone at the scene.
8. Ensure that all potential witnesses have been identified and separated and ask that they remain on hand to provide a statement. If witnesses wish to leave, obtain their contact information for future communications.
9. Locate and secure as evidence any clothing or other personal items that may have been discarded or removed from suspects or officers by medical personnel.
10. Determine and mark the position(s) of the officers and the suspects at the time of the shooting.
11. Separate and remove all involved officers from the immediate scene. Ensure that a companion officer is assigned to each.
12. Direct all involved officers not to discuss any aspects of the shooting among themselves or with others with the exception of their attorney, a qualified mental health professional, or authorized investigative personnel.
13. If an officer is transported to the hospital, ensure that the companion officer accompanies or meets him or her there.
    a. The companion officer should provide all reasonable support to the involved officer and act as liaison between the officer and the hospital.
    b. If the officer is incapable of calling, the companion officer shall notify or ensure that another department member notifies his or her immediate family as soon as possible and in person, whenever reasonably possible. The notification shall provide the family members with basic information on the status of the officer and when and where they will be able to see him or her. At this time the companion officer shall arrange for their transportation to the hospital or other location as required. In the case of serious injury or death, notifications shall be conducted in conformance with the department's Death Notification policy.[ii]
14. Whenever possible, photograph officers as they appear at the scene, to include any injuries sustained.
15. Offer a peer support counselor to the involved officer's family for security, support, and management of media inquiries and visitors.
16. Ensure all necessary department notifications have been made, such as those to the following:
    - Command Staff including Chief of Police
    - B.C. Prosecutors Office
    - Patrol commander
    - Evidence technicians
    - Coroner or medical examiner
    - PBA Representatives
    - Department chaplain
    - Qualified mental health professional, or peer support program coordinator

17. Establish a command post when it appears that an extended on-site investigation will be necessary.
18. Appoint an officer to serve as a "recorder," with responsibility for making a chronological record of activities at the scene, to include persons present and those who have been at the scene and actions taken by police, EMTs, or other personnel.
19. If equipment is available, ensure that video recordings are made of the entire crime scene and those present, including witnesses and bystanders. Determine if video recordings were made by in-car cameras, electronic control weapons, or surveillance cameras and secure them as evidence as soon as reasonably possible.
20. Ensure that a media staging area is established beyond the outer perimeter and that it is appropriately staffed.
21. Place officers who discharged their weapons on mandatory leave with pay.
22. The agency shall facilitate contact with, and involved officers will make themselves available to meet with, the department's designated qualified mental health provider within 24 hours of the incident, as prescribed by this department's policies on Post-Shooting Personnel Support and Critical Incident Stress Management.

D. In-Custody Death Investigations

Facts that are relevant to investigations of in-custody deaths include, but are not limited to, the following:

1. Information noted by the dispatcher from background noises during the call, as well as information provided by the reporting party that may be related to the subject's behavior, use of drugs or alcohol, previous law enforcement encounters, presence of weapons, and mental health concerns.
2. Officer observations of the subject's behavior in the course of making the arrest, for example, was the person
    a. calm or emotionally charged,
    b. rational or confused,
    c. able to communicate or difficult to engage in conversation,
    d. experiencing hallucinations or delusions,
    e. perspiring heavily,
    f. wearing inappropriate clothing or in a state of undress,
    g. exhibiting a high tolerance for pain, or
    h. Engaging in a protracted physical encounter with officers?
3. Whether family or friends indicate that the subject had been drinking heavily, using drugs, or both; whether the subject had been involved with the police on prior occasions; any other relevant information provided; and whether the subject was threatening anyone or in possession of a weapon.
4. Whether the subject was visibly injured in any way when the police arrived and what, if any injuries were sustained prior to death.
5. What measures the officer(s) took to gain control and custody, such as
    a. attempting to calmly "talk the person down,"
    b. maintaining distance,
    c. reducing noise by turning off sirens,
    d. reassuring the subject,
    e. buying time,
    f. asking simple questions to determine the subject's level of coherence,

    g. attempting to deescalate the situation or other actions, and
    h. Directing others at the scene to move away?
6. Whether custody was required.
7. The length of time it took to gain control of the subject. Whether there was a protracted struggle or the subject was subdued quickly.
8. The means used to restrain the subject.
9. When in custody, where and how the individual was situated (e.g., placed facedown on the ground, in a seated position, in a police vehicle sitting or lying down).
10. The physical reactions of the subject once arrested. For example, did he or she become calm or continue to struggle and act physically and verbally combative?
11. Whether EMS was called and, if so, at what point during the confrontation.
12. Whether the subject's condition (such as breathing and consciousness) was monitored after arrest. Whether the subject became unresponsive, who was present at the time, and what steps were taken by the officer(s).
13. When death was pronounced and by whom and the results of the autopsy.
14. The information provided in the subject's medical history and lifestyle.
15. If the subject did not die but was seriously injured or admitted to a medical facility, discover the answers to these questions:
    a. What were the nature and severity of the injuries?
    b. Were the injuries consistent with the use of force described by the officer(s)?

E. Serious Injury

Where serious injury is reported, investigators shall gather relevant information and take actions deemed appropriate from the foregoing section of this policy in addition to collecting information on the following:

1. Conduct and behavior of the subject being confronted as perceived by the officer at the time of the incident
2. The relative age, size, strength, and physical ability of the officer to the subject
3. Experience of the officer
4. The number of officers present
5. Potential influence of alcohol or drugs
6. Subject's proximity to weapons
7. Weapons used or threatened to be used by the subject
8. Force options available to the officer
9. Seriousness of the offense, basis for subject contact, and information known about the subject by the officer
10. Potential for injury to the public, officer, or subject
11. Risk of escape
12. Degree of subject resistance
13. Use of restraints
14. Other exigent circumstances

F. Investigator's Responsibilities

1. The lead investigator whenever possible shall do the following:
    a. Receive a briefing from the IC including details of the incident as available, a summary of all actions completed or in progress as noted in items B. and C. of this policy and be provided a walk-through of the incident scene.

b. Ensure that all items of potential evidentiary value are identified and properly collected.
c. Obtain audio-taped preliminary statements from suspects and witnesses.
d. Ensure that efforts are under way to collect and compile information on the suspect(s).

2. Consult with the coroner or medical examiner at the scene and at, or subsequent to, the autopsy, and compile information as available, such as, entrance and exit wounds, estimates of shooters' positions, the presence of alcohol or controlled substances in the suspect's body, and any other facts that may be deemed relevant.
3. Canvas the immediate area for potential witnesses who have not come forth and obtain information or statements as available.
4. Obtain search warrants for any vehicles, containers, homes, or vehicles as may be necessary.
5. Where possible, tape record interviews with EMTs, fire department personnel, and first responding officers regarding conditions at the shooting scene when they arrived to include any action that may have been taken to move or otherwise alter persons or objects of potential evidentiary value.
6. Develop a summary of preliminary information concerning the shooting for the chief executive officer.

G. Investigative Process

The investigation of officer-involved shootings shall normally be conducted in two separate parts and by separate authorities, a criminal investigation and an administrative investigation. The criminal investigation is normally **completed by the Bergen County Prosecutors Office** prior to any administrative investigation. After the completion of the Prosecutor's investigation, the administrative investigation is most often conducted by the department's internal affairs authority, if necessary.

1. Criminal Investigation Phase
   The Bergen County Prosecutors Office shall manage the criminal investigation unless, by interagency agreement, the lead is passed to another investigative authority. Parallel or sequential criminal investigations, one investigation related to state offenses and the other by federal authorities relating to offenses under federal law, may be undertaken but are not typical. Upon completion of the criminal investigation, findings shall be submitted to the Bergen County Prosecutor, the Chief of Police and any other appropriate prosecuting agency.
2. Administrative Investigation Phase
   After the completion of the Prosecutor's investigation, this investigation is undertaken by the department's internal affairs authority and must be kept separate and apart from the criminal investigation. It is intended to determine whether violations of departmental policy, procedures, rules, or training have occurred and, if so, whether disciplinary action should be recommended or modifications to policy, procedures, or training considered.
3. Criminal investigators may not be present during internal affairs questioning nor may information gained as a result of administrative interviews be shared with criminal investigators.
4. All interviews shall be audio- and videotaped in order to provide evidentiary record of statements.
5. Investigators shall be cognizant of symptoms of post-traumatic stress during officer interviews, such as time and space distortions, confusion, hearing and visual distortions associated with recalling details of the incident, as well as emotional impairment during questioning.
6. **Officers shall file individual use of force reports.**

PARAMUS POLICE DEPARTMENT

VOLUME: 4	CHAPTER: 14	# OF PAGES: 5

SUBJECT: Post Shooting Personnel Support

ISSUED BY:	EFFECTIVE DATE:	ACCREDITATION STANDARDS:
Chief Kenneth R. Ehrenberg	February 6, 2019	
SUPERSEDES ORDER #:		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: The purpose of this policy is to provide guidelines that shall be uniformly applied following any officer-involved shooting incident, in order to minimize the chance that officers will suffer from the negative emotional and psychological reactions that can occur after the use of deadly force in an on- or off-duty confrontation. This policy is designed to address the needs of the officer who discharged his or her firearm.

Law enforcement duties can expose officers to mentally painful and highly stressful situations that cannot be resolved through normal stress coping mechanisms. Unless adequately treated, these situations can cause disabling emotional and physical problems. Officer-involved shootings resulting in the death of or serious bodily injury to a citizen or a fellow officer may cause adverse reactions and behaviors in the officer. It is the responsibility of this law enforcement agency to provide officers with information on potential post-shooting trauma reactions and to guide and assist in their prevention.

POLICY: It is the policy of this agency to take action after officer-involved shooting incidents to safeguard the mental health of all officers.

PROCEDURES:

I. Definitions

Post-Traumatic Stress Disorder: An anxiety disorder that can result from exposure to a traumatic event and is diagnosed as such if symptoms persist after 30 days.

Acute Stress Disorder: An anxiety disorder that can result from exposure to a traumatic event and occurs within 30 days of exposure.

***Officer-Involved Shooting Incident*:** An incident where a law enforcement officer fires his or her weapon in the course of his or her duties. This is not limited to causing serious bodily injury to an officer or other person. It can include firing the weapon accidentally, or missing the intended target during the shooting.

Debriefings: In the context of this policy, a formal process that is conducted by a qualified mental health professional to address the psychological and emotional effects of the officer-involved shooting.

Agency Briefing: An informational administrative report on what happened during the officer-involved shooting.

Qualified Mental Health Professional (QMHP): Any individual who is licensed as a mental health professional and has an in-depth understanding of the law enforcement culture.

Peer Support Team: A formal group of individuals consisting of approved members who have undergone training in peer support methods.

Companion Officer: An officer assigned to provide emotional support and assistance to another officer following an officer-involved shooting. The assigned officer is normally a member of the department's peer support team, but may also be an officer who has had a similar experience, is a close friend, or both.

Officer: In the context of this policy, an officer who discharged his or her firearm.

II. Operations

A. Handling of Officers at Scene of Shooting Incident

1. A supervisor shall be dispatched to the scene of the incident, and shall assume primary responsibility for the officer. Communicating emotional support and reassurance is paramount.
2. **The supervisor shall make appropriate arrangements for all necessary medical treatment and transport to a hospital if needed. *The supervisor should be aware of the possibility of Psychological Traumatic injuries.***
3. Where possible, the supervisor or his designee (Roundsman) shall briefly meet with the officer.
    a. **Only minimal, preliminary questions should be asked about the incident at this time.** *The officer should be advised that a more detailed interview will be conducted at a later time.* This preliminary information shall include:
        (1) type of force used;
        (2) direction and approximate number of shots fired by officers and suspects;
        (3) location of injured persons;
        (4) description of at-large suspects and their direction of travel, time elapsed since the suspects were last seen, and any suspect weapons;
        (5) description and location of any known victims or witnesses;
        (6) description and location of any known evidence; and
        (7) Any other information necessary to ensure officer and public safety and to assist in the apprehension of at-large suspects.
    b. Any standard criminal or administrative investigations that will occur concerning the incident should be explained to and discussed with the officer.
    c. **The officer should be advised that he or she may seek legal counsel or union representation.**

d. **The officer should be advised not to discuss the incident with anyone else except a personal or PBA assigned attorney until the conclusion of the preliminary investigation.**

4. During any period where the officer is required to remain on the scene, but has no immediate duties to fulfill, he or she should be removed from the immediate vicinity to a quiet area. An agency-approved peer support team member, companion officer, other supportive friend or officer, or chaplain should remain with the officer, **but the involved officer(s) should be advised not to discuss details of the incident with anyone except the on-scene supervisor. *(See II. 4)***
5. ***The officer should be offered food and water to satisfy his or her basic needs as soon as possible.***
6. If the officer has an immediate need to talk about the shooting incident, he or she should be encouraged to do so with those that have legal, privileged confidentiality such as their personal or PBA Attorney.
7. The supervisor shall secure the officer's duty weapon for laboratory analysis in a discreet manner. With the approval of the Prosecutors Office, the Chief of Police will replace it with a similar weapon that the officer is qualified to use as soon as reasonably possible, unless there is an objective basis for questioning the officer's fitness for duty.
8. The officer should notify his or her family by telephone that the incident has occurred as soon as reasonably possible, but should refrain from discussing details. Use of social media for notifications is prohibited unless approved by the Chief of Police or their designee.
9. Where an officer is injured or deceased, an agency official and another member of the department, preferably an individual with personal knowledge of the officer and his or her family, such as a partner or close friend, shall personally notify the officer's family and arrange for their transportation to the hospital or other location as required.
10. **A line of duty emergency notification folder will be kept in the firearm's safe located at the front desk.** This emergency contact list will be reviewed and updated by the Chief of Police or their designee on an annual basis. If an officer is transported to the hospital, ensure that a companion officer accompanies or meets him or her there. A companion officer will remain with the officer until release from the hospital or medical center. The companion officer should provide all reasonable support to the officer and act as a liaison between the officer and the hospital until the hospital liaison officer arrives.
11. The department shall offer to assign a member of the peer support team to the officer's family for security, support, and management of media inquiries and visitors.
12. At all times, when at the scene of the incident, the supervisor should handle the officer in a manner that acknowledges the stress caused by the incident and refrain from passing judgment regarding the shooting.

B. Post-Incident Procedures

1. The officer will be placed on mandatory leave with pay, but shall remain available for any necessary administrative investigations. It is important that the officer and the public understand the leave period is not a disciplinary suspension.

2. The officer shall be required to attend a one-on-one or group debriefing provided by the agency's QMHP as soon as reasonably possible. After the QMHP meets with the officer, and with the officer's understanding, the agency shall be advised of:

a. whether it would be in the officer's best interest to have additional leave; and

b. the best continued course of counseling and intervention.

3. Follow up counseling services should be made available to the officer. The initial follow-up should be face to face.

4. This department strongly encourages the family of the officer to take advantage of available agency mental health/counseling services. It is recommended family/relationship joint counseling services be offered to the officer and his or her family or significant other whenever possible.

5. In order to promote trust and encourage the use of mental health and counseling services, all one-on-one debriefings and other individual counseling sessions shall be kept confidential and shall not have any bearing on the officer's fitness-for-duty evaluation. Any information provided to the QMHP (such as Cop 2 Cop, etc.) will be used solely for return-to-work status recommendations. The activity of the QMHP shall in no way affect the officer's employment or pay status. The QMHP involved with the post-shooting counseling shall not conduct this department's fitness-for-duty examinations.

6. After the completion of the Bergen County Prosecutors Office or designee's shooting investigation, any agency investigation of the incident shall be conducted as soon as practical. This department shall make every effort to expedite the completion of any administrative or criminal investigations with the understanding that it can decrease the negative distress reactions that the officer may experience. The officer should be informed of the progress and any outcomes of the investigation on a regular basis.

7. As soon as reasonably possible, an agency briefing concerning the incident should occur so that rumors are kept to a minimum. Agency members are encouraged to demonstrate their concern for the officer.

8. The officer should be advised that he or she is not permitted to speak with the media about the incident. The officer shall refer inquiries from the media to a designated agency spokesperson, unless otherwise authorized to release a statement pertaining to the incident.

C. Daily Stress Recognition

1. Physical, cognitive, emotional, and behavioral reactions or problems may not arise immediately, or the officer may attempt to hide his or her problems. Supervisors are responsible for monitoring the behaviors of unit members for any adverse reactions or symptoms.

2. The Chief of Police may order an officer to seek assistance or counseling from a QMHP upon a reasonable belief that stress may be disrupting the officer's job performance.

D. Training

1. This agency shall provide employees with training pertaining to post-shooting reactions and behaviors and the uniform procedures contained in this policy on a regular basis.

2. Supervisors and administrators must be trained to identify post-shooting trauma reactions and behaviors.

3. The Chief of Police or their designee is responsible for making available to their unit members information about the agency's peer support, chaplains, and mental health services.

PARAMUS POLICE DEPARTMENT

VOLUME: 4	CHAPTER: 15	# OF PAGES: 4

SUBJECT: EMERGENCY MOBILIZATION

ISSUED BY: Chief Kenneth R. Ehrenberg	EFFECTIVE DATE: October 3, 2018	ACCREDITATION STANDARDS: 2.1.3, 46.1.3, 46.1.4, 46.1.5, 46.1.6, 46.1.7
SUPERSEDES ORDER #: *Original issued 10-1-2009*		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: The purpose of this directive is to establish a notification/mobilization process to facilitate the rapid notification of agency personnel in the event of any emergency, natural or man-made.

POLICY: It is the policy of this agency to employ standardized operational procedures for the emergency mobilization of off-duty personnel in the event of a disaster, civil disturbance, or other emergency requiring more personnel than normally available.

PROCEDURE:

I. There are times when it becomes necessary to mobilize the agency workforce in response to a disaster, civil disturbance, other emergency, or planned special event.

II. In the event that a departmental mobilization is necessary, as deemed by the tour commander or ranking supervisor on duty, the desk officer shall cause notification in accordance with this directive. The desk officer shall contact the Chief of Police and Command Staff and briefly provide the following information:

A. Type of emergency prompting the mobilization;
B. Staging area for personnel to gather (to be determined by the nature of the incide[redacted]
C. Uniform of the day;
D. Ancillary equipment needed, if applicable.
E. As the notifications progress, all personnel shall be provided with the above information.

III. Supervisors shall create a record any personnel they have notified and the time they were notified. This provides a basis for eventual deployment at the emergency. They should also note the following:
A. Estimated time of arrival;
B. Call back number, if necessary

It is incumbent upon all supervisors to bring this information with them when they arrive at the staging area.

IV. The desk officer shall log and collate any responses they may have received to provide field commanders with an anticipated roster of personnel.

V. The nature of the emergency will usually dictate the scope of the recall notifications. An emergency may necessitate a recall of only the patrol division.

VI. Notification may be conducted by numerous methods including NIXLE, Email, Telephone or Reverse 911 systems.

I. MOBILIZATION

A. **Phase I Mobilization** is the readiness stage. If time permits, this stage should include, but is not limited to:

1. Determining what demands will be made on this agency
2. Considering establishment of a formal command center, field command post, incident commander, etc.
3. Making plans for the assignment of police personnel, including civilian and outside support personnel, when necessary, to minimally address
   - Perimeter control
   - Crowd control
   - Traffic control
   - Rescue liaison, if applicable
   - Public information
   - Intelligence gathering, if applicable
4. Readiness inspection of necessary equipment and vehicles
5. Readiness of essential consumable supplies

B. **Phase I Mobilization** also includes notification to necessary ancillary agencies, as required by the nature of the incident/occurrence including, but not limited to:

1. Fire Department
2. EMS
3. Paramedics
4. Health Department
5. Public Works Department
6. Paramus Office of Emergency Management
7. Bergen County Police Department
8. Bergen County Sheriff's Department
9. Bergen County Prosecutors Office
10. New Jersey State Police
11. National Guard

The incident commander may form one or more task forces comprised of members of these ancillary agencies if the incident is of any magnitude and if the need arises.

C. **Phase II Mobilization** is the emergency activities stage. This phase may be the first phase of an emergency recall when an unanticipated incident unfolds rapidly. This phase will include:

1. Recall of off-duty personnel
2. Holding over the existing shift

D. **Phase II Mobilization** includes the direct involvement of an incident commander and also the deployment of additional personnel and equipment. Personnel will be assigned to assist the public/victims in movement to safety and the assignment of routes for them to take for safe movement. If required, it may be necessary to move police equipment and personnel to predetermined areas for safety.

1. Phase II may also involve the rescheduling of personnel to cover the normal day-to-day operations of the agency and to respond to the emergent incident.
2. No one will be relieved or reassigned without the knowledge of the incident commander.
3. If the incident/event is of great magnitude, the Emergency Management Coordinator shall be contacted to coordinate activities with the incident commander and to assist in the procurement of resources.
4. The Administration Commander shall track any expenditures (supplies, equipment, etc.) resulting from the mobilization as soon as practicable.

E. **Phase III** is the post incident/emergency stage. Activities in this stage may include protecting property, recovery, and deployment of personnel as required performing duties not of an emergent nature.

II. SUPPLEMENTAL

A. Equipment requirements are generally determined by the incident commander. If necessary, a designated person may be assigned the duties of quartermaster and shall distribute any necessary specialized equipment for the duration of the incident.

B. A detailed list of distributed equipment shall be maintained and any specialized equipment shall be checked for operability prior to distribution. If the emergency requires equipment beyond the scope of specialties in the department, the incident commander may assign personnel to contact the appropriate agencies or utilize the resources of the Emergency Management Coordinator.

C. The incident commander should make arrangements for any vehicles necessary to support the operation. Once personnel have arrived at the designated assembly point, special vehicles may be necessary to carry agency personnel to and from the incident scene. This may be coordinated, if necessary, through the Borough Emergency Management Coordinator.

D. Supervisors shall maintain a current department telephone roster in their homes at all times. Telephone rosters are strictly confidential and shall not be left unsecured. Rosters can be obtained from the Office of the Chief of Police.

E. At a minimum, supervisors should maintain the telephone numbers of the personnel for whom they are responsible.

F. The Office of the Chief of Police shall distribute telephone rosters to supervisory personnel when changes are made.

G. The Chief of Police or their designee is responsible for conducting a biennial review of the Mobilization Plan, as well a biennial rehearsal. Where there has been an activation of the Emergency Mobilization Plan within the two year period, an after action report shall be prepared by the incident commander, to include a review of the Mobilization Plan.

H. Personnel must be aware that a catastrophic failure in the communications mediums available to mobilize them for an emergency could occur. Symptoms of catastrophic failure include, but are not limited to:
   1. No dial tone;
   2. Dial tone, but an inability to connect calls regardless of the calling area;
   3. News reports of widespread communications failures or similar disasters;
   4. Word of mouth reports of widespread communications failures or similar disasters;
   5. Widespread power outage;

I. Upon learning of a catastrophic failure in the communications network or if suspecting this type of widespread failure in the communications network affecting the Paramus area, all Paramus police officers are required to respond to this agency as quickly and as safely as possible for duty.

J. Officers should take all reasonable measures to verify that a widespread communications outage has occurred. Officers residing in other municipalities or counties should make repeated attempts to contact headquarters during their ride in to verify the existence of an emergency.

K. Responding officers must report in the uniform of the day and be fully equipped for field duty. The Police Lineup room has been designated the police reporting area unless otherwise designated. Responding officers should report there for assignments unless already informed of an alternate staging area when originally notified.

L. Personnel should also bring several changes of clothing in the event a disaster or other related emergency requires their prolonged presence.

PARAMUS POLICE DEPARTMENT

VOLUME: 4	CHAPTER: 16	# OF PAGES: 3

SUBJECT: SMALL UNMANNED AIRCRAFT SYSTEMS / DRONES

ISSUED BY: Chief Kenneth R. Ehrenberg	EFFECTIVE DATE: January 1, 2019	ACCREDITATION STANDARDS:
SUPERSEDES ORDER #:		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: This policy is intended to provide personnel who are assigned responsibilities associated with the deployment and use of small unmanned aircraft systems (sUAS) with instructions on when and how this technology and the information it provides may be used for law enforcement and public safety purposes in accordance with law.

POLICY: It is the policy of the Paramus Police Department that duly trained and authorized agency personnel may deploy sUAS when such use is appropriate in the performance of their official duties, and where deployment and use, and the collection and use of any audio/video recordings or other data originating from or generated by the sUAS, comport with the policy provisions provided herein and applicable law.

PROCEDURE:

I. DEFINITIONS

Digital Multimedia Evidence (DME): Digital recording of images, sounds, and associated data.

Model Aircraft: A remote controlled aircraft used by hobbyists that is built, produced, manufactured, and operated for the purposes of sport, recreation, and/or competition.

Unmanned Aircraft (UA) or Unmanned Aerial Vehicle (UAV): An aircraft that is intended to navigate in the air without an on-board pilot. Also alternatively called Remotely Piloted Aircraft (RPA), Remotely Operated Vehicle (ROV), or Drone.

Unmanned Aircraft System (UAS): A system that includes the necessary equipment, network, and personnel to control an unmanned aircraft.

Small Unmanned Aircraft Systems (sUAS): UAS systems that utilize UAVs weighing less than 55 pounds and are consistent with Federal Aviation Administration (FAA) regulations governing model aircraft.

UAS Flight Crewmember: A pilot, visual observer, payload operator or other person assigned duties for a UAS for the purpose of flight or training exercise.

Unmanned Aircraft Pilot: A person exercising control over a UA/UAV/UAS during flight.

II. OPERATIONS

A. Administration

All deployments of sUAS must be specifically authorized by the Chief of Police or their designee. The Paramus Police Department has adopted the use of sUAS to provide an aerial visual perspective in responding to emergency situations and exigent circumstances, and for the following objectives:

1. Situational Awareness: To assist decision makers (e.g., incident command staff; first responders; city, county, and state officials) in understanding the nature, scale, and scope of an incident—and for planning and coordinating an effective response.
2. Search and Rescue: To assist missing person investigations, AMBER Alerts, Silver Alerts, and other search and rescue missions.
3. Tactical Deployment: To support the tactical deployment of officers and equipment in emergency situations (e.g., incidents involving hostages and barricades, support for large-scale tactical operations, and other temporary perimeter security situations).
4. Visual Perspective: To provide an aerial visual perspective to assist officers in providing direction for crowd control, traffic incident management, special circumstances, and temporary perimeter security.
5. Scene Documentation: To document a crime scene, accident scene, or other major incident scene (e.g., disaster management, incident response, large-scale forensic scene investigation).

B. Procedures for sUAS Use

1. The agency must obtain applicable authorizations, permits, or certificates required by the Federal Aviation Administration (FAA) prior to deploying or operating the sUAS, and these authorizations, permits, and certificates shall be maintained and current.
2. The sUAS will be operated only by personnel (pilots and crew members) who have been trained and certified in the operation of the system.
3. The sUAS-certified personnel shall inspect and test sUAS equipment prior to each deployment to verify the proper functioning of all equipment and the airworthiness of the device.
4. The sUAS equipment is the responsibility of the individual personnel and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that an appropriate repair can be made or a replacement unit can be procured.
5. The sUAS equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.
6. All flights will be documented on a form or database designed for that purpose, and all flight time shall be accurately recorded. In addition, each deployment of the sUAS shall include information regarding the reason for the flight; the time, date, and location of the flight; the name of the supervisor approving the deployment and the staff assigned; and a summary of the activities covered, actions taken, and outcomes from the deployment.
7. Except for those instances where officer safety or investigation could be jeopardized—and where reasonably possible and practical, agencies should consider notifying the public.

8. Where there are specific and articulable grounds to believe that the sUAS will collect evidence of criminal wrongdoing and/or if the sUAS will be used in a manner that may intrude upon reasonable expectations of privacy, the agency will obtain a search warrant prior to conducting the flight.

C. Restrictions on Using the sUAS

1. The sUAS shall be deployed and used only to support official law enforcement and public safety missions.
2. The sUAS shall not be operated in an unsafe manner or in violation of FAA rules.
3. The sUAS shall not be equipped with weapons of any kind.

D. DME Retention and Management

1. All DME shall be handled in accordance with existing policy on data and record retention, where applicable.
2. All DME shall be securely downloaded at the completion of each mission. The sUAS-certified operators will record information for each file that shall include the date, time, location, and case reference numbers or other mission identifiers—and identify the sUAS personnel involved in mission.
3. Personnel shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner sUAS DME without prior written authorization and approval of the Chief of Police or his or her designee.
4. All access to sUAS DME must be specifically authorized by the Chief of Police or his or her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
5. Files should be securely stored in accordance with agency policy and state records retention laws and retained no longer than necessary for purposes of training or for use in an investigation or prosecution.

E. sUAS Supervision and Reporting

1. sUAS supervisory personnel shall manage all deployments and uses of sUAS to ensure that officers equipped with sUAS devices utilize them in accordance with policy and procedures defined herein.
2. An authorized sUAS supervisor or administrator will audit flight documentation at regular intervals. The results of the audit will be documented. Any changes to the flight time counter will be documented.
3. The Chief of Police or their designee shall publish an annual report documenting the agency's deployment and use of sUAS devices.

F. Training

1. Personnel who are assigned sUAS must complete an agency-approved training program to ensure proper use and operations. Additional training may be required at periodic intervals to ensure the continued effective use and operation and proper calibration and performance of the equipment and to incorporate changes, updates, or other revisions in policy and equipment.
2. All agency personnel with sUAS responsibilities, including command officers, shall also be trained in the local and federal laws and regulations, as well as policies and procedures governing the deployment and use of sUAS.

PARAMUS POLICE DEPARTMENT

VOLUME: 5	CHAPTER: 1	# OF PAGES: 8
SUBJECT: TRAINING		
ISSUED BY: Acting Chief Christopher J. Brock	**EFFECTIVE DATE:** September 21, 2010	**ACCREDITATION STANDARDS:** 1.1.2, 33.1.5, 33.1.6 33.1.7, 33.4.1, 33.5.1 33.6.2, 33.8.2
SUPERSEDES ORDER #:		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: The purpose of this directive is to establish goals, procedures and responsibilities for the organization and administration of in-service and specialized training for employees of the Paramus Police Department. The Training Coordinator is established by the Chief of Police and is responsible for department's training function.

POLICY: One of the most important responsibilities of a department is training all personnel within that agency. This directive addresses the organization and the administration of the training process. The training goals of the department are: to train each employee so that they are prepared to act decisively and correctly in a broad spectrum of situations, to assist in their professional and personal development, to make them more productive and effective, and to foster a sense of cooperation and unity of purpose in order to complete the mission of the Paramus Police Department.

PROCEDURE:

I. ADMINISTRATION

A. The establishment of a Training Coordinator has been authorized by the Chief of Police. The Training Coordinator shall report directly to the Chief of Police or designee.

B. The Training Coordinator will be responsible for:

1. Ensuring that all mandatory training requirements have been scheduled and completed prior to the certification expiration; and

2. Ensuring that any performance deficiencies identified are addressed through in-service training; and

3. Periodic evaluation of training programs; and

4. Preparation of training goals and objectives for the upcoming year, if requested; and

5. Preparation of registration forms for attendance to all outside training; and

6. Preparation of requisitions; and

7. Forwarding all registration forms and requisitions to the appropriate agency; and

8. Notification to employees scheduled to attend classes; and

9. When requested, submit progress reports regarding the training function; and

10. Liaison with the police academy relative to curriculum and recruit officer progress as required by the field training program; and

11. Recruit and recommend new instructors, when needed.

C. Assignments to training programs

1. Scheduled attendance is mandatory. If, for some reason, an employee is unable to attend, the employee shall contact his/her the supervisor on duty. The supervisor on duty will then contact the training coordinator, via phone if on duty, or via email if off-duty. Arrangements will then be made to either have another employee attend the training or to seek a refund for the course.

2. The use of an employee's personal vehicle to travel to a training course shall be consistent with the provisions in the current collective bargaining agreement.

D. Remedial Training

1. **STAFF INSPECTIONS** - Staff inspections provide an opportunity to evaluate the operation of the department in terms of effectiveness, efficiency and compliance with all written directives. This continuous

process allows administrators to scrutinize the performance of employees at all levels of the organization.

a. When a problem or deficiency is discovered, immediate corrective measures (including remedial training) will be employed to improve the delivery of services.

b. In the event that deficiencies are observed and reported in the staff inspection process, and it is determined that additional training may be necessary to correct the deficiencies uncovered, the Division Commander or Platoon Lieutenant will forward a training request to the Training Coordinator.

c. The complexity of the training needed and the target group identified for the training will dictate the type of training program best suited for remediation of the identified deficiency.

d. Documentation of completed training (copies) shall be forwarded to the Division Commander or Platoon Lieutenant for inclusion in the inspection files. Copies shall also be forwarded to the Training Coordinator.

2. **LINE INSPECTIONS** - Line inspections provide an opportunity to evaluate individual performance and identify remedial training needs that are observed by supervisors.

a. In the case of isolated deficiencies identified as a result of line inspections, the first line supervisors may conduct individualized remedial training in which case both the deficiency identified and the remedial training conducted shall be reported in writing to the Division Commander or Platoon Lieutenant and Training Coordinator.

3. **INTERNAL AFFAIRS** - Individualized remedial training may also be appropriate to address deficiencies observed as a result of an internal affairs investigation.

a. For remediation of deficiencies identified as a result of an internal affairs investigation, the Internal Affairs Unit will forward a training request to the Training Coordinator.

b. Documentation of completed training (copies) in response to an internal affairs complaint shall be forwarded to the training unit, which are available for review by internal affairs.

4. **INSTRUCTOR IDENTIFIED** - Failure to meet minimum training examination scores will result in remedial training by the instructor. The employee shall be provided with remedial study material and shall successfully pass a remedial examination within two weeks of the first test date. If an employee fails to pass the remedial test, the matter will be forwarded to the Chief of Police or designee for review.

E. Training Records

1. Upon completion of a training course, class or drill, all employees shall photocopy their course certificate, if given, and provide it to the Office of the

Chief of Police for filing in the employee's training file for the purpose of updating an employee's training record. The employee's training resume shall be updated in the training database and training documents shall be filed in the training file for each employee.

a. If a certificate is not provided, the employee shall provide written notification to the Office of the Chief of Police and the Training Coordinator for the purpose of updating the employee's training record.

1) The only exception would be for those police officers attending a basic police training academy. The Training Coordinator will ensure that all required forms are completed and a training file is initiated for the new police officer.

2) The Training Coordinator shall complete the required Police Training Commission Reports and forward to the Office of the Chief of Police through the chain of command.

2. Training records shall be maintained pursuant to the New Jersey Records Retention Schedule and shall include the following:

a. A copy of lesson plans filed by instructors for the classes conducted;

b. Names of agency attendees;

c. A record of all test scores administered, including firearms qualification records.

II. POLICE TRAINING ACADEMY

A. The agency shall meet the legal requirements of the Police Training Act pursuant to **NJSA 52:17B-66 et seq**.

III. TRAINING INSTRUCTOR

A. Instructors must possess the following qualifications:

1. Proficiency in both lesson plan and performance objective development;

2. Knowledge of instructional, testing, and evaluation techniques;

3. Familiarity with both resource use and availability;

4. Be employed as a full time employee for a minimum of three (3) years unless extraordinary circumstances.

IV. RECRUIT TRAINING

A. All sworn personnel must attend and successfully complete the required training course and be certified by the New Jersey Police Training Commission.

B. No officer may assume the duties of a police officer including carrying a weapon or be in a position to make an arrest until they have successfully completed the mandatory recruit training academy.

V. IN-SERVICE TRAINING

A. All sworn personnel shall complete the following in-service training program to include:

1. Semi-Annual Firearms Qualifications/Training;

    a. Requalification with the agency handgun is mandated annually by **N.J.S.A. 2C:39-6j**.

    b. Requalification with all agency-authorized firearms that the officer may be required to use in the course of official duties.

2. Semi-Annual Use of Force Training (includes the use of less lethal and deadly force);

    a. Training will be on the on the laws and policies governing the use of force.

3. Semi-Annual Vehicular Pursuit Training;

    a. Training will be on the laws and policies governing vehicle pursuits.

4. Annual Domestic Violence Training;

    a. **N.J.S.A. 2C:25-20** requires annual in-service training of at least four hours on domestic violence. Police officers transferring to a new agency must receive training within 90 days from the date of transfer. Initial training now occurs as part of the Basic Course for Police Officers.

5. C.P.R. Training;

    a. CPR refresher training is recommended and can be accomplished in one to four hours according to the American Heart Association.

6. Annual Blood-borne Pathogens Training;

    a. This training shall be conducted as required by **C.F.R. 1910.1030**.

7. Annual Hazardous Materials Awareness Training;

    a. This training shall be conducted as required by **C.F.R. 1910.120(q)(6)**.

8. Annual Right to Know Training;

    a. Employees identified by the training coordinator that have the potential to be exposed to hazardous substances during the course of their work will receive annual training in Right to Know as required by **N.J.A.C. 8:59-7.1(c).**

9. CJIS Training;

10. Harassment in the Workplace Training;

    a. All employees shall complete this training every three years.

11. All police personnel will receive periodic training regarding cultural diversity and the prohibition against discriminatory profiling, including legal aspects. Periodic training shall mean at least once every three years;

12. Annual Legal Updates Training;

    a. This training will be inclusive of case law, search and seizure, criminal and motor vehicle law.

13. Alcotest Training;

    a. **N.J.A.C. 13:57-1.6 and -1.7** require police officers who are certified to operate the Alcotest to be recertified every third calendar year.

14. Radar Operator Training;

    a. Recertification every three years for certified police officers only, (4 hours).

15. Handling the Mentally Ill Training;

    a. This training shall occur every 3 years.

16. Ethics Training;

    a. All department personnel shall receive training, minimally on a biennial basis.

17. All police officers shall receive training in the following Domestic Security Preparedness Courses pursuant to **Attorney General Law Enforcement Directive No. 2004-3**:

    a. Incident Command System training;

    b. Weapons of Mass Destruction Awareness training;

    c. Counter Terrorism Awareness training.

18. All police officers shall receive training in the National Incident Management System Courses pursuant to **Attorney General Law Enforcement Directive No. 2005-2**.

VI. ACCREDITATION TRAINING

A. The accreditation manager, during the new employee's initial training program, shall provide all newly hired employees with familiarity training on the accreditation process.

B. The accreditation manager, during the self-assessment phase, shall provide all employees with training during the initial and each reaccreditation.

C. The accreditation manager, prior to any on-site assessment, shall provide all employees with updated accreditation training.

VII. SPECIALIZED IN-SERVICE TRAINING

A. Personnel assigned to the department's Emergency Services Unit shall complete a 40 hour basic SWAT school.

1. Police officers assigned to the department's Emergency Services Unit shall undergo additional training and testing with the special weapons required by their assignment in accordance with the New Jersey Attorney General's guidelines.

2. On a monthly basis, Emergency Services Unit operators shall complete training and operational readiness exercises. The training or exercise shall consist of a minimum of eight hours per month.

B. Non-supervisory positions that require specialized training within the first year of assignment.

1. **Detective:**

   a. Interview/Interrogation course.

2. **Instructor:**

   a. Specialized Courses that the officer will be instructing (per course).

3. **Firearms/Weapons Instructor:**

   a. Firearms Instruction course;

   b. Weapons Instruction course (as applicable).

4. **DARE Officer:**

   a. DARE certification.

5. **School Resource Officer:**

   a. S.R.O. certification.

6. **Accreditation Manager:**

   a. Accreditation Manager training through CALEA, NJSACOP, or NJPSAC.

7. **Field Training Officer:**

   a. Field Officer Training Instruction (either in house or outside instruction).

C. Police officers that are promoted to the rank of sergeant shall attend a supervision course for first line supervisors within the first year that they hold the rank of sergeant, or upon course availability.

   1. Sergeants shall complete ICS-200 training.

D. Police officers promoted above the rank of sergeant shall attend a leadership and/or management course within the first year that they hold the rank above sergeant, or upon course availability.

   1. Lieutenants shall complete ICS-300 training.

   2. Police officers above the rank of Lieutenant shall complete ICS-400 training and NIMS 800 training.

E. Newly promoted non-sworn employees shall attend job related training relative to their new responsibilities.

PARAMUS POLICE DEPARTMENT

VOLUME: 5	CHAPTER: 2	# OF PAGES: 14

SUBJECT: FIELD TRAINING AND EVALUATION PROGRAM

ISSUED BY:	EFFECTIVE DATE:	ACCREDITATION STANDARDS:
Deputy Chief James J. Sheehan	September 8, 2010	33.4.3
SUPERSEDES ORDER #:		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: The purpose of this policy is to establish a field training program facilitating the transition from academy training to agency specific training. The success of the program is dependent upon the combined efforts of everyone involved. To achieve maximum benefit from this field training program, both the supervisors and their subordinates must approach this training with an attitude that reflects confidence in its value and purpose.

POLICY: The field training program is designed to augment the basic training courses taught at the police academy and commences upon the graduation of each OIT from the academy or upon hire, whichever is later. Each newly hired officer is assigned to an experienced officer who has been selected to mentor them through their field training. The Paramus Police Department must always strive to maintain the highest standards of professionalism. The Field Training and Evaluation Program (FTEP) has been developed to meet this responsibility. The standards for proficiency set by the Field Training and Evaluation Program are meant to ensure that each officer completing the training will have received the necessary instructions and guidance under field conditions to minimally meet the standards of the department. These guidelines shall also serve as standards for the officer throughout the probationary period.

PROCEDURE:

I. Program Objectives

A. The Paramus Police Department Field Training and Evaluation Program has been designed and implemented so that the following objectives may be met:

B. To produce a highly trained and positively motivated police officer capable of meeting standards of performance required by the Paramus Police Department.

C. To provide standardized training to all newly hired police officers and to provide remedial training in those areas where deficiencies are identified.

D. To build on the foundation of knowledge given at the police academy, creating an environment in which the OIT may develop new skills as well as increase proficiency in those acquired at the academy.

E. To improve the department screening process by providing on-the-job observations of each OIT's performance.

F. To establish an appraisal system which is valid and job related, utilizing a standardized and systematic approach to the documented measurement of officer performance.

G. To establish career paths within the department by providing qualified officers with additional training and opportunities to develop leadership skills.

H. To ultimately increase the overall efficiency and effectiveness of the department by enhancing officer professionalism and competency.

II. Definition of Terms

A. **Probationary Officer/Lateral Transfer:** a member who has graduated from the academy and has entered the Field Training Program. The officer shall be referred to as the officer in training, (OIT).

B. **Field Training Officer (FTO):** a member who serves as a trainer and evaluator of a probationary officer.

C. **Field Training Coordinator:** is the designee of the Chief of Police, responsible for the day to day operations of the Field Training and Evaluation Program (FTEP). The FTO Coordinator reports directly to the Chief of Police or designee.

D. **Field Training Checklist:** is a guide used to instruct the OIT on the various topics relative to the Paramus Police Department.

E. **P.O.S.T.:** (Police Officers Standardized Training): are the training objectives required by the Police Training Commission that the employing law enforcement agency must conduct with the OIT in accordance with **N.J.A.C. 13:1-5.1**

F. **Training Extension**: an additional training period for remedial training for deficiencies observed by an FTO. This extension is only authorized by the Chief of Police or designee.

III. Program Structure

A. The duration of the Field Training and Evaluation Program shall be no less than 4 weeks:

1. The OIT will not be released from the FTO Program until the OIT has demonstrated sufficient minimum proficiency and all FTO paperwork has been completed properly and turned into the FTO coordinator.

B. Phase One: Pre-Academy Phase, when applicable

1. The OIT shall be assigned to the Field Training Coordinator prior to the attendance at a police academy, if applicable. The Field Training Coordinator will expose the OIT to department operations and cover pre-academy training requirements in accordance with the Police Officers Standardized Training Manual, (P.O.S.T.).

2. The Field Training Coordinator will also ensure that any remaining processing required by the academy is completed and will assist the OIT to acquire necessary uniforms and equipment, if applicable.

C. Phase Two: Primary FTO Assignment

1. This phase starts after the OIT's successful completion of the Basic Police Training Course at the police academy. OITs hired by the Paramus Police Department that have already graduated from the police academy, begin this program with this phase.

2. The OIT will be assigned to an FTO for a period of three weeks. This initial FTO will become the OIT's primary field training officer.

3. The FTO will institute a formal evaluation process using the **Daily Observation Report (DOR)**. Entries on this report will be explained to the OIT at the end of each day. The reports will be submitted daily to the Field Training Coordinator (FTC).

4. This phase is the OIT's first exposure to the Field Training and Evaluation Program. It is important that the FTO fully explain the process so that it can be clearly understood by the OIT. The OIT will continue to receive instruction from the FTO in accordance with the **Field Training Checklist.**

D. Phase Three: Alternate FTO Assignment Rotation

1. The OIT is assigned to alternate FTOs. This assignment shall be for a period of two weeks. During this period of time, the OIT will be assigned to at least two different FTOs, and should be scheduled to work tours different from their initial, primary FTO's, tour of duty. Every effort should be made to complete all training items in the **Field Training Checklist** during this phase. The Alternate FTOs in this phase must also spend time reviewing the OIT's areas of weakness and providing remedial training.

1. At the conclusion of this phase, the OIT should have the necessary knowledge and skills to function as a solo officer and meet the acceptable standards required in every category of the **Daily Observation Report**.

E. Phase Four: Observation Phase

1. This phase is a very important part of the evaluation process and essentially provides the FTO with insight into the solo capabilities of the OIT. During this phase, the OIT will be reunited with the primary FTO for a period of one week.

2. During this phase, the primary FTO will review the OIT's records to see if the OIT has achieved an acceptable level of proficiency in all areas covered on the **Daily Observation Report**. Any performance areas that require further evaluation must be addressed by the primary FTO through on-the-street observations or the use of training simulations. Any final remedial training takes place during phase.

3. Additionally, the OIT will operate in a quasi-solo capacity. The OIT will operate the police vehicle and carry on all police activities without the direct supervision of the FTO. The FTO will accompany the OIT on patrol, but will only observe and evaluate the OIT's actions. The FTO should not give the OIT any guidance or take any action except in situations where the officer's or the public's safety is in question.

4. Upon the completion this phase, the FTO will recommend to the Field Training Coordinator that the OIT:

    a. Is qualified to patrol alone, or

    b. Should be given an extension of training for remedial purposes, or

    c. Has not made satisfactory progress and should be terminated.

5. If the OIT is approved to patrol alone by the Chief of Police or designee after review with the FTC, the OIT will operate a police vehicle and carry on all police activities without an FTO in the vehicle. The OIT will be shadowed to calls by other members of the squad who will observe the OIT and assist as needed. After a period of time that is determined by the OIT's Supervisor, the shadowing period will end.

6. The OIT shall be monitored throughout their probationary period, extended in training, or terminated as approved by the Chief of Police or designee.

F. Phase Five: Extension of Training **(Request for Training Extension Form)**

1. Under normal circumstances, the Field Training Program is six weeks. If the OIT is not performing at an acceptable level by the end of six weeks, termination action may be initiated. However, if the OIT has not attained an acceptable level of performance, the training period may be extended.

2. Extension will be granted under the following conditions:

    a. There is a specific identifiable problem;

    b. During the previous weeks of training, the OIT has shown progress in that area;

c. The problem is such that a specific plan can be developed or is available;

d. It is reasonable to believe that the remedial training would correct the problem within the time limit of the program.

3. If it should become apparent to a FTO that an OIT should be extended, the FTO will request through the FTC at the next meeting that the OIT be extended. The FTC and the Chief of Police or designee will confer, and the extension will at that time be approved or denied.

   a. An OIT who has been granted an extension will be assigned to a shift and an FTO on the basis of what would best accomplish the goal of the extension.

IV. Field Training Officer Eligibility and Selection Process

A. The success of the Field Training and Evaluation Program depends on the abilities and efforts of the personnel instructing the OIT. It is important that the FTOs are properly motivated, trained, and have the desire to instruct. The following minimum guidelines are established for becoming a Paramus Police Department Field Training Officer:

   1. Be employed as a full time employee with the Paramus Police Department for a minimum of three (3) years unless extraordinary circumstances;

   2. The ability to communicate effectively, orally, and in writing;

   3. The knowledge of regulations and standards established by the Paramus Police Department;

   4. The knowledge of the regulations, techniques, and procedures used to conduct investigations of violations of traffic and criminal law and local ordinances;

   5. The commitment to police integrity, as evidenced by previous assignments and performance;

   6. The cultural and community sensitivity, as evidenced by previous assignments and training;

   7. The willingness to accept a temporary change in duty assignments based upon operational need.

B. When an opening occurs for an FTO, an officer shall submit a letter of interest to the Field Training Coordinator.

C. A designated selection committee will then conduct an interview and evaluate each candidate's training and evaluation records.

V. Duties and Responsibilities

A. Chain of Command for FTEP:

1. Chief of Police;

2. Operations Division Commander;

3. Field Training Coordinator;

4. Patrol Division Commander;

5. Patrol Shift Commanders;

6. Field Training Officers.

B. Field Training Coordinator Responsibilities

1. The Field Training Coordinator (FTC) as designated by the Chief of Police or designee.

2. The Field Training Coordinator is responsible for keeping the Chief of Police or designee apprised of the efficacy of the program. The Field Training Coordinator will maintain constant contact with the Chief of Police or designee and advise of the progress of OITs and any ongoing problems.

3. The Field Training Coordinator is responsible for developing and forwarding recommendations on the OIT's status to the Chief of Police or designee.

4. The Field Training Coordinator shall be responsible for the day to day operations of the Field Training and Evaluation Program.

5. Responsibilities of the Field Training Coordinator include:

a. Maintaining and updating field training manuals;

b. Conducting in-service training of FTOs;

c. Determining extension of field training;

d. Maintaining the security of files of the OIT's performance and progress;

e. Protecting and promoting the program;

f. Acting as a role model by maintaining a professional appearance, and having a positive attitude towards the FTOs, OITs, the program and the department.

C. Field Training Officer Responsibilities

1. The Field Training Officer is the essential means by which the goals of the program are achieved, specifically, the maturation of a police officer able to work in a safe, skillful, productive, and professional manner.

2. The FTO has two primary roles to fulfill: (1) that of a police officer on patrol and (2) that of an evaluator, trainer, and role model for the OIT.

3. The FTO will have complete responsibility for the OIT during the Field Training and Evaluation Program.

4. When acting as a training officer, the FTO has the following duties:

   a. **MENTOR** - The FTO often acts as a mentor. OIT mistakes must be addressed and corrected during the training program.

   b. **TRAINING** - The most obvious function of an FTO is that of a teacher. The teaching role may occur in the field under actual conditions, during casual conversations, or in a classroom. The FTO must strive to maintain a teacher-student relationship with the OIT.

   c. **EVALUATION** - The FTO is also an evaluator of an OIT's performance. The FTO must be able to determine if learning is occurring and whether or not remedial training is necessary. Evaluation is accomplished by the use of daily observation reports, standardized evaluation guidelines, testing, and verbal student feedback. The principle element of effective evaluation is objectivity.

   d. **RESEARCHING** - The FTO must not only be able to identify remedial training needs, but also be able to provide that training in most cases. The FTO must be able to research background information and choose the best methods to bring about the desired learning.

   e. **COUNSELING** - The FTO often becomes the problem solving source for the OIT. This may include an OIT's personal problems. The FTO must be able to guide the OIT toward solving his/her own problems. Empathy is imperative.

   f. **INSPECTING** - The FTO is responsible for the inspection of the OIT's uniform and equipment as well as approval of all paperwork. Discrepancies will be brought to the attention of the FTO by supervisors for correction by the OIT.

   g. **DISSEMINATING INFORMATION** - The FTO must make sure that their OIT is receiving all necessary information. The FTO is also responsible for making sure the OIT records this information and has it available upon request.

   h. **GOOD ROLE MODEL** - The FTO must be a positive role model. This is accomplished by maintaining a professional demeanor and appearance, adhering to rules and regulations, and having a positive attitude towards the department, FTEP, the job, and the OIT.

   i. **RECOMMENDING** - The FTO is responsible for the initial recommendation for release to solo assignment, extension of training, or termination. The FTO must have documentation to support the recommendations. For example, if the FTO believes that an OIT should be terminated, but fails to document, remediate, and further document, the recommendation for termination may be adversely impacted.

5. If the actions of the OIT constitute a hazard or create a potentially dangerous situation to either citizens or employees, the FTO must take whatever action is necessary to reduce the hazard and ensure that safety practices are followed. In addition, the FTO must ensure that the OIT's actions are legal and ethical at all times, without exception.

6. All administrative paperwork associated with this program will be forwarded to the Field Training Coordinator.

D. Supervision of Field Training Officers

1. Patrol supervisors have ultimate supervisory authority over all personnel assigned to a respective shift, including the FTO and OIT.

   a. The Field Training Officer is the OIT's immediate "Supervision." OITs shall follow his/her directions/orders at all times during any police incident.

2. Field Training Officers and OITs are accountable to the Field Training Coordinator for all matters pertaining to the FTEP Program. All written evaluations and reports submitted by FTOs regarding the performance of OIT's are submitted to the Field Training Coordinator.

3. FTOs also perform regular patrol duties. Regular shift duties performed by the FTOs and OITs are overseen by the appropriate patrol supervisors. Patrol supervisors may intervene in any field training activities that they consider unsafe or inappropriate, but must inform the Field Training Coordinator of any such actions taken. Patrol supervisors that gain information concerning the conduct or performance of an OIT, shall forward the information to the Field Training Coordinator through the chain of command so that it can be documented and addressed.

VI. Training

A. The Field Training Coordinator shall liaison with the academy staff on OITs to learn about the OIT's progress while at the academy as well as academy curriculum.

B. All candidates selected to become FTOs will be trained by the Field Training Coordinator in their duties and responsibilities, including the procedural requirements of this policy and procedure.

C. When operationally feasible, all newly designated FTOs will complete a Field Training Officer Course.

D. Incumbent FTOs must receive periodic refresher training regarding this program.

E. Since the FTEP Program is designed to provide a standardized training environment for the OITs, it is important that the FTOs follow the training checklist and lesson plans without deviation. If any FTOs diverge from the established training program, it could cause the OIT difficulty with other FTO evaluators or department supervisors.

F. Every lesson plan should be based upon accepted lawful protocol and departmental policies and procedures.

G. Furthermore, if any formal testing is conducted during the FTEP, it should be standardized to ensure fair and equitable opportunity for every OIT being evaluated.

VII. Rotation of Field Assignments

A. The OIT will be rotated though various geographical zones, shifts/tours and FTOs to provide exposure needed to become a well developed officer.

VIII. Daily Observation Evaluation Guidelines

A. Evaluation processes shall be the same for all OITs and strict compliance with the standardized evaluation guidelines should be followed by the FTOs.

B. No prejudicial or bias evaluation can be tolerated if the program is to be reliable.

C. These guidelines are established to assist the FTO when utilizing the Daily Observations Report (DOR). Each of the evaluated performance areas in the DOR has written criteria. The FTO shall evaluate the performance of the OIT using the DOR.

D. Documentation is an absolutely essential requirement if a true picture of the OIT's response to training is going to be memorialized. Factual accounts of the OIT's behavior during training situations and actual events helps the FTO plan remedial training and justifying the ratings given to the OIT. Documentation is also needed to justify extensions of training, termination, or graduation from the FTEP.

E. The rating scale is used to definitively show the OIT where they are or not progressing. It is also used to illustrate the measured success of the OIT towards the goal of meeting the acceptable standard established by the department. The rating scale consists of the following designations:

1. **Acceptable -** The OIT consistently meets expectations and demonstrates effort in achieving goals, maintaining satisfactory performance level and occasionally requires correction or counseling. The OIT has a satisfactory command of job responsibilities and duties; requires periodic supervision; occasionally makes effective suggestions and recommendations. The OIT displays satisfactory interest and enthusiasm towards duties; follows rules and regulations. The OIT consistently displays sound, reasonable and prudent judgment. The OIT frequently asks deliberate and appropriate questions, seeking advice of peers and superiors, working in a steady and reliable fashion.

2. **Unacceptable -** The OIT's performance and behavior is frequently apathetic and seldom meets expectations and goals; displays substandard results, errors, a lack of achievement and confidence; requires constant monitoring and supervision. The OIT frequently seeks shortcuts and circumvents department rules and regulations; displays few ideals common to the interests of fellow OIT, the department and the community. The OIT requires frequent, direct supervision, guidance and correction, lacking concentration, focus and interest towards duties; displays substandard

effort and/or achievement. The OIT fails to rely on training and experience, while displaying inadequate knowledge and command of approved methods, strategies and procedures. The OIT frequently displays poor judgment.

a. Remedial training is mandatory for OITs who have not achieved and maintained acceptable levels of performance in all measurable tasks.

b. Provide feedback to the OIT as soon as possible after identifying negative or positive behavior or performance. This on the spot critique will ensure that undesirable behavior is changed and desirable behavior is reinforced and continued.

3. **N.R.T.** - Not Responding to Training shall be given when the OIT's performance in a given area fails to improve after remedial training is conducted or if there is inconsistent behavior in an area. Guidelines for evaluating an OIT as NRT:

a. How difficult is the task being attempted? If the task is complex it may require more remedial training time before grading an OIT as NRT.

b. How many times has the OIT practiced or tried the task being evaluated? This information should be documented in the narrative section of the DOR.

c. How much progress has been made, if any? The progress should be measurable and documented.

4. **N.O.** - Not Observed shall be given when the specific task is not observed during the shift.

F. OITs will receive a copy of this report for their records.

G. The FTO shall complete the DOR utilizing the following evaluation measurement definitions:

1. KNOWLEDGE

Knowledge and Application of Policies, Rules & Regulations, Written Directives - The employee complies with, demonstrates satisfactory working knowledge and understanding of and is able to apply them to circumstances involving their position.

Knowledge and Application of NJ Code of Criminal Justice (Title 2C) - The employee has a satisfactory working knowledge and understanding of the elements of crimes and offenses and is able to make appropriate decisions and judgments in applying charges or categorizing incidents.

Knowledge and Application of Motor Vehicle and Traffic Laws of NJ (Title 39) - The employee has a satisfactory working knowledge of all motor vehicle violations relevant to and commonly enforced within the jurisdiction, relies on same and is able to effectively make appropriate decisions regarding charging.

Knowledge and Application of Constitutional Guidelines - The employee has a satisfactory working knowledge of Constitutional Law, maintaining an awareness of case law decisions and is able to work within their parameters, making appropriate decisions.

Knowledge and Application of Local Ordinances - The employee has a satisfactory working knowledge of local ordinance violations relevant to and commonly enforced within the jurisdiction, relies on same and is able to make appropriate decisions regarding enforcement.

2. PERSONAL TRAITS

Attendance and Punctuality - Reports for duty in a timely fashion and manages time off and maintains awareness of any new details or events and is prepared to assume duties as required.

Required Equipment on Hand and Serviceable For Duty - The employee maintains their equipment in satisfactory condition and within manufacturers guidelines, replacing worn or defective items as necessary, making prompt notification regarding lost, damaged or defective items and is always prepared for duty as assigned.

Display of Honesty, Ethics and Integrity - The employee manifests personal conduct, behavior, trustworthiness, personal principles and values that reflect well upon the Township of Paramus, the police department, fellow employees and the law enforcement profession.

Display of Judgment, Common Sense - The employee consistently uses logic, discretion and common sense in the performance of duty, displaying a sound thought process, reasonableness and justification in decision making without over or under reacting.

Display of Tenacity, Flexibility, Resourcefulness and Initiative - The employee is a self-starter, displays confidence and acceptance of responsibility, is judicious in carrying out assignments without direction, demonstrates an ability to think along constructively, makes practical suggestions, demonstrates self-reliance and resourcefulness, effectively applies new concepts and techniques, is focused yet resilient and is willing to recognize input from others.

Appearance, Grooming and Personal Hygiene - The employee always wears designated uniform or attire, is neat, fresh and clean, and presents a professional appearance in accordance with agency directives.

Relationships with Fellow Employees - The employee works well with, is respectful towards, and offers assistance to fellow employees, demonstrating collaborative and cooperative work habits and sensitivity, self discipline and control of emotions.

Relationships with Supervisors - The employee is respectful and cooperative with supervisors, contributing to the organizational component and agency objectives, does not complain or reject assignments and participates effectively in times of need.

Interaction with Victims, Witnesses and General Public - The employee demonstrates empathy, sensitivity, a concerned willingness to assist, a positive attitude representing themselves and the agency in a professional fashion towards all individuals.

Interaction with Violators, Suspects and Accused - The employee presents a professional and neutral attitude, demonstrating restraint, employing appropriate use of force options, relying upon effective investigative technique and striving to gain the confidence and cooperation necessary to achieve law enforcement objectives.

Response To Constructive Criticism - The employee responds to criticism in a positive manner, asks appropriate questions, demonstrates willingness to learn and/or to employ corrective techniques and tactics, and demonstrates genuine effort towards improvement.

Ability To Work Unsupervised - The employee is trustworthy, dependable, effective and efficient, displaying self confidence and a willingness to assume responsibility, has the flexibility and skill to solve problems, avoids distractions and maintains focus upon following directions and completing assignments in a safe, timely and proficient manner.

3. SKILLS AND ABILITIES

Computer Literacy - The employee makes effective use of computer equipment and facilities, complies with agency guidelines, understands department computer applications, and keeps abreast of new department software applications.

Response to Calls and Assignments - The employee responds in an appropriate and timely manner (i.e., emergency equipment/non-emergency as required, or in keeping with time of day, distance traveled, traffic congestion, condition of roadways, etc), safely avoiding hazards, providing necessary back-up when appropriate and does not require multiple calls from Communications to gain radio contact.

Completes Assigned Duties in Timely Manner - The employee displays efficiency, effectiveness and thoroughness in completing assignments, duties and tasks within expected time frames, relying well on training, past experience and the positive experiences of others. Time sensitive reporting is completed within the established time frame.

Effort Applied to Non-Stressful and Non-Critical Duties - The employee exercises discretion and effort in their duties, applying thoroughness and initiative to investigations, while relying upon training, experience, available resources and prescribed or approved techniques and strategies, thoroughly prepares self for court appearances and other judicial matters. The employee maintains situational awareness, can be depended upon to accomplish their purpose, disregarding distractions, assessing situations well and displaying self confidence and the ability to quickly implement a plan of action.

Effort Applied To Stressful and Critical Duties - The employee functions effectively and maintains confidence and composure in the face of danger, chaos, disorder or other challenging and/or emergency conditions while displaying command of events, using discretion and judgment, making good decisions, and selecting alternative solutions.

Effectiveness of Patrol Techniques - The employee exercises discretion and effort in patrol of area, zone, district, post or assignment, operates assigned equipment safely and prudently, relies upon training, experience and the positive experiences of others, maintains knowledge and awareness of the geographical composition of the jurisdiction, trouble spots or vulnerable areas of concern, avoids distractions and focuses upon current trends involving calls for service.

Oral Communications Skills - The employee is able to clearly, distinctly and concisely articulate their thoughts in an easily understood manner.

Written Communications Skills and Techniques - The employee is able to clearly, accurately, distinctly convey thoughts, ideas and information when preparing reports, e-mails, memos or other written documents, applies sound technique, appropriate spelling and grammar, illustrates details that reflect well upon and specifically describes all events and circumstances. The employee's reports are neat, legible, concise, and submitted within established time frames and all documents are properly selected and prepared.

Communications Procedures - The employee adheres to established communications devices and systems (radios, computers, phones, etc.) procedures, messages are clear, concise, distinct and well thought out. All communications are within guidelines and the employee is aware of other message traffic involving supervisors, communications, other units or jurisdictions.

Officer Safety - The employee adheres to established agency safety rules and precautions that relate to their assignment, relies upon approved methods and procedures as well as upon training, experiences, experiences of others or supervisor direction.

IX. Reporting Requirements

A. Daily Observation Report (DOR)

1. The DOR will be completed by the Field Training Officer at the end of each training day. This form shall be submitted along with the Performance Comments to the Field Training Coordinator. This evaluation is the primary instrument used to measure the OIT's performance.

2. Areas of both strengths and weaknesses should be pointed out to the OIT, with emphasis placed on providing the OIT with specific guidance to aid them in achieving the status of a solo officer.

B. Field Training Checklist

1. A Training Checklist identifying areas of instruction they should cover will serve as a reference to the OIT regarding what must be learned.

2. It is the FTO's responsibility to date and initial each of the outlined tasks as they are completed.

3. All tasks shall be trained or performed.

   a. **Explained**: The FTO will provide a complete discussion of the task and/or refer the OIT to the appropriate policy and procedure, if applicable. If a policy and procedure does not apply, it is incumbent upon the FTO to educate themselves, as well as the OIT, by seeking out a credible source for the particular task. Where appropriate, a demonstration of the proper performance of such task will also be provided.

b. **Performed**: The OIT will complete the task without assistance from the FTO at a satisfactory level of competency. Where actual Field Training Program task accomplishment cannot be achieved due to lack of opportunity, the task may be practiced and/or simulated.

4. A Training Checklist shall be kept in the OIT's possession during the training period and periodically inspected by the FTO.

C. **Request for Training Extension Form**

1. This report shall be completed by the FTO when requesting additional training time beyond the usual 4 weeks.

D. **Other Police Reporting**

1. The OIT shall be required to complete agency specific reporting during their FTO training and evaluation period.

X. Filing System

A. The Field Training Coordinator is responsible for starting a FTEP file for each new OIT. The FTEP file is composed of documentation of performance of an OIT throughout the training period.

B. Field Training Officers are responsible for insuring that all FTEP documentation is forwarded to the Field Training Coordinator. It is the Field Training Coordinator's responsibility to ensure that the documents or copies of documents are included in the OIT's FTEP file.

C. FTEP files shall be maintained in accordance with the New Jersey Division of Archive and Records Management Retention Schedule

PARAMUS POLICE DEPARTMENT

VOLUME: 5	CHAPTER: 5	# OF PAGES: 6

SUBJECT: RECORDS

ISSUED BY:	EFFECTIVE DATE:	ACCREDITATION STANDARDS:
Deputy Chief James J. Sheehan	July 23, 2010	82.1.1, 82.1.6
SUPERSEDES ORDER #:		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE The purpose of this directive is to establish and maintain the policy and procedures concerning the appropriate submission, storage, maintenance, and control of the reports and records of this agency.

POLICY It is the policy of this agency to maintain records in a manner to meet operational, informational and management needs in conformance with applicable law, administrative code, and Attorney General and Prosecutor Guidelines.

PROCEDURES

I. General.

A. Records serve as the official memory of a law enforcement agency and are subject to scrutiny at all levels of the criminal justice system. The agency may be judged for competency by citizens and representatives of other governmental entities by the manner in which reports and records are completed and maintained.

B. Any release of records must be in conformance with the Open Public Records Act NJSA 47:1A-1 et seq., applicable Attorney General Guidelines, and this directive.

C. Records shall be retained in accordance with the applicable schedules promulgated by the New Jersey Division of Archives and Records Management.

D. Original reports may be completed electronically or may be hand written. Handwritten reports shall be in black or blue ink ONLY.

E. Follow-up reports (original copies) shall be identified with the same file number as the original precipitating event and forwarded to the records bureau for storage in the original incident file jacket.

II. Security and Controlling of Access to Agency Records.

A. The Records Supervisor is responsible for maintaining the security and integrity of all records bureau records and files.

B. Once the data from the written records is entered into the in-house incident records management system, the physical record shall be promptly filed. Access to these filing cabinets is restricted. Personnel with a need to physically inspect and/or copy these records for official purposes may only do so with the permission of the Records Supervisor or designee. Original records shall not be removed from the records bureau unless signed for on a form designed for such use by the Records Supervisor.

C. Access to files in Records is restricted to authorized personnel only. The Records Supervisor may grant access to other personnel on an as-needed basis.

D. During times when Records is closed the records shall be secured so that only agency personnel outlined in the section of this policy called "Accessibility of Records to Personnel after Hours" are allowed access.

III. Accessibility of Records to Personnel after Hours.

A. Most of the information contained in the agency's criminal records is available through the in-house computer system or State and Federal electronic records systems.

1. If an investigation is of such magnitude to require copying or inspection of original records, the duty supervisor may authorize a recall of Records personnel to gain access and inspection to these original records.

2. Electronic Key Access – Supervisors have electronic key card access to records when it is closed and the inquiry does not necessitate the recall of Records personnel.

IV. Criminal Records.

A. A unique identification number shall be assigned for all criminal arrest files for the purpose of maintaining a criminal history file.

B. Juvenile criminal records shall be separated from adult criminal records. Access is restricted to personnel with a need to know.

V. Field Reporting & Records Management.

A. A standardized process is required to memorialize police activity for future reference. At a minimum, a CAD record will be generated for all citizen complaints, all calls for police service and all self-initiated field activity. This CAD record assigns a unique file number to each incident for reference. CAD records shall be packed with as much information.

B. Personnel shall complete and submit all reports by the end of their shift to their supervisor. If their supervisor is unavailable, they should be given to another supervisor.

C. Supervisors should collect the reports due from their subordinates at a reasonable time to permit review and corrections prior to the end of the officer's shift. Reports submitted due to incidents late in a shift should be submitted to and reviewed by the next shift supervisor.

D. Supervisors should not dismiss subordinates unless all due reports are submitted and approved.

E. Supervisors are responsible for reviewing reports to ensure that they are complete, accurate, and grammatically correct.

1. Reports containing errors or deficiencies will be returned to the author for correction prior to submission to Records. Supervisors will indicate that they reviewed the report by placing their name and ID number in the appropriate field.

F. The Records Supervisor shall provide copies of criminal reports and criminal records to the County Prosecutor, New Jersey Attorney General, Commissioner of the Department of Corrections, and any other State and Federal law enforcement agency upon request, on an as-needed basis, and in accordance with law or policy.

G. Reports containing descriptions of hazardous or dangerous conditions that are under the purview of other governmental agencies shall be copied and forwarded to the appropriate government agency with jurisdiction without undue delay. Information within the report that is not subject to public disclosure shall be redacted. These governmental agencies include, but are not limited to municipal, county, and State:

1. Public Works Departments;
2. Engineering/Transportation Departments;
3. Zoning, property maintenance, code officials;
4. Fire department/fire code officials;
5. Public health officials;
6. Boards of Education/educational institutions; and,
7. Parks and recreation.

VI. Procedures and Criteria for the Release of Agency Records.

A. The Open Public Records Act, or OPRA, is the name of the New Jersey law guaranteeing access to public records in the state.

B. Any release of a departmental record will be in accordance with OPRA.

C. Requests for access to public records must be made on a form approved for use by the Chief of Police and in compliance with NJSA 47:1A-1 et seq.

D. Requests for access to public records shall be in writing and hand-delivered, mailed, transmitted electronically or otherwise conveyed to the custodian or deputy custodian. The custodian shall promptly comply with the request to inspect, examine, copy or provide a copy of a government record. If the custodian or deputy custodian is unable to comply with a request for access, the custodian or deputy custodian shall indicate the specific basis on the request form and promptly return it to the requestor. The custodian or deputy custodian shall sign and date the form and provide the requestor with a copy.

VII. Records Disposal Process.

A. NJAC 15:3-1 et seq. regulates the retention and disposal of public records through the New Jersey Division of Archives and Records Management. The Records Bureau Supervisor is responsible for archiving and ultimately disposing of unnecessary records under their purview.

B. The Records Supervisor shall maintain a ready supply of the New Jersey Division of Archive and Records Management Request and Authorization for Records Disposal forms.

   1. These forms may be typed or neatly printed. The forms are self explanatory. The New Jersey Records Retention Schedule contains a list and description of various records, the minimum retention schedule, method of destruction, and their associated series number.

      a. Records should be grouped together in their Record Series Number and an estimate of their cubic footage should be obtained. (One drawer of a standard 42" wide later filing cabinet contains 3 ½ cubic feet of records.)

b. The month and year of the oldest record needs to be recorded in the proper box and the month and year of the most recent record needs to be recorded in the proper box.

c. Requests to dispose of any financial records (overtime, confidential funds, petty cash, etc.) must be forwarded to the Chief Financial Officer for review by the Auditor.

d. Completed forms shall be forwarded to the Chief of Police and the Custodian of Records for final review and mailed to the Division of Archives for approval.

e. While awaiting approval, the records that are being disposed of should be securely boxed and separated for records that are still being retained.

f. When approval to destroy the records has been received from the Division of Archives, the records shall be promptly destroyed by shredding.

g. Block #17 of the Request and Authorization for Records Disposal shall be completed and the form shall be again forwarded to the Chief of Police. The yellow copy shall be mailed to the Division of Archives and the pink copy shall be retained permanently. A copy of the fully executed form shall be forwarded to the Accreditation Manager

C. The Chief of Police may reassign personnel to records disposal duties at times when a significant number of outdated records need to be destroyed. The Chief of Police may authorize an outside vendor to shred the records.

D. Personnel shall not haphazardly discard police related records into the trash.

VIII. Security of Central Records Computer Systems.

A. One employee, or at the discretion of the Chief of Police a consultant, shall be designated as a Network Administrator who will be responsible for ensuring all the procedures outlined in this policy and any other agency policy related to agency owned computers and electronic equipment is adhered to.

B. **Virus Protection** – Due to the possibility of computer virus infection, all outside software, discs, or other electronic data storage devices will be scanned utilizing an antivirus program on each computer. Should anyone need assistance with this process, they will contact the Network Administrator before using or connecting the device to any computer. All software shall be properly licensed.

C. **Data Back-Up** – The Network Administrator shall provide for a nightly tape back-up of the electronic records management system. This will assure continual continuity of data integrity and retrieval in case of a catastrophic failure of the system.

D. **Data Storage** – All data from the central records computer records management system will be stored in a manner compliant with the hardware and software manufacturer's recommendations as well as what is considered to be the current best practices in the IT field. All data will be stored in the records management system. The storage of any electronic files or other forms of electronic data not the property of the agency on computers owned by the agency is strictly prohibited. All data will be stored on network resources that are backed up nightly. No data or documents will be stored on desktop computer media.

E. **Access Security** – Physical security of our computer systems must be maintained at all times. Only appropriate personnel are to be given access to the office computers regardless of their location whether that is in the office or off-site on mobile systems. The electronic records management system has a password protected access control system. Only personnel with a need to access the system will be allowed access.

F. **Password Strength and Security** - All personnel shall have a strong password. Strong passwords should be at least eight alphanumeric characters long and contain both upper and lower case characters. Passwords should never be written down or stored on-line. Ideal passwords are not only hard to guess but also easily memorized. Passwords are not to be shared with anyone. They should be considered as sensitive, confidential information that belongs to the organization. Passwords should not be included in an email message, revealed to co-workers or family members.

G. All personnel will read and comply with the Borough of Paramus "Internet and E-mail and Other Telecommunications/ Electronics Usage" policy.

H. **Annual Password Audit** - On an annual basis the Network Administrator will perform an audit of all user names and passwords to determine the following:

1. Only currently employed personnel have access.
2. All users' access rights are for their specific duties and responsibilities.
3. Any personnel on suspension or other related leave of absences are temporarily removed from having access rights.
4. Any violations or discrepancies shall be immediately reported in writing to the Chief of Police through the chain of command.
5. The Network Administrator shall report their findings in a written report to the Chief of Police.

I. **Clearing, Sanitizing, and Releasing Computer Components** - No computer, hard drive, CD, DVD, cellular phone or other remotely related electronic data storage device owned by this agency shall be released from custody and control of this agency until such time as it can be cleared of all data and software and sanitize it in a way that no one will be able to retrieve any data from any type of storage device at any later date.

J. **Internet Access** – All computers that allow Internet access are secured with an industry standard firewall to prevent unauthorized access to the central electronic records management system. Even with this level of protection, internet use is for mission critical requirements only.

PARAMUS POLICE DEPARTMENT

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SUBJECT: EVIDENCE AND PROPERTY CONTROL

ISSUED BY: Chief Kenneth R. Ehrenberg	EFFECTIVE DATE: June 9, 2016	ACCREDITATION STANDARDS: 83.1.1, 83.2.1, 83.3.2, 84.1.1, 84.1.2, 84.1.3, 84.1.4, 84.1.6
SUPERSEDES ORDER #:		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: The purpose of this directive is to provide a standardized procedure regarding the documenting and handling of evidence and property within the Paramus Police Department. The procedures set forth are to ensure that the integrity of evidence and property are accurately maintained.

POLICY: The utilization of proper and accepted methods for the collection, packaging, storage and preservation of all evidence and seized property is of paramount importance in the successful investigation and prosecution of criminal cases. The lawful and appropriate disposition of such property on regular intervals is necessary for the efficient management of the property and evidence function.

PROCEDURE:

I. COLLECTION AND PRESERVATION OF EVIDENCE

A. **Administration**

1. The Paramus Police Department's Bureau of Criminal Investigations (BCI) shall maintain a list of qualified personnel that are available on a 24 hour basis to process serious crime and serious traffic crash scenes. Less serious crime and traffic accident scenes processing may be conducted by members of the Paramus Police Department's Detective Bureau.

   a. If necessary, personnel will notify the Bergen County Sheriff's Office, Bureau of Criminal Investigation for assistance with scene processing.

   b. The Bergen County Prosecutor's Office on-call duty sergeant shall be notified when any of the following incidents occur:

      1) Homicide, suspicious or unnatural deaths and all suicides;

2) Fires or explosions involving a fatality or serious bodily injury as defined in 2C:11-1(b);

3) Any firearm discharge (including accidental) by a law enforcement officer with the exceptions of approved training and the destruction of animals;

4) Sexual assaults/Child abuse;

5) Any crime that involves the discharge of a firearm, police shooting or in custody death;

6) Kidnappings;

7) The discovery of any human remains (partial or full skeletal);

8) Any fatal or near fatal motor vehicle crash;

9) Any suspected clandestine lab;

10) Any crime or incident which the Bergen County Prosecutor's Office considers a threat to the safety and well being of the citizens of Bergen County, (e.g., pattern of robbery/bank robbery cases).

2. All personnel assigned the responsibility of processing scenes shall demonstrate proficiency in the use of equipment designed to gather, preserve, and otherwise memorialize evidence. This proficiency will be determined by the Division Commander.

B. **Operations**

1. Physical evidence may encompass any particular thing, object, or substance that can establish that a crime has been committed or can provide a link between a crime, the victim(s), and the actor(s). All personnel will make arrangements for the proper collecting, processing, and preserving of physical evidence in the field, inclusive of the documented transfer of custody of evidence, while in the field.

a. When assisted by another agency, the Detective Bureau will coordinate the proper collecting, processing, preservation of evidence and documented transfer of custody of evidence transfers that occur in the field.

b. Personnel shall adhere to the **New Jersey State Police Evidence Field Manual** for the collection, processing and preserving of physical evidence.

1) When collecting, processing, and preserving physical evidence in the field all personnel shall adhere to the following procedures:

a) Secure and isolate the scene;

b) Photograph and/or videotape the evidence prior to collection. This process provides the courts with a visual depiction of the scene;

c) Sketch the scene, as needed;

d) Identify, process, and collect evidence.

2) Conduct a systematic search for evidence while keeping within the boundaries of constitutional requirements and current criminal procedure.

3) Each item of property/evidence must be marked and packaged with one or more features to facilitate identification in court regardless of whether the case results in a judicial process. Depending on the type and size of the item(s), consider using the case number, date, and officer's initials and/or I.D. number.

4) Controlled Dangerous Substances should be placed in clear plastic bags, with the detective's markings visible through the packaging. The officer will then be able to identify their markings without opening the package. This is particularity important in the event that the package must be re-submitted to the New Jersey State Police Laboratory for re-analysis. This precludes the package from needing to be opened prior to trial.

5) Fingerprints, biological, non-biological, and trace evidence will be processed, developed, lifted, labeled, collected, and memorialized in accordance with the **New Jersey State Police Evidence Field Manual**. Where applicable and whenever available, when collecting evidence for subsequent submission to a laboratory for forensic or comparative analysis, control samples must also be collected to provide the laboratory with a basis for comparison. This is especially useful when examining hairs, fibers, fabrics, paint, glass, wood, soil, and tool marks.

6) Collect and package physical evidence so that each item is placed in separate containers, avoiding cross contamination and properly label.

7) The size, type, and condition of the property/evidence will dictate how the item(s) should be packaged. The packaging should be able to prevent or retard contamination or decomposition, provide security, facilitate storage, subsequent retrieval, and eventual disposition/disposal.

8) The officer who has overall responsibility for the investigation shall include in their evidence report the location where and when the evidence was located and by whom. When evidence is transferred, the chain of custody, the transfer shall be recorded along with a signature receipt for the chain of custody. This chain of custody shall include the names of

individuals, dates and complete inventory of evidence that is transferred.

2. Special care shall be taken in the following:

   a. When an explosive device or suspected explosive device is located, the Bergen County Sheriff's Department Bomb Squad or Department of Defense Explosive Ordnance Disposal will be contacted and take custody of the explosives for proper storage.

   b. When seizing computer equipment and related media, photograph the scene and equipment to include all peripheral connections, network connections, components, layout, etc. A sketch of the scene should be done, if practical. When transporting the computer, precautions must be taken to avoid an accidental booting of the system unit. All media should be protected from dirt, fluids, humidity, impact, excessive heat and cold, strong magnetic fields, and static electricity. Properly mark and or label all seized materials. Notification must then be made to the Bergen County Computer Forensics Section of the Computer Crimes Unit, to arrange for submission of media for analysis and evidence documentation.

   c. Blood shall be in a controlled access refrigerator and delivered within three (3) days to the proper laboratory facility.

   d. Volatile materials shall be packaged in air tight containers, such as fresh paint cans, and marked as to the contents.

   e. When a suspected drug laboratory is encountered, nothing should be touched or moved including containers, paraphernalia, instruments, or suspected controlled dangerous substances. The CLET (Clandestine Lab Enforcement Team) should be contacted through certified CLET Officers within the Bergen County Prosecutor's Office.

   f. If an arrestee's clothing is needed for evidence then they shall be provided with a disposable jumpsuit.

C. **Submitting Evidence to Laboratory for Analysis**

1. The evidence custodian shall be responsible for the submission of evidence to the laboratory for analysis, whenever possible. When the evidence custodian is not available to transport the evidence to the laboratory, another officer conducting the transport shall sign for the evidence to ensure proper chain of custody. The transfer of evidence to the laboratory shall take place within five days of collection unless extenuating circumstances exists.

2. The method for packaging and transferring of evidence to the NJSP Laboratory shall be consistent with the **New Jersey State Police Evidence Field Manual**.

3. The method for packaging and transferring of evidence to the FBI Laboratory shall be consistent with the **US Department of Justice's Handbook of Forensic Science.**

4. The methods for packaging and transferring of evidence to Bergen County Sheriff's Office Laboratory shall be consistent with **New Jersey State Police Evidence Field Manual.**

5. Any other laboratories used by the Paramus Police Department shall be consistent with that laboratory's requirements for packaging and transferring of evidence.

6. When submitting evidence to the laboratory, personnel shall ensure that the proper documentation such as the evidence submission receipt accompanies the evidence when transmitted to the laboratory. The submission receipt will be individually signed by the person delivering the evidence.

   a. **NJSP Laboratory**

      1) When submitting evidence to the NJSP Laboratory, the evidence custodian will be responsible for the proper logging of the item into the Bar-coded Evidence Analysis Statistical Tracking system. (BEAST).

      2) Evidence for ballistics analysis must be logged separately into the BEAST system when submitted in conjunction with other examinations to the NJSP Laboratory.

      3) The evidence receipt form printed at the laboratory will be individually signed by the person delivering the evidence.

      4) When submitting Bio-Chem or DNA evidence to the NJSP Laboratory, the Bio-Chem Questionnaire form, (SP 648) shall also be required.

      5) In all cases where evidence is related to a non-indictable offense and analysis is needed for prosecutorial purposes, the investigating officer will submit a supplemental investigation report detailing their need for forensic examination of the evidence.

         a) Disorderly person's offense evidence (e.g., possession of less than 50g of marijuana) will not be submitted to the laboratory, unless a not guilty plea is entered and a court date is scheduled (as per NJSP Lab instructions).

   b. **FBI Laboratory**

      1) Evidence being submitted to the FBI Laboratory, Washington, D. C. 20535, requires a cover letter written on official department stationary. Three copies of this letter will be made and addressed to the Director of FBI and contain the following information:

         a) Make reference to any previous correspondence submitted;

         b) Include the department case number on the letter;

c) Provide a brief synopsis of the case;

d) Include names and any descriptive data on all of the subject(s);

e) Provide a listing of the evidence enclosed;

f) State the type of examination requested.

2) Place a copy of the letter in the case file.

c. **Bergen County Sheriff's Office Laboratory**

1) Evidence being submitted to the Bergen County Sheriff's Office Laboratory, shall be accompanied by an evidence submission report.

d. Evidence submitted to any other laboratory shall be accompanied with an evidence submission report.

7. Upon delivery of the evidence to a laboratory, an original stamped submission receipt shall be obtained and forwarded to central records to be placed into the original records file. This receipt will be submitted to the Records Unit for inclusion in the respective case jacket.

a. When evidence is transported to the laboratory, the evidence custodian will make all arrangements to ensure that all logs and related reports reflect the details and status of the evidence so as to preserve the chain of custody at all times. All transportation of evidence to the laboratory will be documented in proper Evidence Log Book.

8. Upon completion of analysis at the laboratories, the evidence custodian or designee shall be responsible for the arrangement of transporting, safeguarding, and return of all evidence to the evidence/property function. All laboratory results shall be submitted in writing.

a. Once laboratory results are received at the Paramus Police Department, the original will be forwarded to Records Unit to be placed into the original records file. Copies shall be forwarded to the case detective.

b. When evidence is returned from the laboratory, the evidence custodian will make all arrangements to ensure that the evidence log book and related reports reflect the details and status of the evidence so as to preserve the chain of custody at all times.

9. Any firearm seized or recovered under any circumstances, the recovering officer shall promptly enter the information concerning the make, model, caliber, and serial number of the weapon into the NCIC 2000 System to determine whether the firearm was reported stolen.

10. Any firearm seized or recovered that was unlawfully possessed or used, or recovered from a crime scene, or reasonably believed to have been involved in the commission of a crime, or that was found property, (e.g., abandoned or

discarded), the officer shall enter e-trace related information directly into the ***New Jersey Trace System***, which is part of the ***Criminal Justice Information System (CJIS).*** The information shall be entered as soon as practicable, but no later than within twenty-four hours after the time that the weapon was recovered.

11. Any firearm seized or recovered that was unlawfully possessed or used, or recovered from a crime scene, or reasonably believed to have been involved in the commission of a crime, or that was found property, (e.g., abandoned or discarded), the evidence custodian shall make arrangements to have any such weapon that is suitable for ***National Integrated Ballistics Identification Network (NIBIN)*** examination test-fired as expeditiously as practicable, by the Bergen County BCI Ballistics Laboratory and shall submit the test results to ***NIBIN*** to determine whether the weapon is related to any other criminal episode or person. When the Paramus Police Department recovers any spent shell casings from a crime scene or otherwise has reason to believe that a shell casing is related to the commission of a crime or an improper discharge of a firearm, the Detective Bureau shall as expeditiously as possible submit the ballistics information to ***NIBIN***.

12. In the event that the Paramus Police Department is in possession of a firearm or shell casing that was seized or recovered between January 1, 2004 and March 17, 2008, that would have been subject to the provisions of paragraph 11-13 of this directive, the Detective Bureau shall submit information to the NCIC, the e-Trace System and/or NIBIN as appropriate.

13. All urgent inquiries and requests for assistance with firearms traces should be directed twenty-four (24) hours per day to the New Jersey Crime Gun Center at the New Jersey Regional Operations and Intelligence Center 609-963–6900.

14. In accordance with the Attorney General's Directive, the New Jersey State Police shall identify trends, interconnectivity of events or transactions, source states, source vendors, and individual trafficking or importing guns in New Jersey. After the designated evidence custodian has submitted information to e-Trace, the New Jersey State Police shall report on the results of the trends, interconnectivity, and case-specific analyses to the Paramus Police Department.

III. PROPERTY AND EVIDENCE CONTROL

A. Administration and Operations

1. All personnel receiving evidence and property into the custody and control of the department shall ensure that:

   a. All evidence and property reports completed in connection with the recovery or collection of any property or evidence must be submitted before the recovering officer/detective ends their shift, unless the recovering officer/detective is incapacitated or otherwise incapable of accomplishing this before their shift ends. If applicable, the duty supervisor shall designate another office/detective to complete this action. Full documentation of the transfer of custody of the evidence and the reason for such transfer must be included on this report.

b. All evidence and property submissions must be immediately placed under the direct control of the evidence/property function before the recovering officer/detective ends their shift, unless the recovering officer/detective is incapacitated or otherwise incapable of accomplishing this before their shift ends. If applicable, the duty supervisor shall designate another office/detective to complete this action. Full documentation of the transfer of custody of the evidence and the reason for such transfer must be included on this report.

1) The evidence/property submissions shall be placed in the appropriate temporary evidence storage lockers/area which will be retrieved by the evidence/property function for placement in the evidence room.

2) No property or evidence shall be held in a vehicle, desk, personal locker or other unauthorized location.

3) All submissions will be accompanied by an evidence/property report detailing the proper chain of custody.

B. **Reports Required**

1. An evidence/property report describing each item of evidence/property obtained and the circumstances by which the property came into the department's possession shall be completed by the submitting officer/detective. The report for the incident shall be assigned a sequentially generated numbered from the records management system.

2. The submitting officer/detective will sign the report, indicating that it has been placed in the custody and control of the evidence/property function and secured. All evidence reports submitted by uniformed officers must be approved by a supervisor. This report will be deemed incomplete without a supervisor's signature. The evidence custodian will make notations in the Evidence Log Book when the item(s) have been transferred or retrieved from the temporary evidence storage location.

C. **Packaging and Labeling Prior to Storage**

1. Evidence that consists of several objects should be packaged in separate containers or wrapped individually. Each package or sealed container housing the object to be stored in the designated evidence/property room shall be clearly marked with the pertinent information. Markings, labels or identifiers to be placed on the container/packaging may include but not limited to: item number, estimated value, name, rank, badge number, serial number, and property status. Make, model and any other identifiers should also be placed on the package prior to storage.

2. Potentially bio-hazardous materials such as hypodermic syringes, blood-stained materials and evidence relating to sexual assaults require special care and handling. All appropriate blood-borne pathogen precautions should be adhered to including, but not limited to, the use of sterile gloves,

sharps containers for syringes and the placement of biohazard stickers on a prominent location on the exterior of the evidence container.

3. Urine will be submitted in sealed containers, preferably in unmarked plastic bags.

4. Blood and urine samples will have biohazard labels attached.

5. If evidence may be or contaminated with pathogens or other contagious viruses or bacteria, it should be so labeled on the bags or containers.

6. All clothing and other evidence containing dried blood should be placed in separate paper bags and labeled with biohazard labels. Specimens containing wet stains of blood or other biological fluids should be placed in separate leak proof containers, such as plastic bags, at the scene and labeled with a biohazard label. **The specimens should then be transported to a safe place as soon as possible where they can be removed from the plastic bags and air-dried over paper sheets.** This should be done in an area with low humidity, out of direct sunlight, and away from direct heat sources. The biohazard specimens should also be kept away from food and general work areas. Once the specimens have been completely dried, they should be placed in separate bags and labeled with biohazard labels. The paper bags and paper should be retained and submitted with the evidence.

D. **Extra Security Measures for Exceptional, Valuable, or Sensitive Items**

1. Exceptional, valuable, or sensitive items requiring extra security measures shall be defined as: all money, drugs, firearms, blood/other bodily fluid, and precious metals, jewelry and gemstones with a value greater than $1,000.00. These items shall be secured in separately locked high value evidence room with **camera or alarm system** with limited access to the evidence custodian(s).

   a. **CURRENCY**: Currency should also be packaged separately from any other evidence seized during the precipitating event for similar reasons. (This does not include currency taken into department possession and stored as prisoner property.) Totals should be verified by at least one additional personnel. Currency shall be placed in tamper-proof packaging to safeguard against tampering. Currency shall be placed within the high value evidence room.

   b. **FIREARMS**: Firearms shall be rendered safe prior to packaging and storage. Ammunition taken from a firearm should be separated with an indication from where the ammunition was originally located within the firearm. They shall be placed within the high value evidence room.

   c. **PRECIOUS METALS, JEWELRY AND GEMSTONES,** (value greater than $1,000.00): Precious metals, jewelry and gemstones shall be marked, packaged and stored in temporary evidence storage. These items shall be placed in tamper-proof packaging to safeguard against substitution or theft. They shall also be placed within the high value evidence room.

d. **DRUGS**: Drugs must be packaged separately from any other evidence seized during the precipitating event and should be marked and packaged in accordance with the **New Jersey State Police Evidence Field Manual.** Drug evidence shall be placed in tamper-proof packaging to safeguard against substitution or theft. They shall also be placed within the high value evidence room.

e. **BLOOD, URINE, DNA, AND OTHER PERISHABLE EVIDENCE**: Blood, Urine, DNA, and other perishable evidence shall be promptly secured in the temporary evidence refrigerator and generally delivered within three business days to the proper laboratory facility for analysis, when applicable. If additional blood, urine, DNA and other perishable evidence need to be secured and the temporary evidence refrigerator is locked, an evidence custodian shall be notified to obtain the transfer of evidence after which it shall be secured in the evidence room refrigerator.

2. **COMBUSTIBLE LIQUIDS**: Combustible evidence such as toluenes, gasoline, paint thinner, etc., shall normally be disposed of in accordance with the appropriate handling of hazardous materials. However, if there is a specific reason to retain such evidence, combustible materials shall be packaged in air tight containers, such as fresh paint cans, and marked as to the contents. It shall be stored away from other evidence and property in the Evidence Storage Shed located in the rear of police headquarters. Personnel should use the safest method of transportation available if it becomes necessary to transport any type of combustible liquid.

3. **EXPLOSIVE DEVICES:** Under no circumstances will explosive devices, such as dynamite, hand grenades, blasting caps, etc., be brought into the police building unless they have first been properly inspected by the appropriate authorities and rendered harmless. Commercial grade fireworks will not be stored in the evidence room.

   a. When an explosive device or suspected explosive device is located, the Bergen County Police Department Bomb Squad or Department of Defense Explosive Ordnance Disposal will be contacted and take custody of the explosives for proper storage.

   b. Items of an evidentiary nature, upon being <u>rendered safe</u> and released to this department by the appropriate bomb squad, shall be properly tagged and packaged for submission into the evidence room.

4. **AMMUNITION**: The Paramus Police Department will not store evidence ammunition for long periods as it becomes unstable. Therefore, the evidence custodian(s) will review annually the status of stored ammunition. Disposal will be completed by the Disposal will be completed by the Bergen County Police Department's Bomb Squad.

5. **ENGINE DRIVEN MACHINES OTHER THAN VEHICLES** (lawn mowers, etc.): Engine driven devices are those items that have internal combustion engines such as lawnmowers, trimmers, and similar landscaping equipment. This evidence/property shall be stored within the Evidence Storage Shed.

E. **Effort to Identify and Notify the Owner/Custodian of Recovered Property in the Department's Custody**

1. The recovering officer/detective is responsible for facilitating an investigation to identify the rightful owner/custodian of the property, and notification to the owner/custodian concerning the status of the property. The evidence custodians are responsible for the return of the property to the owner.

2. When a police officer, acting in the line of duty, finds or recovers property, the disposition of that found or recovered property is governed by **N.J.S.A. 40A:14-157b**. If money is recovered, it shall be turned over to the borough treasurer within 48 hours, for retention. After six (6) months if unclaimed, it shall be paid into the general borough treasury.

3. The Paramus Police Department shall, by destruction, donation, or public auction, dispose of all unclaimed recovered property.

F. **Temporary and Final Release of Property and Evidence**

1. When any items are temporarily released from the evidence/property room for court, laboratory analysis or review. The evidence custodian will ensure that all logs and related reports reflect the details and status of the evidence so as to preserve the chain of custody at all times.

2. Many times stolen property may be returned to the rightful owner prior to the final disposition of the case. The evidence should be photographed prior to being returned. Serial numbers on the property should be recorded, and if possible, a photograph should be taken which shows the serial number. The owner of the property must sign a property release form authorized by the prosecutorial authority indicating the date they received the item(s), and from whom they received it. Proof of ownership must be established prior to any property being returned. Whenever there is a dispute concerning ownership of property, the evidence custodian shall not release the property pursuant to 2C:65-2. The court having jurisdiction over the case in which the stolen property is involved shall review the matter. The identity of the individual presenting himself as the owner should be verified.

3. Stolen property should be retained if it will materially assist in the prosecution of the case. Whenever there is any question as to whether or not the stolen property should be returned prior to the final disposition of the case, the appropriate prosecutorial authority will make the decision. If a case has been disposed of via a conviction, and the property has been determined to materially assist in the prosecution, then that evidence should be held for six (6) months after the sentencing. If an appeal has been filed within the six (6) month period then the evidence should continue to be held. If no appeal has been filed within the six (6) month period then the evidence can most likely be returned. A check with the prosecutor's office's appellate section is necessary to determine appeal status. If a defendant has entered the Pre-Trial Intervention Program (PTI), and the property has been determined to materially assist in the prosecution, then the evidence should be held until the defendant successfully completes the term of PTI. If at the conclusion of the case, the rightful owner of the stolen property is never located, and a period of six (6) months from the time of sentencing expired, then the department may make application to the court for disposal at public sale pursuant to 2C:65-3.

4. No weapon can be returned to the owner without the approval of the Bergen County Prosecutor's Office.

   a. Requests for return should be made in writing.

   b. A determination will be made whether the weapons were legally possessed, or if the weapon itself is illegal.

   c. An assessment will be made regarding whether the individual is subject to any of the disabilities provided by law which would prohibit possession.

   d. A disposition will be made on the case. Information will determine whether a weapon return is in the best interest of public health, safety, and welfare.

      1) The weapon return is denied but the owner may be allowed to sell the weapon to a third party.

      2) The owner may have the weapon(s) after they obtain a New Jersey Firearms Purchaser Identification Card and complete a Voluntary Form of Register.

      3) The weapon(s) return is denied, and the weapon(s) may be forfeited and destroyed.

      4) The weapon(s) return is denied, the weapon(s) forfeited and used by a law enforcement agency. Firearms should not be retained for law enforcement purposes unless it has been demonstrated that there is an actual, current need for utilization of such weapons for law enforcement purposes. Firearms retained for law enforcement purposes should be of the same caliber, type or gauge normally used for such purposes and indiscriminate retention of all types of firearms should not be permitted.

G. **Evidence/Property Destruction**

1. **Destruction of Weapons** - The Bergen County Prosecutor's Office is responsible for the destruction of all weapons and controlled dangerous substances.

   a. Weapons connected with criminal cases may be destroyed once it is not of any further evidential value. The Paramus Police Department is required to attach documentation regarding the case's final disposition to the destruction form. If a defendant is convicted of an indictable crime, the period to wait for an appeal to be filed is six (6) months from the date the defendant was sentenced. If no appeal has been filed, then the weapon(s) may be destroyed. If an appeal has been filed, then we must wait the outcome of the appeal before the weapon(s) can be destroyed. A check with the prosecutor's office's appellate section is necessary to determine appeal status. If a defendant enters the Pre-Trial Intervention Program (PTI), the weapon cannot be destroyed until after the defendant successfully completes the term of PTI. The PTI order must be obtained because the conditions of PTI may include:

1) Forfeit Weapon.

2) Surrender Weapon for term of PTI.

3) If a firearm is involved regarding a Final Restraining Order, the firearm(s) shall be held during the period in which the restraining order is in effect, or two (2) years, whichever is greater.

b. If the department has not been able to contact the owner of the weapon(s), then attach documentation, including a copy of the letter to the owner along with the certified mail receipt, to the destruction form. If the certified mail receipt is returned as unclaimed, it is the responsibility of the department to check with the postal authority and the Division of Motor Vehicles to attempt to find an accurate address.

c. If the case does not fit into any one of the aforementioned categories, then include a copy of the investigative report that details the circumstances of the weapon(s) seizure. After six (6) years, if no one claims a weapon, we can dispose of the property.

d. If a weapon has been found in the evidence/property room and no reports can be found regarding the circumstances of the case, then a new report must be generated indicating when it was found and how long it is believed to have been in the room.

e. All weapons are to be checked through the National Crime Information Center Computer.

f. After the weapons have been destroyed, the destruction forms should be kept on file by the department for the time period specified by the New Jersey Division of Archives and Records Management, Record Retention and Disposition Schedule.

2. **Destruction of Drugs** - large amounts or bulk seizures of Controlled Dangerous Substances (CDS) can be destroyed prior to the final disposition of a case, if a court order is obtained, pursuant to **N.J.S.A. 2C:35-21**.

a. CDS connected with criminal case may be destroyed once it is not of any further evidential value. The Paramus Police Department is required to attach documentation regarding the case's final disposition to the destruction form. If a defendant is convicted, the period to wait for an appeal is six (6) months from the date the defendant was sentenced. If no appeal has been filed, then the CDS may be destroyed. If an appeal has been filed, then we must await the outcome of the appeal before the CDS can be destroyed. A check with the prosecutor's office's appellate section is necessary to determine appeal status.

b. In cases where defendants have been admitted into the Pre-Trial Intervention Program (PTI), the evidence cannot be disposed until after the defendant has successfully completed PTI. If a defendant is a fugitive from justice, the evidence cannot be destroyed. In a case with multiple defendants, you must ensure that each defendant has been disposed of in court. Cases involving juvenile defendants will be reviewed by an Assistant Prosecutor. Any juvenile disposition forms should be attached to those destruction forms. The appeal period to wait after sentencing is six (6) months.

c. If CDS has been found in the evidence/property room and no reports can be found to establish the circumstances of the case, then a new report must be generated indicating when it was found and how long it is believed to have been in the room.

d. In cases involving CDS seizures in which no suspects are initially developed, the length of time that the CDS should be retained shall be resolved on a case by case basis. The department must bear in mind that the statute of limitations for an indictable CDS offense is five years from the date of seizure.

3. **Destruction of other Types of Evidence**

a. Upon approval of the Bergen County Prosecutor's Office, items not related to the categories of firearms and drugs may be destroyed by the evidence custodian, provided that ownership cannot be determined or the owner does not want the property back. In those instances where the evidence is department property (such as a video or cassette tape recording), those items may be destroyed or used for training purposes.

b. Other types of evidence, such as clothing, may generally be placed in the normal trash disposal container of the department. If this is done, all accompanying tags and labels, which could indicate the name of a victim or suspect, shall be removed. Documentary or paper evidence may be shredded. Under no circumstances should any document or photograph be placed in the trash without first being shredded.

4. **Forfeiture of Evidence**

a. Any money seized for forfeiture purposes will be turned over to the Bergen County Prosecutor's Office, Forfeiture Unit within 48 hours.

b. The money will be accompanied by pertinent reports, along with the appropriate forfeiture forms.

c. An investigation report should detail exactly where the money was found and in what denominations. Many times money is found on the defendant, and also in the vehicle. It is important to distinguish in the report what dollar amount was found at what location.

d. The Bergen County Prosecutor's Office, Forfeiture Unit needs to be contacted regarding vehicles and other items subject to forfeiture.

1) A request for distribution of forfeited property, along with pertinent reports must be filed.

2) Vehicles that are impounded pending forfeiture action may not incur storage fees. These vehicles shall be secured at the Paramus Police Department until transfer to the Bergen County Prosecutor's Office.

e. For further information regarding forfeitures, refer to the Attorney Generals Forfeiture Program Administration, Standard Operating Procedures.

5. **Timeframes for Evidence Destruction**

a. Homicide Evidence

1) In all cases where all defendants have been charged and all of the defendants in the case are deceased, upon proof of death being submitted, a request for destruction authorization may be submitted.

2) In cases where the defendants were convicted and no appeals or post-conviction relief motions are pending, after a period of 5 years from the date of conviction or upon the defendant's expiration of sentence, whichever is later, a request for destruction authorization may be submitted.

3) In cases where no suspects have been identified but a DNA profile has been obtained and submitted to CODIS, or fingerprint evidence that has been submitted to AFIS, or there is no statute of limitations, the evidence shall be retained indefinitely. Only the Prosecutor or their designee may authorize the destruction of this evidence.

b. Sex Crimes Evidence

1) In all cases where all of the defendants have been charged and all of the defendants in the case are deceased, upon proof of death being submitted, a request for destruction authorization may be submitted.

2) In cases where the defendants were convicted and no appeals or post-conviction relief motions are pending, after a period of 5 years from the date of conviction or upon the defendant's expiration of sentence, whichever is later, a request for destruction authorization may be submitted.

3) In all cases where the defendants have been admitted into the Pre-Trial Intervention Program (PTI), have successfully completed PTI, and have been discharged, upon the court's signing an order dismissing the case as to all parties, and upon the expiration of the longest sentence of any co-defendants not admitted into PTI, a request for destruction authorization may be submitted.

4) In cases where no suspects have been identified but a DNA profile has been obtained and submitted to CODIS, or in the case of fingerprint evidence that has been submitted to AFIS, or in cases where there is no statute of limitations, the

evidence shall be retained indefinitely. Only the Prosecutor or their designee may authorize the destruction of this evidence.

5) In cases where the victim has signed a waiver of prosecution, has not contacted the police/prosecutor's office indicating a desire to pursue a prosecution, or has reported as a "Jane Doe" pursuant to the *Standards for Providing Services to Victims of Sexual Assault,* the evidence shall not be authorized for destruction for a minimum of 90 days from the date of the collection of said evidence, and then only after an attempt has been made to notify the victim of the possibility of the destruction of the evidence thereby giving them an opportunity to make a decision on whether they wish to proceed or not with the investigation/prosecution.

6) In cases involving juvenile defendants who have been charged, except in Homicide cases, and where there is no referral of the case to another court, with or without the juvenile's consent, a request for destruction authorization may be submitted 4 years after the final adjudication or disposition of all juvenile defendants or upon release from custody, whichever is later. Evidence in juvenile cases which are referred (waived) to another court, or in which there are adult co-defendants, shall be subject to the retention periods for adult cases.

c. Narcotic Evidence

1) In all cases where all of the defendants in the case have been charged and all of the defendants are deceased, upon proof of death being submitted, a request for destruction authorization may be submitted.

2) In cases where the defendants were convicted and no appeals or post-conviction relief motions are pending, after a period of 5 years from the date of conviction or upon the defendant's expiration of sentence, whichever is later, a request for destruction authorization may be submitted.

3) In all cases where the defendants have been admitted into the Pre-Trial Intervention Program (PTI), have successfully completed PTI, and have been discharged, upon the court's signing an order dismissing the case as to all parties, and upon the expiration of the longest sentence of any co-defendants not admitted into PTI, a request for destruction authorization may be submitted.

4) Where a controlled buy or an undercover buy has taken place and the investigation has been officially closed by the investigating agency with no prosecution having been instituted against anyone, after a period of one year and one day, a request for destruction authorization may be submitted.

5) Any controlled dangerous substance that has been submitted to a Forensic Laboratory for analysis and has not been connected to any suspect or defendant and has been submitted as Found Property, a request for destruction authorization may be submitted one year and one day after it has been submitted to the laboratory upon verification by the submitting agency that no prosecution has been instituted relating to the evidence.

6) In cases involving juvenile defendants who have been charged, except in Homicide cases, and where there is no referral of the case to another court, with or without the juvenile's consent, a request for destruction authorization may be submitted 4 years after the final adjudication or disposition of all juvenile defendants or upon release from custody, whichever is later. Evidence in juvenile cases which are referred (waived) to another court, or in which there are adult co-defendants, shall be subject to the retention periods for adult cases.

d. Firearms Evidence

1) In cases where the defendants were convicted and no appeals or post-conviction relief motions are pending, after a period of 5 years from the date of the conviction or upon the defendant's expiration of sentence, whichever comes later, a destruction authorization may be submitted. If there is a legal owner of the firearm who is not a defendant in the case and is not otherwise legally disqualified from possessing the firearm, pursuant to any provision of Chapter 58 of the New Jersey Criminal Code, rather than destroying the weapon it should be returned to the owner, if said owner is in possession of necessary permits.

2) Prior to any destruction authorization being granted, no firearms evidence shall be considered for destruction until all necessary tracing tests and IBIS submissions have been completed.

3) In all cases where all defendants have been charged and all defendants in the case are deceased, upon proof of death being submitted, a request for destruction authorization may be submitted.

4) If the weapon is related to a Homicide case in addition to this section, see Section "a" above.

5) If the weapon is related to a Sex Crimes case, in addition to this section, see Section "b" above.

6) If the weapon is related to a Narcotics case, in addition to this section, see Section "c" above.

7) In cases involving juvenile defendants who have been charged, except in Homicide cases, and where there is no referral of the case to another court, with or without the

juvenile's consent, a request for destruction authorization may be submitted 4 years after the final adjudication or disposition of all juvenile defendants or upon release from custody, whichever is later. Evidence in juvenile cases which are referred (waived) to another court, or in which there are adult co-defendants, shall be subject to the retention periods for adult cases.

e. Other Evidence

1) In all cases where all defendants have been charged and all of the defendants in the case are deceased, upon proof of death being submitted, a request for destruction authorization may be submitted.

2) In cases where the defendants were convicted and no appeals or post-conviction relief motions are pending, after a period of 5 years from the date of conviction or upon the defendant's expiration of sentence, whichever comes later, a request for destruction authorization may be submitted. If there is a legal owner of said evidence who is not a defendant, no forfeiture proceedings are pending or have been concluded and there are no appeals of said forfeiture action pending and the ownership has not been granted to a law enforcement agency by court order, said property shall be returned to the legal owner of same, rather than being authorized for destruction.

3) In cases involving juvenile defendants who have been charged, except in Homicide cases, and where there is no referral of the case to another court, with or without the juvenile's consent, a request for destruction authorization may be submitted 4 years after the final adjudication or disposition of all juvenile defendants or upon release from custody, whichever is later. Evidence in juvenile cases which are referred (waived) to another court, or in which there are adult co-defendants, shall be subject to the retention periods for adult cases.

f. Special Circumstances

1) In cases where the any defendant has been determined by a Court to be Incompetent to stand trial, the evidence must be retained until the defendant has become competent to stand trial, has died, or the Prosecutor of that respective county has made a determination to not proceed with the prosecution of the defendant.

2) In cases where there is an acquittal of the only defendant or there is a finding of Not Guilty By Reason of Insanity of the only defendant, then the evidence may be authorized for destruction by the Prosecutor of that county, in a timeframe to be determined by the Prosecutor of that county.

g. Other Requirements Not Superseded

1) Nothing in this policy is intended to require that a law enforcement office retain evidence in circumstances where such evidence would ordinarily be destroyed, returned to its rightful owner, forfeited, or otherwise disposed of pursuant to existing statutes or policies. Examples include, but are not limited to:

N.J.S.A. 2C:65-1 et seq. Disposition of Stolen Property and Documentary Exhibits;

N.J.S.A. 2C:64-1 et seq. Seized or Forfeited Property;

N.J.S.A. 2C:35-21 Destruction of Bulk Seizures of Controlled Dangerous Substances;

N.J.S.A. 52:4B-36 (1.) Crime Victims Bill of Rights, Prompt Return of Property When No Longer Needed as Evidence.

IV. EVIDENCE ROOM/AREA MANAGEMENT

A. All in-custody evidentiary/property shall be stored in the following designated, secure areas with access limited to authorized personnel:

1. An interior evidence room located within Police Headquarters.

   a. The room will be locked at all times and no individual will be allowed to enter or remain in the room unless accompanied by authorized personnel. Authorized personnel for access to the evidence room shall be the evidence custodian(s).

   b. The evidence room has limited access mechanical lock system.

2. A separately locked room for high value items with **camera or alarm system.**

   a. The high value evidence room shall be locked at all times and no individual will be allowed to enter or remain in the area unless accompanied by authorized personnel. Authorized personnel for access to this area shall be the evidence custodian(s).

3. An Evidence/Property Storage Shed located in the rear area of police headquarters will be used for large items and combustible material not able to be stored in the evidence room.

   a. The Evidence/Property Storage Shed has limited access by mechanical lock. Authorized personnel for access to this container shall be the evidence custodian(s).

B. All evidence custodians shall be held strictly accountable to the Chief of Police for the safety and security of the evidence keys/combinations in their possession and shall not be loaned or disclosed to another or shall not be temporarily used by another.

1. Lost/misplaced keys: If evidence keys are lost, a complete and detailed report shall be submitted in writing to the Chief of Police. Locks to the

affected evidence storage rooms/cages/lockers will be changed/re-keyed within 72 hours.

2. Duplication of keys: No duplicate "evidence" keys will be made without written authorization from the Chief of Police.

C. The Paramus Police Department will have the following secure areas/lockers for storage of in-custody or evidentiary property during periods when the evidence/property function is closed:

1. The Paramus Police Department shall have limited access temporary evidence/property lockers, including a locked limited access evidence refrigerator designated for officers securing evidence when the evidence/property function is closed.

2. The Paramus Police Department shall maintain an Exterior Evidence/Property Storage Shed for the temporary storage of bulk items such as bikes, etc. This system shall be for the temporary storage when the evidence/property function is closed.

D. Evidence/property of the following types **WILL NOT** be used for investigative or training purposes:

1. Explosives;

2. Weapons;

3. Controlled Dangerous Substances.

E. Inspections/audits/records

1. In order to maintain a high degree of evidentiary integrity over department controlled evidence/property, the following documented events shall be completed:

a. An **inspection** to determine adherence to procedures used for the control of evidence/property is conducted semiannually by the evidence custodian(s). A report will be submitted to the Chief of Police on the findings. The inspection is to:

1) Determine that the evidence/property storage areas are being maintained in a clean and orderly fashion;

2) Determine that the integrity of the property is being maintained;

3) Determine that provisions of this directive is being followed;

4) Determine that evidence/property is being protected from damage and deterioration;

5) Determine that proper accountability procedures are being maintained;

6) Determine that property having no further evidentiary value is being disposed of promptly and properly.

b. An **audit** of evidence/property occurs whenever the evidence custodian(s) are assigned to and/or transferred from the position and is conducted jointly by the newly designated evidence custodian(s), former evidence custodian(s) and a designee of the Chief of Police. A report will be submitted to the Chief of Police on the findings noting any discrepancies. The audit is to:

1) Ensure the continuity of custody and **not to require** the accounting of every single item of evidence/property;

a) A sampling of the total high risk property such as: money, drugs firearms, and precious metals, jewelry, gemstones with a value greater than $500.00 under the department's care shall be reviewed with respect to documentation and accountability.

b) Appendix I of the CALEA Standards Manual should be used to determine the appropriate sample size for high risk items. An error rate that exceeds four percent will require a full inventory of high risk items.

c) A **sufficient number** of all other evidence/property relative to the number of items in the department's custody.

2) Ensure the integrity of the system and accountability of property.

c. An **annual audit** of evidence/property in the department's custody is conducted by a supervisor not routinely or directly connected with the control of evidence/property along with the designated evidence custodian(s). A report will be submitted to the Chief of Police on the findings noting any discrepancies. The annual audit is:

1) To ensure the continuity of custody and not to require the accounting of every single item of property. The audit should be sufficient to ensure the integrity of the system and the accountability of property.

a) A **sufficient representative sampling** of all evidence/property including high risk items such as: money, drugs firearms, and precious metals, jewelry, gemstones with a value greater than $500.00 shall be audited.

d. An **unannounced inspection** of evidence/property storage areas are conducted as directed by the Chief of Police at least annually. A report will be submitted to the Chief of Police on the findings. The purpose of the unannounced inspection is similar to inspections as noted above.

PARAMUS POLICE DEPARTMENT

VOLUME: 5	CHAPTER: 7	# OF PAGES: 19
SUBJECT: TEMPORARY DETENTION		
ISSUED BY: Chief Kenneth R. Ehrenberg	**EFFECTIVE DATE:** October 15, 2018	**ACCREDITATION STANDARDS:** 71.1.1, 71.2.1, 71.3.1, 71.3.3, 71.4.2, 71.4.3, 71.5.1
SUPERSEDES ORDER #: *Original issued 1-25-2016*		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: To provide employees with guidelines in regards to the use of temporary detention.

POLICY: It shall be the policy of this agency to detain and process detainees in a timely manner. Once arrested, detainees will be brought to headquarters for processing. Release of a detainee shall be in accordance with court rules. Detainees are not held for more time than it takes to properly interview and process them. Officers shall respect the civil rights of all detainees and immediately report any violations to their supervisor.

PROCEDURES:

I. **Administration.**

A. The Chief of Police or their designee shall be responsible for developing written policies and internal management procedures consistent with all applicable regulations as outlined in N.J.S.A. 10A:34.

1. In compliance with 10A:34-1.5 all written policies and internal management procedures shall be available during inspection by designated staff of the New Jersey Department of Corrections.

B. The detention facility shall be in conformance with all applicable public health and safety codes, set forth by the State of New Jersey, the county and local jurisdiction (10A:34-2.3a).

C. Any new construction, alterations, additions and repairs of the municipal detention facilities shall comply with the State Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq., the Uniform Construction Code Rules, 5:23-1.1 et seq., and with N.J.S.A. 10A:34 (10A:34-2.3b).

1. A letter of intent to construct or renovate a detention facility shall be submitted to the Coordinator, Bureau of County Services, Department of Corrections, by the authority responsible for the detention facility.

2. Upon receipt of the letter of intent, the Coordinator, Bureau of County Services, shall furnish technical assistance throughout the planning process to assure that the detention facility complies with N.J.S.A. 10A:34.

3. All plans and specifications shall be submitted to the Coordinator, Bureau of County Services and copies also shall be submitted to any other authorities as required by law.

4. Contracts for new construction, alterations, additions and repairs shall not be executed until final plan approval is received in writing from the Coordinator, Bureau of County Services and other authorities as required by law.

D. The detention facility shall be in compliance with the New Jersey Uniform Fire Code, 5:70, in all aspects of fire safety (10A:34-2.3c).

E. The detention facility shall be in compliance with orders from a court of jurisdiction, and applicable Federal and State codes, regulations and laws, as amended and supplemented (10A:34-2.3d).

F. Temporary detention areas shall not be used as storage areas (10A:34-3.1b).

G. This agency will maintain a key control system (10A:34-3.1) for our temporary detention rooms. The system will provide for the following:

1. A primary set of keys (for temporary detention room doors) shall be stored in the main desk area. These keys shall be in the possession of the arresting officer or their designee any time a prisoner is in custody and held in a temporary detention room.

2. All keys are marked and identified to match the corresponding room door it locks/unlocks. A color coding and number system is used.

3. A secondary set of keys shall be maintained in the Operation Bureau, in a key box, as a back-up.

II. Processing and Temporary Detention (71.1.1).

A. Temporary detention is measured in hours and does not involve housing or feeding detainees except in extenuating circumstances. Detainees should be processed as quickly as possible and either released or transferred to another agency or jail. If the detention of a detainee exceeds six hours the reason will be noted on the arrest report.

B. Definitions:

1. A temporary detention room is defined as a location (room or cell) where a detainee is **locked in and left unattended**, while they are not being processed.

2. A processing / testing room is defined as a room or area used by sworn personnel to process (fingerprint and photograph) and or test (administer breath tests or field sobriety test) detainees.

C. The following rooms / areas are authorized for use in the temporary detention, processing, and testing of detainees:

1. Temporary Detention – Cell number three is authorized to hold female detainees. Cells numbered four, five and six are authorized to hold male detainees. If the need arises, any of the four aforementioned cells may be use to hold a male of female detainee. All cells are designed for single occupancy and unless specifically approved by the Tour Commander, or other competent authority, there shall not be more than one detainee housed in these cells at one time.

2. Processing / Testing – The following locations are authorized detainee processing rooms and the procedures outlined for processing and testing areas within this policy will be adhered to in these areas:

a. **Alcotest Room** – This room is authorized for officers or detectives to conduct breath tests using the Alcotest Instrument.

b. **Detective Bureau Detainee Processing Rooms** – These rooms are authorized for officers and detectives to use to process prisoners. At no time will the doors to these rooms be locked. At no time will any detainee be left unattended in any of these rooms. When detainees are in these rooms they are to be kept handcuffed to the wall. The monitoring system for these rooms will be constantly monitored by the detective bureau staff until the detainee is removed from the detective bureau processing room.

c. **BCI** – This room is authorized for officers or detectives to fingerprint and photograph a detainee.

D. Rooms that are designed and used solely for interviews are not considered temporary detention or processing rooms.

III. Training of Agency Personnel (71.2.1).

A. All personnel charged with the monitoring of temporarily detained detainees shall be provided with training (10A:34-4.1) on the use of the temporary detention and processing room, supervision and care of detainees, and special training for supervision and care of detainees of the opposite gender, as follows:

1. New personnel shall receive training as part of their initial training.

2. Veteran personnel shall receive in-service on a triennial basis (once every three years). The training will take place during the first year of our accreditation cycle.

IV. Temporary Detention Room Procedures (71.3.1).

A. Gun lockers are provided in the lineup room adjacent to the Holding Cell area. Each locker is uniquely numbered and the corresponding key is likewise labeled.

The keys to the gun lockers will remain in the keyholes when the lockers are not in use. Spare keys for the gun lockers are stored in the Operations Division.

B. All detainees being housed at the Paramus Police Department shall enter the Holding Cell area through the rear door of the Paramus Police Headquarters when practical.

C. The housing of juvenile detainees in the Holding Cell is highly discouraged and shall only be acceptable under extraordinary circumstances as defined in this directive, and then only under the narrowly defined criteria listed.

D. The following information, at a minimum, will be documented for every detainee who is held:

1. The reason for the detention.

2. The date and time in and out of the facility.

3. Any meals, if any, that were provided during the detention.

E. The arresting officer (or their designee) and the shift supervisor shall be responsible for the supervision of and is accountable for the processing (e.g. fingerprinting, photographing, and testing), searching, and temporary detention of all detainees held within the facility (10A:34-4.1).

1. Physical cell checks of detainees placed in a cell shall be made at least every 30 minutes unless more restrictive checks are outlined below.

2. Closer surveillance and more frequent checks or constant contact shall be made for detainees who are:

   a. A security risk (cell checks at least every 15 minutes);

   b. A suicide risk (Constant face to face supervision);

   c. Demonstrating unusual or bizarre behavior (Constant face to face supervision); and/or

   d. Exhibiting signs of mental illness (Constant face to face supervision).

3. Remote audio and/or video monitoring of detainees shall not substitute for the physical monitoring of detainees by sworn personnel.

4. A record of the physical checks shall be maintained in a log that shall contain, at the minimum, the following information on the detainee:

   a. Full Name;

   b. Gender;

   c. Date and time initially placed in cell;

   d. Date and time of release;

   e. Date and actual time of each physical cell check; and

f. Signature of staff member conducting physical cell checks.

5. Detainees who are injured or who become ill while in custody shall be seen by appropriate medical personnel without delay. A record of the date and time of the medical visit shall be maintained in the log. Seriously ill or injured detainees shall be transported immediately to an appropriate medical facility.

6. Special medication shall be provided to detainees if the need is verified by a physician.

7. If a detainee is confined during regular meal periods, the detainee shall be provided a meal.

8. Telephone calls shall be permitted for purposes of, but not limited to, notifying relatives, obtaining legal representation, and posting bail. Long distance telephone calls may be made "collect."

F. The arresting officer (or their designee) shall be responsible for securing a detainee in a temporary detention room and shall be responsible for monitoring unattended detainees within the secured temporary detention room in accordance with the provisions of this policy.

G. Detainees may be temporarily restrained to a fixed object if they are currently being processed. If a detainee is secured to a fixed object it shall be one which is designed for such use.

1. Detainees who are danger to themselves or others may be secured by handcuffs to a fixed object only as a temporary solution. The detainee who is a security risk should be placed into more restrictive restraining gear as quickly as possible and placed into a temporary detention room.

H. Male, Female, and Juvenile detainees shall be kept separate from one another and not placed into the same temporary detention room. If separation is required, the officer should utilize a temporary detention room for the detainee who is not currently being processed.

I. Detainees shall be provided an opportunity to make telephone contact with a person of their choice at the earliest practical opportunity during the admissions process.

1. The detainee will be required to provide the processing officer with the telephone number of the party he/she is attempting to reach. The officer is required to dial the number. All calls resulting in toll charges should be made "collect". The date, time and phone number called shall be recorded on the Prisoner Log.

2. Once the detainee has successfully contacted the party of his choice, it will not be required to allow the detainee additional telephone calls.

3. Officers may elect to allow detainees to make additional telephone calls if the circumstances surrounding their release or transfer has changed and/or it is determined to be in the best interest of the departmental operation to allow such calls.

4. All calls shall be made from the processing room.

5. Officers shall provide a reasonable amount of assistance to detainees in ascertaining telephone numbers for parties they are attempting to reach.

6. No telephone call made by a detainee shall exceed five (5) minutes in duration.

V. Temporary Detention Room Security Concerns (71.3.3).

A. **Firearms and Other Weapons Secured** - Firearms and other weapons shall be secured before entering a temporary detention room when a detainee is present in the room. Weapons are prohibited within the security perimeter of the cell block area (10A:34-3.1c).

B. **Emergency Alarm** – Any officer may transmit an emergency request for assistance if they feel their safety is in danger. When an emergency request for assistance is received any available officer in the immediate vicinity shall report directly to the scene. The communications operator shall also immediately dispatch at least two of the closest officers to assist and notify the shift supervisor. If an emergency arises in a temporary detention room the officer shall use the following to transmit an emergency request in order to summon additional assistance.

1. **Portable Radio** – All officers who are responsible for interacting with a detainee in the temporary detention area shall be equipped with a portable radio. That radio shall be operational and shall always be within reach of the officer. An emergency request for assistance may be made by voice transmission.

2. **Portable Radio Emergency Button** – The officer may elect not to broadcast the emergency request by voice transmission. In this case they shall use the emergency button on their portable radio to transmit the emergency request silently.

3. **Fixed Alarm Buttons** – In addition to portable radios, the temporary detention area is equipped with fixed alarm buttons which alert the communications center. Officers may elect to use a fixed alarm button to transmit an emergency request for assistance.

C. **Authorized Access** - When a detainee is secured in a temporary detention room the room shall only be accessed by sworn personnel who are charged with the supervision of the detainee or their designee.

1. If a detainee needs to meet with their attorney or other appropriate guest the detainee shall be relocated to an interview room.

D. **Escape Prevention** - Detainee escape prevention is primarily the responsibility of the supervising officer. The likelihood of an escape from a temporary detention room can be reduced by performing the following.

1. All detainees shall be thoroughly searched, by hand, prior to entering the temporary detention room in order to find any item that could be used to facilitate an escape.

2. The temporary detention room door shall remain closed and secured at all times a detainee is present in the room.

3. When handling the detainee there should be sufficient enough personnel present to physically prevent escape.

4. A detainee shall be search for weapons every time they are placed into or taken out of a temporary detention room.

E. **Visual Observation** - The officer supervising the detainee shall make a documented face-to-face observation of a detainee, who is secured in a temporary detention room, at least every thirty minutes or less, if required, in accordance with this policy.

1. Physical cell checks of detainees placed in a cell shall be made at least every 30 minutes unless more restrictive checks are outlined below.

2. Closer surveillance and more frequent checks or constant contact shall be made for detainees who are:

a. A security risk (cell checks at least every 15 minutes);

b. A suicide risk (Constant face to face supervision);

c. Demonstrating unusual or bizarre behavior (Constant face to face supervision); and/or

d. Exhibiting signs of mental illness (Constant face to face supervision).

3. Remote audio and/or video monitoring of detainees shall not substitute for the physical monitoring of detainees by sworn personnel.

F. **Audio / Video Devices** –The monitoring system shall remain activated at all times that detainees are present in headquarters processing or temporary detention rooms due to the added measure of safety and security the system provides. It will be monitored by the desk supervisor. The monitoring system shall not be used as a substitute for physical cell checks of detainees (10A:34-3.10).

1. The use of audio / video devices will be used to monitor detainees between the face-to-face visual observations.

2. Care shall be taken that there is no intrusion of privacy in the area around the sanitary unit by use of the audio / video system.

3. If audio and video monitoring system is not functioning as designed, face-to-face monitoring of the detainees shall be required.

4. Remote audio and/or video monitoring of detainees shall not substitute for the physical monitoring of detainees by sworn personnel.

VI. Temporary Detention Room Fire Prevention, Evacuation, and Suppression Plan (71.4.2).

A. During a fire or other emergency, the primary responsibility of an officer is the safety and security of his/her detainee. To address fire prevention and suppression the agency has provided for the following.

1. **Fire Prevention** – The following will be performed or maintained in order to prevent a fire:

a. The main building and the area of the temporary detention rooms is equipped with automatic fire detection equipment.

b. Temporary detention rooms are inspected daily for fire hazards by the shift supervisor.

c. Flammable materials shall not be stored in or near any temporary detention rooms.

d. Detainees shall not have smoking materials, lighters, matches or other sources of flame available to them and shall be search for such items prior to being placed into a temporary detention room.

e. All detainee bedding and blankets shall be made of fire-resistant material.

2. **Fire Evacuation** – If there is a fire or other emergency requiring the evacuation of the facility the arresting officer or their designee shall immediately notify communications that an evacuation will begin and why. Communications shall document the request and send appropriate assistance (police, fire, EMS personnel) immediately. The detainees shall be handcuffed and removed from the facility as quickly as possible. The detainees shall be secured in the rear of a patrol vehicle that is equipped with a security barrier. The arresting officer or their designee shall stay with and guard the detainee until the detainee can either be returned into the facility or transported to another facility.

3. **Fire Suppression** – If a fire were to begin the discovering officer shall notify communications of the incident, request appropriate assistance (police, fire, EMS personnel), and take immediate action to suppress the fire, if possible. The facility is equipped with fire extinguishers for this purpose. The discovering officer will keep communications informed as to the progress made. Communications will notify the shift supervisor and all the appropriate resources (fire and EMS personnel.

VII. Temporary Detention Room Inspection and Administrative Review (71.4.3).

A. The Chief of Police or designee shall conduct a documented review of the temporary detentions rooms and procedures on a triennial basis. This shall occur during the first year of our accreditation cycle.

B. The shift supervisor or designee shall be responsible for conducting a daily inspection of the temporary detention rooms for fire hazards, evidence of weapons, contraband, sanitation condition, and the presence of pests or vermin. The signature of the inspecting officer is required on the inspection form. (10A:34-2.10).

1. If any evidence of weapons, contraband, fire hazards, sanitation condition, and the presence of pests or vermin is found the Chief of Police will be notified through the chain of command.

2. If any evidence of weapons or contraband is discovered then internal affairs will conduct an investigation.

3. If any evidence of an unsatisfactory sanitation condition, fire hazard, and or the presence of pests or vermin is found the condition will be corrected as soon as possible by notifying the appropriate personnel or an outside contractor. Administrative approval will be needed to hire an outside contractor.

C. The shift supervisor or designee shall be responsible for conducting a security inspection of the temporary detention rooms at least weekly and a written report shall submitted to the Chief of Police or officer in charge of security of the municipal detention facility (10A:34-3.1a). The signature of the officer conducting this inspection is required on the inspection form.

VIII. Processing / Testing Room Security Concerns (71.5.1).

A. **Constant Supervision** - The arresting officer shall maintain constant supervision of and is accountable for the well being and security of a detainee in a designated processing / testing room or area unless properly relieved by another law enforcement officer.

1. The responsibility of detainee security will not be transferred to a civilian.

2. Other sworn officers may assume responsibility if directed to by a command officer or permitted by policy.

3. The arresting officer or their designee shall be responsible for maintaining face to face contact with the detainee while they are being processed.

B. **Weapons Control** – Weapons control in a processing and testing environment is a serious matter and a disciplined approach needs to be taken to ensure that weapons are not made accessible to unauthorized persons. Officers should secure their firearm and knife in a weapons locker prior to interacting with a detainee in a processing or testing environment. They may however routinely possess their baton and chemical spray. Officers should practice the following weapon control techniques while interacting with a detainee:

1. A detainee shall be handcuffed and secured unless they are presently being fingerprinted, photographed, or tested.

2. When a detainee is unsecured, there should be two officers present in processing, whenever available.

3. The officer who is not physically processing the detainee should be monitoring the detainee's actions and movements in order to control his access to any available weapons. This officer should also position themselves in the room so as not to be near the detainee. This will allow them time to react to a threat without being immediately involved in it.

4. If a prisoner is considered to be dangerous, and during tests using the Alcotest instrument, one officer should continue to be armed, but they will position themselves just outside the processing/testing room ready to act if necessary.

C. **Emergency Alarm** – Any officer may transmit an emergency request for assistance if they feel their safety is in danger. When an emergency request for assistance is received any available officer in the immediate vicinity shall report directly to the scene. The communications operator shall also immediately dispatch at least two of the closest officers to assist and notify the shift supervisor. If an emergency arises in a processing room the officer shall use the following to transmit an emergency request in order to summon additional assistance.

1. **Portable Radio** – All officers who are responsible for interacting with a detainee in the processing / testing area shall be equipped with a portable radio, except as outlined below. That radio shall be operational and shall always be within reach of the officer. An emergency request for assistance may be made by voice transmission.

a. **Alcotest Operation** – In accordance with State v. Chun, no portable radio is allowed to be present in a room when a breath test is being conducted. Officers will situate their portable radio just outside the door to the room so that it still may be used as a means to summon assistance, but not interfere with the instrument.

2. **Portable Radio Emergency Button** – The officer may elect not to broadcast the emergency request by voice transmission. In this case they shall use the emergency button on their portable radio to transmit the emergency request silently.

3. **Fixed Alarm Buttons** – In addition to portable radios, the temporary detention area is equipped with fixed alarm buttons which alert the communications center. Officers may elect to use a fixed alarm button to transmit an emergency request for assistance.

D. **Escape Prevention** - Detainee escape prevention is primarily the responsibility of the arresting officer and the shift supervisor. The likelihood of an escape can be reduced by performing the following:

1. All detainees shall be thoroughly searched, by hand, in order to find any item that could be used to facilitate an escape.

2. All detainees shall be secured unless they are being processed, using the bathroom, or making a telephone call.

a. When a detainee has to use the bathroom, whenever possible, an officer or matron of the same gender should accompany the detainee.

3. When possible, there should be two officers present, whenever a detainee is not secured, for the purpose of processing or when allowing the detainee to make a telephone call.

4. All doors associated with processing and temporary detention shall remain closed and secured at all times a detainee is present.

IX. Search of Detainees (10A:34-3.2).

A. Each person detained, arrested or lawfully confined to a municipal detention facility shall be thoroughly searched prior to placement in a cell in accordance with the applicable provisions of NJSA 2A 161A-1 et seq, and this subchapter (10A:34-3.2).

B. All searches shall be conducted in a professional and dignified manner, with maximum courtesy and respect for the person.

C. No detainee shall be searched as punishment or discipline.

D. All objects or property in the possession of the person detained, arrested, or lawfully confined in a municipal detention facility, whether the objects or property are opened or closed, shall be thoroughly searched and an inventory of the contents prepared. A copy of the inventory shall be provided to the person confined in the municipal detention facility.

E. Pat Searches (10A:34-3.3).

1. A pat search shall be conducted while the detainee is fully clothed. A pat search includes both the touching of the detainee's body through clothing, including hair, dentures, etc., and a thorough examination into pockets, cuffs, seams, etc., and all personal property in the detainee's possession.

2. Pat searches of detainees may be conducted at any time where conditions indicate a need for such searches.

3. In addition to the foregoing routine searches, a pat search may be conducted at any time when there is a reasonably clear indication that the detainee is carrying contraband.

4. Pat searches may be conducted by either male or female custody staff members upon male inmates. Except in exigent circumstances, pat searches shall only be conducted by female custody staff members upon female inmates. Additionally, it would require the appropriate documentation of such searches which shall include an explanation of the exigent circumstances that existed at the time of the search.

F. Canine Searches (10A:34-3.11).

1. All detainees and their possessions and all municipal detention facilities, areas, objects and properties may be subject to searches by a canine team(s), specially trained to discover and indicate to the handler(s) the presence of various substances and materials.

G. Use of Scanning Devices (10A:34-3.9).

1. Searches of detainees, areas and objects by the use of handheld metal detector are authorized and may be done routinely and randomly where necessary for security purposes.

H. Strip Searches (10A:34-3.4 / 10A:34-3.5 / 10A:34-3.8).

1. These types of searches are covered under the Pre-Incarceration Search policy.

I. Body Cavity Searches (10A:34-3.4 / 10A:34-3.5 / 10A:34-3.8).

1. These types of searches are covered under the Pre-Incarceration Search policy.

X. Suicide Prevention, Control, and Investigations (10A:34-4.3).

A. The following procedure is to be followed:

1. Every detainee will be evaluated to determine if they are a suicide risk when they are admitted into the facility. If they are deemed a suicide risk they will be monitored in accordance with this policy.

2. Some indications of suicide risk may be:

a. Past departmental experience with the detainee;

b. Verbal threats of suicide;

c. Violent or rebellious behavior;

d. High level of drug or alcohol involvement including current condition;

e. Display of inappropriate demeanor;

f. Low self esteem;

g. Acting in a subdued or withdrawn manner; and

h. Information received from other source (family, physician, friend, etc.).

3. If a detainee is considered to be a suicide risk the arresting officer, or another officer, will remain with the detainee at all times while they are housed in the facility. There will be no exceptions to this rule.

a. If a detainee is considered to be a suicide risk the arresting officer and the patrol supervisor shall expedite the detainee's processing and release or transfer to appropriate facility.

4. When placing a detainee in a cell, the following shall occur:

a. Remove potentially dangerous articles form the detainee (belts, shoe laces, ties, etc.);

b. Inspect the cell for all dangerous articles; and

c. If the detainee is to be transferred to another agency, holding or medical facility, the receiving agency, holding or medical facility shall be made aware of the results of any risk assessments obtained and the actions this agency has taken relative thereto.

5. If a detainee shall attempt suicide, the following shall occur:

a. Appropriate first aid shall be rendered by at least two officers.

b. In accordance with 10a:34-4.3(b), an emergency rescue tool (cutting device) shall be available at all times to personnel working in a temporary detention room or area. The tool is located in a glass control box located next to the cells. The rescue tool is a hook blade that shall be utilized to cut away any item/material in the event that such action is immediately necessary to avert an emergency situation or maintain order.

c. Appropriate emergency medical services shall be notified;

d. Notification to the Chief of Police and Division Commander shall be made through the appropriate chain of command;

e. The officer responsible for the supervision of the detainee shall prepare and submit a written report to the Chief of Police through the appropriate chain of command.

XI. Reporting Detainee Deaths (10A:34-4.4).

A. The following procedure shall be followed when reporting the death of a detainee:

1. The Chief of Police, Division Commander, and Internal Affairs shall be notified through the appropriate chain of command.

2. Following the death of a detainee, notification shall be given by the Chief of Police to the Coordinator, Bureau of County Services, Department of Corrections, within three business days.

a. The Patrol Supervisor shall ensure that the temporary detention area is secured for the preservation of evidence until the arrival of Internal Affairs.

b. Internal Affairs will undertake an investigation to determine the manner in which the death or injuries resulting in the death of the detainee occurred.

3. Following this notification and within two weeks, a written report shall be submitted by the Chief of Police to the Coordinator, Bureau of County Services, and Department of Corrections. This report shall contain, at minimum, the following information:

a. Detainee's name, age and sex;

b. Date and time of admission into the cell or holding room;

c. Reason for placement in cell or holding room;

d. Logbook entries noting the times of each physical cell check;

e. Circumstances surrounding the death; and

f. Findings of the Internal Affairs investigation.

XII. Rights of Detainees

A. All persons detained, arrested or lawfully confined to a municipal detention facility shall be protected by municipal detention facility from personal abuse, corporal punishment, personal injury, disease, property damage and harassment. Any observations of these activities will be reported to the Chief of Police immediately.

B. In accordance with Federal Prison Rape elimination Act of 2003 (PR), 42 U.S.C. 15601 et seq., a zero tolerance for the incidence of sexual assault shall be maintained at municipal detention facilities. Any observations or reports of sexual abuse or assault will be reported to the Chief of Police immediately.

C. Appropriate disciplinary action shall be taken against facility staff who engage in abusive behavior and when necessary these cases will be referred to the Bergen County Prosecutors Office.

XIII. Detainee Escape Response Procedures (10A:34-3.1e).

A. The quick and thorough application of escape response procedures are paramount in apprehending a detainee who escapes from custody.

1. The following procedure is to be followed by all personnel in the event of a detainee escape:

a. In the event that a detainee is found to be missing from anywhere within the temporary detention area, a check will be made with all units to determine if an escape had in fact occurred. When it has been determined that an escape had in fact occurred, the following notifications shall be made immediately:

1. Chief of Police, through the chain of command;

2. Internal affairs;

3. Detective supervisor;

4. Surrounding law enforcement agencies; and

5. All on-duty police officers.

b. The above notifications shall include the following information:

1. The name of the escaped detainee;

2. A full description of the detainee including information as to all known physical characteristics and the clothing worn. If available, the processing photo of the detainee shall be disseminated to law enforcement agencies and their personnel;

3. The reason for the individuals detention;

4. Any and all other information which would aid in the apprehension of the suspect; and

5. Any and all information necessary for officer safety.

c. A thorough search of the building will be made to assure that the detainee is not located in another area of the building housing the temporary detention facility.

d. Notification of the escape of the detainee shall be made to surrounding law enforcement agencies, including those agencies wherein the detainee resides or has substantial contacts. Alarms will be sent via SPEN and N.C.I.C. Teletype.

e. The patrol supervisor shall ensure that the cellblock area is secured for the preservation of evidence until the arrival of internal affairs.

f. Internal affairs will undertake an investigation to determine the manner in which the detainee accomplished his escape.

XIV. Detainee Identification.

A. All detainees will be positively identified through some means such as photo identification or fingerprints.

B. Obtain all necessary information concerning the authority for the detainee's detention or commitment (e.g. arrest warrant, commitment papers, teletype information, transportation and detainee writs, etc...) and include it with the arrest or investigation report.

C. The physical description and positive identification of the detainee will be checked by the arresting officer with the information in the arrest report and the detention or commitment paperwork prior to release or transportation.

D. If a detainee claims he is not the person identified in the detention or commitment paperwork the arresting officer shall notify their supervisor who will be responsible for making an identification determination or assigning further investigative work to be completed prior to making a determination.

XV. Meals.

A. Detainees who are incarcerated in the Holding Cell during normal meal periods (breakfast 0800-0900 Hours, lunch 1200-1300 Hours, and dinner 1700-1800 Hours) shall be afforded the opportunity to eat. The purchase of meals for detainees shall be restricted to the following procedure:

1. The patrol tour commander responsible for the detainees shall only use the approved vendor for meals.

2. The vendor should attach a receipt for the meal. The officer will bring the receipt back and deliver it to the Secretary to the Chief of Police.

3. Approved meals:

a. Breakfast: One (1) regular breakfast sandwich.

b. Lunch: One (1) basic sandwich.

c. Dinner: One (1) basic sandwich.

4. The detainee shall be instructed to utilize the water fountain installed in the cell for the purpose of obtaining liquid refreshment.

5. The officer delivering the meal shall distribute the food to the detainee and record the time the detainee was fed on the Detainee Log.

6. The officer assigned to deliver food to detainees shall open the cell door on each respective cell pass the sandwich to the detainee on a paper wrapper or napkin.

7. Detainees shall not be given any utensils or paper items for the purpose of consuming a meal.

8. The detainee shall be given a reasonable amount of time to eat the meal. Immediately after the detainee is finished eating, or after a reasonable amount of time should the detainee refuse to eat, the officer shall collect whatever remaining food is left in the cell.

XVI. Procedure for Mass Arrest.

A. If a situation should occur that leads to the arrest of a large number of people, the patrol tour commander shall formulate a plan to accommodate the detainees while preserving officer and detainee safety. The patrol tour commander shall:

1. Assign sufficient manpower to police headquarters to safely transfer detainees into all the operational cells, as well as, the holding/processing room.

2. Contact the Patrol Division Commander for authorization to recall off-duty personnel as needed.

3. Coordinate detainee cell assignments taking into account which subjects are charged with the less serious violations and thus eligible for release on a summons after processing. These detainees should be held on the cuff benches to facilitate quick processing and release when appropriate.

4. In extraordinary situations necessitating a transfer of detainees to other detention facilities, coordinate arrangements for transfer of detainees to surrounding police agencies or the county detention facilities as needed.

XVII. Visitors.

A. In the event that an attorney representing a detainee responds to police headquarters and requests to confer with his client, the patrol tour commander shall take reasonable steps to accommodate the request.

1. The detainee shall be brought to the interview room and secured by handcuffs.

2. Once the detainee is secured, the attorney shall be escorted to the interview room and seated at the table and his/her name recorded on the Detainee Log.

3. The attorney will not be permitted into the Holding Cell area unless all other detainees are secured in their cells.

4. The attorney will not be allowed to carry any materials with him with the exception of a pad and pen and will be subjected to a pat search prior to entering the interview room.

5. The visit will be reasonable in duration and an officer will stand guard outside the holding/interview room for the duration of the visit.

6. At the conclusion of the visit, the attorney will be escorted out of the interview room area prior to the detainee being moved.

7. All detainees will be searched again prior to leaving the interview room.

B. The only exception to the above policy will be for the Borough of Paramus Public Defender who may need to meet with several detainees during court sessions. The procedure outlined above will be followed with the exceptions that the public defender will remain in the interview room while different detainees are brought there, and he/she will be allowed to bring the case files necessary to conduct the meetings.

C. No other non-essential personnel will be permitted in the Holding Cell area when detainees are present unless authorized by the patrol tour commander and escorted by an officer.

D. Detainee being held in temporary detention rooms in the investigative bureau will be permitted to confer with their attorney. All audio recording/monitoring will be suspended while the detainee confers with his or her attorney.

XVIII. Release or Transfer of Detainees.

A. When the release of a detainee is warranted for whatever reason, the detainee shall be removed from his cell and returned to the processing area where all required paperwork will be completed and/or signed as appropriate.

1. A thorough inspection of the cell shall be undertaken to ensure the cell is free from damage caused by the prisoner.

2. If damages are discovered that can be attributed to the detainee last housed in the cell, the patrol tour commander shall direct that the detainee be charged with criminal mischief before being released from custody.

B. Whenever any person presents themselves at police headquarters for the purpose of posting bail for a subject that is in custody at police headquarters, the municipal court clerk or designee shall meet with the subject in the lobby of the police department for the purpose of collecting the bail and issuing a receipt.

C. Upon release, the detainee's personal property not being retained by the department as evidence or contraband shall be returned.

D. In the event the detainee refuses to sign the Personal Property Disposal Waiver, or raises a dispute about any of the property, the patrol tour commander or detective supervisor shall respond to the processing room in an attempt to resolve the dispute. If the dispute over property cannot be resolved, the patrol tour commander or detective supervisor will be required to notify the Division Commander immediately to determine if Internal Affairs investigators should be summoned.

E. When a detainee is prepared for transfer to another agency, institution or detention facility, the processing officer will determine the extent of the detainee's personal property that can accompany him to the corresponding facility. Only that property which can accompany the detainee will be prepared for transportation. The balance of the property will be stored in the department's evidence room. The processing officer shall initial the Personal Property Disposal Waiver in the appropriate space to reflect which items, if any, the department is retaining. The detainee will be requested to sign the property record and issued a copy to serve as a receipt for the retained property. The detainee shall be instructed to consult the property record for the procedure to recover the remainder of the personal property.

F. All personal property released to any detainee being transferred to another facility shall be held by the transporting officer until such time as they arrive at their destination. The property shall then be turned over to the appropriate staff officer at the destination facility.

G. All detainees being released from custody at police headquarters shall be released through main entrance of the police department.

H. Whenever a detainee is scheduled for transfer to another detention facility, and the patrol tour commander has reason to believe that medical clearance might be required (injury, illness, intoxication, psychological condition) prior to admission, the patrol tour commander shall contact the receiving agency and consult with the staff to determine the extent of preadmission evaluation required, if any.

I. Whenever a detainee is scheduled for release from custody at police headquarters, and the patrol tour commander has reason to believe the detainee is not competent for unaccompanied release (Intoxication, handicap, psychological condition), the patrol tour commander shall order the release of the subject only after the condition has been abated or a responsible adult known to the detainee has presented themselves at police headquarters to accept custody of the detainee.

J. In situations where no one can be contacted or is willing to accept custody of the detainee, the patrol tour commander may authorize an officer to transport the detainee to his residence or assign someone to police headquarters for the duration of time required for the detainee to meet the prerequisite for unaccompanied release.

XIX. Holding Cell Cleaning and Maintenance.

A. Personnel from the Department of Buildings and Grounds shall clean the entire Holding Cell area on a regular basis.

1. Prior to the commencement of janitorial services in the Holding Cell area, building and grounds personnel will ensure that no detainees are present in the Holding Cell area.

B. If any detainee housed in a cell is suspected of having a communicable disease, the cell shall be placed out of service by the patrol tour commander until such time as the cleaning personnel can respond and decontaminate the cell.

C. Department issued disinfecting materials may be utilized to disinfect affected areas until a thorough cleaning is completed. The affected cell(s) shall remain out of service until the thorough cleaning is completed.

D. The Patrol Tour Commander shall make the appropriate notation on the cell assignment board in the processing room when any cell is placed out of service and list the reason for the action.

E. Whenever a need for cleaning or maintenance is identified, the Patrol Tour Commander shall prepare a Request for Maintenance memorandum explaining the nature of the work requested. The completed form shall be forwarded to the Operations Division Commander.

PARAMUS POLICE DEPARTMENT

VOLUME: 5	CHAPTER: 8	# OF PAGES: 4

SUBJECT: Prison Rape Elimination Act (PREA)

ISSUED BY: Chief Kenneth R. Ehrenberg	EFFECTIVE DATE: May 1, 2016	ACCREDITATION STANDARDS:
SUPERSEDES ORDER #:		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: The purpose of this policy is to allow members of this department to have an understanding of the Prisoner Rape Elimination Act of 2003 and to provide guidance when dealing with detainees who claim to have been violated under PREA.

POLICY: In accordance with the Prisoner Rape Elimination Act (PREA) of 2003, this department shall establish:

- A zero tolerance policy toward all forms of sexual abuse and sexual harassment towards any detainee; and
- Ensure that all detainees have the right to be free from sexual abuse and sexual harassment.

PROCEDURE:

I. Definitions:

A. *Prison Rape Elimination Act (PREA):* Signed into law on September 4, 2003. The Prison Rape Elimination Act is legislation that establishes a standard of zero tolerance for rape, sexual assault and sexual harassment in any prison, jail, police lockup, or juvenile facility.

B. *Lockup:* A facility that contains holding cells, cell blocks, or other secure enclosures that are:
1. Under the control of law enforcement, court or custodial officer; and
2. Primarily used for the temporary confinement of individuals who have recently been arrested, detained, or are being transferred to or from a court, jail, prison or other agency.

C. *Detainee:* Any person detained in a lock up, regardless of adjudication status.

D. *Employee:* A sworn member or civilian who is employed directly by the Paramus Police Department.

E. *PREA Coordinator*: An administrative level employee who oversees, develops and implements Department efforts to comply with PREA standards.

II. Reporting:

A. The Department shall require all employees to immediately report to their immediate supervisor:

1. Any knowledge, suspicion or information regarding an incident of detainee sexual abuse or sexual harassment that occurred within Department lockup;
2. Any retaliation against detainees or Department employees who report such incident;
3. Employee neglect or violation of responsibilities that may have contributed to an incident or retaliation;
4. When an employee has knowledge that their direct supervisor is involved in an incident of sexual abuse or sexual harassment that occurred within Department lockup, that employee shall report the incident in accordance with General Order 2.15.00, Internal Affairs.

B. The Department shall ensure:

1. Employees take immediate action to protect the detainee from substantial risk of imminent sexual abuse;
2. That an administrative or criminal investigation is actively and thoroughly completed for all allegations of detainee sexual abuse or harassment;
3. Alleged detainee sexual abuse or sexual harassment incidents, including third party and anonymous reports are reported to designated investigators, usually Internal Affairs;
4. Investigators have received special training in sexual abuse investigations.

C. The Department shall adhere to the following requirements in regards to detainee allegations of sexual abuse and sexual harassment:

1. The responsibility to investigate any allegations of detainee sexual abuse and sexual harassment in accordance with Department policy and procedure;
2. Follow the uniform evidence protocol that maximizes the potential for obtaining useable physical evidence;
3. Develop internal protocols appropriate for juvenile detainees where applicable;
4. Offer all victims access to forensic medical evaluations performed by a Sexual Assault Nurse Examiner (SANE) or qualified medical practitioner;
5. Attempt to make a victim advocate from a rape crisis center available to the detainee;
6. Accompany the victim through the forensic medical examination process and interviews.

III. Abuse Reports from Outside Facilities/Agencies

The Department shall ensure when an employee receives an allegation that a detainee was sexually abused while confined at another facility, the employee shall notify their immediate supervisor. This information shall follow the chain of command until the PREA Coordinator and the Chief of Police are notified. At which point, the Chief of Police or his designee shall:

A. Notify the head of the facility or appropriate office of the agency where the alleged abuse occurred;
B. Make notification as soon as possible, but no later than seventy-two (72) hours after receiving the allegation; and
C. Document the notification.

IV. Department Custody Investigation

A. During investigations of any allegations of detainee sexual abuse or sexual harassment while in Department custody, the investigator shall:

1. Investigate any allegations of detainee sexual abuse and sexual harassment in accordance with Department policy and procedure;
2. Gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence, and any available electronic monitoring data;
3. Interview alleged victims, suspects and witnesses;
4. Review prior complaints and reports of sexual abuse or sexual harassment involving the suspects;
5. Notify the head of Internal Affairs and the Chief of Police of the possible outcome when evidence appears to support criminal prosecution;
6. Make available to the Department and/or requesting agency relevant information regarding the status of an investigation in order to inform the detainee;
7. When an investigation into allegations of detainee sexual abuse or sexual harassment involves an employee of the Department or results in a possible outcome that may support criminal prosecution, the Chief of Police shall notify the Bergen County Prosecutor's Office

V. Training

A. The Department shall ensure employees who may have contact with lockup detainees:

1. Adhere to the Department's zero tolerance policy and detainee's right to be free from sexual abuse and sexual harassment;
2. Ensure compliance with relevant laws related to mandatory reporting of sexual abuse and sexual harassment; and
3. Annually receive PREA training.

B. Members who receive PREA training and sexual abuse investigation training shall forward copies of training certificates or records of attendance to the Training Coordinator, who will keep a record in the member's training file.

VI. PREA Coordinator

A. The Chief of Police shall:

1. Designate an administrative level employee as the PREA coordinator; and
2. Ensure the PREA coordinator has the authority to develop, implement and oversee the Department's effort to comply with the PREA standards in the Department's lockup.

B. The PREA Coordinator shall:

1. Submit status reports of PREA compliance standards, investigative training requirements and reported/investigated incidents to the Chief of Police when appropriate;
2. Document any corrective action required to ensure compliance with the PREA standard.

PARAMUS POLICE DEPARTMENT

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SUBJECT: PUBLIC INFORMATION

ISSUED BY: Chief Kenneth R. Ehrenberg	EFFECTIVE DATE: June 23, 2017	ACCREDITATION STANDARDS: 54.1.3
SUPERSEDES ORDER #: *Original issued 5-1-2010*		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: To establish a uniform procedure for the release of structured and accurate information to the print and electronic news media.

POLICY: The release of information to the public and the media must be carefully coordinated and controlled to avoid confusion and to promote the department in a positive manner. Employees specifically authorized by this policy to release information must cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to the activities of the department, as long as these activities do not unduly interfere with department operations, infringe upon individual rights or violate the law.

PROCEDURE:

I. Definitions

A. Public information: information that may be of interest to the general public regarding policy, procedures or events involving the department or other newsworthy information that is not otherwise legally protected, does not unduly interfere with the mission of the department, infringe upon the rights of a defendant or compromise the legitimate safety and privacy interests of law enforcement, victims, witnesses or others.

B. News media representatives: those individuals who are directly employed by agencies of the electronic or print media such as radio, television and newspapers. Media representatives must possess and present authorized identification from either a local, national or international news organization.

C. Public Information Officer (PIO): the department's PIO serves as a central source of information for release by the department and responds to requests for information by the news media and the community. The Chief of Police or designee may assign this responsibility to an employee or employees of the department.

II. Responsibilities of the PIO

A. **Public Information Officer-** The PIO is authorized by the Chief of Police or designee to release information to the public in a manner consistent with the procedures set forth. In the absence of the PIO, a designee shall be assigned the PIO responsibilities. The PIO shall be available to:

1. Prepare and arrange for the distribution of written news releases;

   a. The release of written news releases shall be approved by the Chief of Police and/or PIO.

   b. The preferred method of dissemination of information to the media shall be through written releases and emails. Copies of all written statements shall be archived. When a voice interview is given, every effort should be made to tape record all conversations with media representatives whenever possible.

2. Be on-call to assist the media;

3. Coordinate and assist with news conferences;

4. Liaison with agencies involved in cooperative investigations and operations to facilitate the unified release of information;

5. Ensure that information is released in a manner consistent with all appropriate Executive Orders as well as the Open Public Records Act (OPRA), N.J.S.A. 47:1A-1 et seq.

6. Promote and maintain positive relations with the media;

7. Involve the media in the development or changes of polices affecting the release of information when possible

B. **Designated Spokesman-** Unless extenuating exists or prior consent is obtained from the Chief of Police: the Chief, his designee, or the PIO are only authorized to release information to the media.

III. Release of information

A. The following information ***<u>shall not be</u>*** released except as permitted by law:

1. Juvenile records;

2. Child Abuse records;

3. Criminal history records;

4. Domestic Violence records;

5. Names of victims of sex crimes;

6. The home address or telephone number of any member of the Police Department;

7. The name of a victim of a crime or fatal accident, where there has been no notification of next to kin, shall not be released until the proper notifications have been made;

8. Any information that may compromise the safety of an individual or investigation;

9. Information regarding a search warrant;

10. Identity, statement, or expected testimony of any witness or victim;

11. Any information pertaining to a defendants prior arrest record, character or reputation;

12. Existence or contents of any confession, admission, or statement of a defendant or his/her failure or unwillingness to make a statement;

13. Performance or results of any tests, or a defendant's refusal or failure to submit to tests such as a polygraph;

14. The results of any investigation procedure such as lineups, or other procedures (the fact that these tests have been performed may be revealed without further comment);

15. Opinions given by any employee of the department as to the guilt or innocence of the accused, nor any opinion, knowledge, or speculation of the potential for a plea bargain or other pretrial action;

16. Any information received from other law enforcement agencies without that department's concurrence in releasing such information;

17. Information which, if prematurely released, may interfere with the investigation or apprehension such as the nature of leads, specifics of a Modus Operandi, details of the crime known only to the actor(s) and the law enforcement, or information that may cause the suspect to flee or more effectively avoid apprehension;

18. Information that may be of evidentiary value in criminal proceedings;

19. Specific cause of death, unless officially determined by the medical examiner.

20. Any other information restricted by law.

B. The following information ***may be*** made available to the public.

1. The following information may be released by the PIO unless such information will hamper an ongoing investigation:

   a. Defendants' name, age, residence, occupation, and marital status;

   b. Unsolved crime information such as type of crime, time, location, and type of weapon, if any;

c. Circumstances of an arrest, including but not limited to, time and place of arrest; resistance and pursuit, if any; nature and use of weapons; identity of investigating and arresting officers and their agencies including duration of the investigation. (Exception: the name of any undercover officer will not be released);

d. The defendants' bail amount, conditions of, and whether or not it was posted;

e. Under special circumstances, when an individual is charged with a criminal offense and is sought by law enforcement authorities, photographs or mug shots may be released to the media to help locate the individual. No department photographs, mug shots, videotape, film, or composites of subjects in custody shall otherwise be released to the media unless authorized by the Chief of Police or designee.

2. Before providing information to the news media or responding to inquiries from media representatives, the following requirements should be carefully considered:

a. The necessity to prevent interference with, or hampering of an investigation;

b. The necessity to preserve evidence;

c. The necessity to protect the safety of the victims or witnesses of the crime;

d. The necessity to protect the identity of informants;

e. The necessity to successfully apprehend the perpetrators of a crime;

f. The necessity to protect the constitutional rights of persons accused of a crime;

g. The necessity to avoid prejudicial pretrial publicity and;

h. The necessity to preserve the privacy for certain victims and witnesses.

IV. Control of Media Access

A. Information shall only be released to media representatives upon verification of credentials. Failure of media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.

B. Law enforcement personnel at crime scenes or incident scenes will refer all media inquiries to the Chief of Police and/or PIO.

C. The ranking supervisor on duty shall be responsible for ensuring that the Chief of Police and department PIO are promptly notified through the chain of command of significant events that may have media interest.

D. Department employees shall extend every reasonable courtesy to news media representatives at crime scenes, to the degree that it does not interfere with the law enforcement mission.

E. Photographs of active crime scenes by the media are strictly prohibited. Where crime scenes are in the pubic view, the detective in charge of the scene should establish a perimeter that creates an inability to photograph the crime scene as much as practicable. Once evidence has been processed, removed, and secured, the scene shall be released upon the authorization of the Chief of Police or designee.

F. The news media shall not be permitted access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed or otherwise prejudiced by its existence being published, broadcast, or portrayed.

1. Suspects or accused persons in custody shall not be posed or arrangements made for photographs, telecasts or interviews, nor shall department personnel pose with suspects or accused persons in custody.

G. At the scene of significant accidents, man-made or natural catastrophes, the principles of media cooperation shall be maintained to the degree that they do not interfere with the overall mission or any emergency relief workers.

H. A media staging area away from the active scene(s) shall be established allowing for the controlled and timely release of information to the media.

V. Crime/Hazard Alerts

A. Nothing in this written directive is intended to preclude the use of the media to disseminate information to the public in the following situations:

1. When a serious crime occurs and there is a description of a suspect or vehicle, and the officer feels that public assistance will expedite the identification and/or apprehension of the responsible party.

2. There is a serious traffic, road, weather or other condition present that would warrant prompt notification to the general public for informational and warning purposes.

B. The information shall be prepared for dissemination in the standard press release format and shall be distributed in the manner set forth in this written directive.

1. For crime alerts, the release shall contain a telephone number where members of the public can call with information relating to the incident.

VI. Other Considerations

A. **Jurisdiction-** The law enforcement agency having primary jurisdiction over an investigation or scene should be responsible for releasing information to the media.

B. **Pretrial Disclosure-** If an indictable arrest has been made and the suspect has been arraigned, all future inquiries of the case should be referred to the Bergen County Prosecutors Office or State Attorney General's Office unless otherwise determined by the Chief of Police.

PARAMUS POLICE DEPARTMENT

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SUBJECT: CEREMONIAL HONOR GUARD

ISSUED BY:	EFFECTIVE DATE:	ACCREDITATION STANDARDS:
Chief Kenneth R. Ehrenberg	September 20, 2018	22.2.6
SUPERSEDES ORDER #:		

The written directives developed by the Paramus Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE: The Ceremonial Honor Guard attends various functions and ceremonies to demonstrate the Department's show of support for, and to recognize the sacrifices made by law enforcement officers who served and protected society. No greater tribute is paid to a member for his or her service to the Department and the citizens of the Borough of Paramus than to be honored by the Paramus Police Department's Ceremonial Honor Guard.

POLICY: The policy of the Paramus Police Department is to train, maintain, and support a Ceremonial Honor Guard and in doing so, shall develop policies and procedures to govern its activities at funerals, civic functions, and other venues, as directed by the Chief of Police.

PROCEDURE:

I. Definitions

A. **Ceremonial Honor Guard** – specifically trained and equipped members of the Paramus Police Department designated to provide the Color Guard, ceremonial pallbearers, and an American flag to drape the casket of both active and retired members of the Paramus Police Department. Additionally, this group shall provide a Color Guard at other events as designated by the Chief of Police

B. **New York/New Jersey Metropolitan Area** – a radius of 250 miles from the center of the Borough of Paramus.

II. REGULATIONS

A. The Department shall be represented by the Ceremonial Honor Guard at various federal, city or civic sponsored functions, funerals conducted by this or other law enforcement agencies, for Line of Duty Deaths, and any other venue, as directed by the Chief of Police.

1. When so detailed, members of the Honor Guard shall project the most positive, professional image, in both appearance and demeanor, of the Department.

2. Upon receiving notification, members of the Honor Guard shall respond to the police headquarters, or other designated location, for his/her tour of duty and remains until relieved.

3. Participation in the Honor Guard shall be voluntary.

4. The Ceremonial Honor Guard shall consist of:

a. Not more than a combination of 30 officers and officials, reasonably distributed among the various units of the Department, so as not to cause a burden on any one unit; and

b. Members may be removed from the Honor Guard through recommendation from the Honor Guard Commander, Deputy Chief of Police or Chief of Police, for documented cause, including but not limited to:

(1) Chronic lateness;
(2) No shows;
(3) Lack of participation;
(4) Substandard appearance;
(5) Failure to perform or carry out Honor Guard duties; and
(6) Lack of professional demeanor.

5. The Chief of Police shall have final authority on any removals from the unit based on recommendations.

6. To participate in the Honor Guard, members must submit a written letter of request, to the Commander which, will be forwarded to the Office of the Chief of Police. ***Note: Members selected to attend training must pass the training sessions, in order to become a voluntary member of the Honor Guard.***

7.. The Department shall purchase and issue all required regular and ancillary Ceremonial Honor Guard uniforms and equipment items as needed.

B. **Line of Duty Death-** Death of a sworn member or a civilian member, when directed by the Chief of Police, in the performance of duty:

The following services are made available by the Department in connection with the deaths and funerals of its members:

1. Color Guard;
2. Ceremonial or Honorary Pallbearers;
3. Bugler;
4. Firing Party;
5. American Flag;
6. The draping of the deceased member's stationhouse and assigned vehicle;
7. Participation in funeral and interment (depending upon location);

8. Motorcycle escorts; and
9. Casket watch:
    a. Members of deceased officers unit
    b. Honor Guard at their discretion

C. Death of active sworn member or a civilian member, when directed by the Chief of Police:

1. Color Guard
2. Ceremonial or Honorary Pall bearers
3. American Flag
4. Draping of Stationhouse or assigned vehicle
5. Participation in funeral or internment (location sensitive)
6. Motorcycle Escort

III. Procedural Guidelines

A. Commanding officers shall:

1. Ensure that any member of their command who is called to participate in the Honor Guard, by the request of the Chief of Police or his designee are readily available.
   Note: This request may come as an e-mail, or a verbal request.

2. Forward requests for utilization of the Ceremonial Honor Guard in connection with funerals to the Honor Guard Unit Commander and Chief of Department, or designee, for approval.

3. Forward requests for utilization of the Ceremonial Honor Guard at ceremonial occasions, other than funerals, to the Honor Guard Unit Commander and Chief of Police, or designee, for approval.

B. Honor Guard Unit Commander shall:

1. Act as the official in charge of the Ceremonial Honor Guard.

2. Recruit volunteers from the department for the Ceremonial Honor Guard, arrange for training, and provide the appropriate number of Honor Guard personnel for each designated event.

3. Support the standard operating procedures utilized by the Honor Guard at various ceremonies, at which it may participate.

4. Determine necessary ancillary uniform and equipment items deemed necessary to provide a distinctive appearance to Ceremonial Honor Guard members and submit a recommendation to the Chief of Police.

5. Provide authority for the use of official vehicles for the purpose of transporting members of the Ceremonial Honor Guard to and from ceremonial activities.

C. The Chief of Police or their designee, upon learning of the death of a retired member, shall notify the Honor Guard Unit Commander and Police Command Staff, if the next of kin desires the official participation of the Ceremonial Honor Guard in the funeral services.

D. The Chief of Police or their designee shall provide authority for the use of official vehicles, for the purpose of transporting members of the Ceremonial Honor Guard to and from ceremonial events.