

**INTERAGENCY PROCEDURES
ACTIVE SHOOTER RESPONSE
VOL. 5, CH. 16-3**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 09-13-2007	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME V
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I. BACKGROUND

In many circumstances, it is appropriate for patrol personnel to contain a suspect within a secure perimeter and wait for the arrival of a tactical team. A tactical response team generally will have sufficient time to deploy their personnel without serious concern of the suspect(s) escaping. Once a suspect has been contained and isolated, patrol and/or tactical personnel have sufficient time to formulate and implement a structured and deliberate plan of action.

However, other scenarios require that patrol personnel act immediately and deploy rapidly prior to the arrival of a tactical response team. In these instances, often involving on-going incidents of "shots fired" or "downed officer/citizen rescue," delayed deployment can have catastrophic consequences and may demand that law enforcement personnel take immediate and rapid action to contain and prevent the escape of an armed and dangerous person(s).

Over the past several years, our nation has experienced a growing trend of mass violence committed by individuals. These episodes, described as "active shooter" incidents, are unique in that the suspect or suspects' behavior differs from that typically associated with other violent attacks. These suspect(s) generally begin to shoot at, injure, and kill numbers of people without warning. The motives for these behaviors can range from rage to vengeance, or may be a result of mental dysfunction.

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II.

III. **ACTION**

A. **ACTIVE SHOOTER SITUATIONS -- GOALS & PHILOSOPHIES:**

1. **GOAL:** It is the goal of the Police Department to intervene in active shooter situations to neutralize the threat by preventing access to potential victims and to rescue injured persons and potential victims. Officers responding to an active shooter incident shall accomplish this goal by immediately using any legal means at their disposal to make contact with the active shooter and stop him/her as soon as possible. This may include arrest, containment, or use of deadly force. Any application of force shall be in accordance with applicable State statutes and Attorney General Guidelines.

2. **PHILOSOPHY:** This policy recognizes that the active shooter must be stopped before he/she can destroy any more innocent lives. This shall be the duty and responsibility of the initial responding officers, and they shall use all legal means to accomplish it. The prioritization of activities, in their order of importance is:

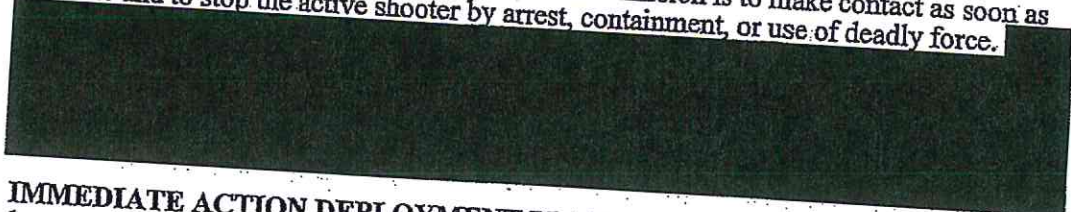
- Stop the active shooter;
- Rescue the victims;
- Provide medical assistance;
- Preserve the crime scene.

NOTE: While it is important to provide medical treatment to the wounded, it is our duty to first protect all innocent life by stopping the actions of the active shooter.

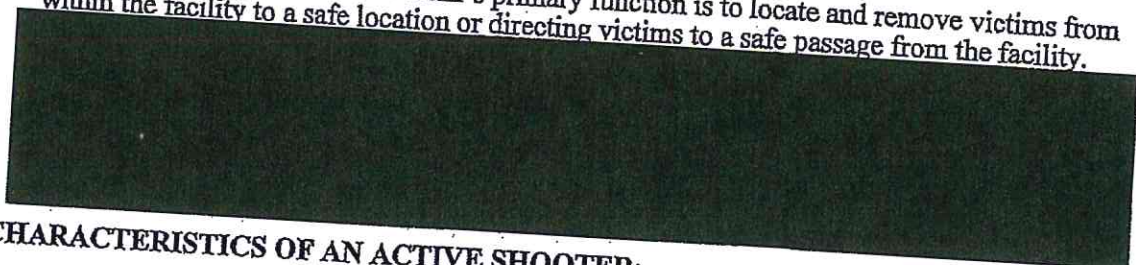
B. **DEFINITIONS OF TERMS:**

1. **ACTIVE SHOOTER:** One or more subjects who are believed to be armed, has used, or has threatened to use a weapon to inflict deadly physical force on other person(s) and/or continues to do so while having unrestricted access to additional victims. Their prior actions have demonstrated their intent to continuously harm others and their overriding objective appears to be that of mass injury or homicide, rather than other criminal conduct, such as robbery, hostage taking, etc. For the purposes of this policy, the term "weapon" shall include, but not be limited to, firearm, knife, club, bow & arrow, and explosives.

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2. **CONTACT TEAM:** The contact team's primary function is to initiate immediate pursuit and confrontation with the active shooter(s). Their mission is to make contact as soon as possible and to stop the active shooter by arrest, containment, or use of deadly force.
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3. **IMMEDIATE ACTION DEPLOYMENT PLAN:** The swift and immediate deployment of law enforcement personnel and resources to on-going, life threatening situations where delayed deployment of personnel could otherwise result in death or serious bodily injury to innocent persons. Immediate Action Deployment tactics are not a substitute for conventional response tactics to a barricaded gunman.

4. **RESCUE TEAM:** The rescue team's primary function is to locate and remove victims from within the facility to a safe location or directing victims to a safe passage from the facility.
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C. CHARACTERISTICS OF AN ACTIVE SHOOTER:

The following is a list of characteristics commonly associated with active shooter suspects. The list is compiled from descriptions of past active shooters and not meant to be a comprehensive list describing all active shooters, as each active shooter incident is unique.

1. Active shooters usually focus on assaulting persons with whom they come into contact. Their intention is usually an expression of hatred, rage or revenge rather than the commission of a crime.
2. An active shooter is likely to engage more than one target. Active shooters may be intent on killing a number of people as quickly as possible.
3. Generally, the first indication of the presence of an active shooter is when he/she begins to assault victims.
4. Active shooters often go to locations where potential victims are close at hand, such as schools, theaters, concerts or shopping malls. Active shooters may act in the manner of a sniper, assaulting victims from a distance or may engage multiple targets while remaining constantly mobile.
5. Tactics such as containment and negotiation, normally associated with standoff incidents, may not be adequate or appropriate in active shooter events. Active shooters typically continue their attack despite the arrival of emergency responders.
6. Active shooters are often better armed than the police, sometimes making use of explosives, booby traps and body armor. Active shooters are not limited to the use of firearms in accomplishing their attacks on victims. They may use bladed weapons,

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vehicles, or any tool that, in the circumstance in which it is used, constitutes deadly physical force.

7. Active shooters may have a planned attack and be prepared for a sustained confrontation with the police. Historically, active shooters have not attempt to hide their identity or conceal the commission of their attacks. Escape from the police is usually not a priority of the active shooter.
8. Active shooters may employ some type of diversionary tactics.
9. Active shooters may be indiscriminate in their violence or they may seek specific victims.
10. Active shooters may be suicidal, deciding to die in the course of their actions either at the hand of others or by self-inflicted wound.
11. Active shooters usually have some degree of familiarity with the building or location they choose to occupy.
12. Active shooter events are dynamic and may go in and out of an "active" status; a static incident may turn into an active shooter event or an active shooter may go "inactive" by going to a barricaded status without access to victims.

D. RESPONSE GUIDELINES:

The following seven (7) tenets set general response guidelines for active shooter incidents. Again, these incidents are sufficiently unique in that their effective handling cannot be totally reduced to standardized and generic procedures. These procedures are not meant to limit conventional police tactics appropriate to a crisis situation. The significant factors regarding these tactics are that they represent a means of intervention available to the officers in order to prevent injury/death to innocent persons while complying with the New Jersey State Law on the use of force. Under New Jersey law, a law enforcement officer can use deadly force as long as the officer reasonably believes that the force employed creates no substantial risk of injury to innocent persons.

1. **GOAL:** The overall purpose of these tactics is to save lives and prevent serious injuries. Police response at an active shooter incident seeks to neutralize the suspect(s) by denying access to additional victims, rescuing injured victims and/or rescuing potential victims.
2. **ASSUME TACTICAL RESPONSIBILITY:** One of the first arriving officers must take charge of the active shooter incident. Assumption of incident scene responsibility may be based on rank, expertise, or seniority. However, it must be made immediately clear to both the law enforcement communications centers and other law enforcement personnel who is in charge. An officer of superior rank who is on scene and fully briefed may ultimately assume scene command. The law enforcement communications center and officers in the field must be advised of any change in the incident command.
3. **SITUATIONAL ANALYSIS:** The officer taking charge must, based on all information available, make a situational analysis. The analysis will be continuous, taking into account

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new information from dispatch and observations from officers, victims and citizens. The analysis must lead to a decision as to whether the situation is an active shooter incident, whether an opportunity exists for immediate intervention leaning to accomplishment of one of the goals listed above, and how responding resources should be deployed at the scene.

4. INCIDENT COMMAND:

Incident Command shall be implemented in accordance with applicable training.

- a. No action will be taken that is unplanned or without controls.
- b. The first officer on the scene who is not part of a contact or rescue team will: assume the role of incident commander; initiate situational analysis to determine the best deployment tactics of responding resources, and establish a command post site. The officer shall remain as incident commander until the officer delegates this responsibility or a higher-ranking officer assumes the role of incident commander. At least one person possessing all available information on tactical plans and actions taken will remain at the command post to brief arriving personnel. He/she shall:
 - 1) Choose a safe staging area for arriving personnel;
 - 2) Direct communications personnel to make appropriate notifications;
 - 3) Form additional contact/rescue teams, as necessary;
 - 4) Call for mutual aid, as necessary;
 - 5) Appoint a press information officer and designate a secure media staging area for the press to assemble for briefings;
 - 6) Designate a secure staging area for victim families that are arriving on scene.
 - 7) Designate a secure staging area for medical units and treatment of the injured;
 - 8) Post additional responding personnel to protect the crime scene;
 - 9) Call for appropriate follow-up investigative services (detectives, crime lab, etc.) and any other appropriate resources to bring the incident to a conclusion.
 - 10) Ensure that the scene integrity is protected for crime scene processing.
- c. Command personnel en route to the incident will monitor the radio to gain information, but shall not obstruct on-going intervention. Command personnel must be on scene and fully briefed before assuming incident command.

5. FIRST RESPONDER TACTICAL INTERVENTION:

It is critical that all officers, supervisors, and command personnel are familiar with the definition of an active shooter as well as the tactics deemed appropriate for active shooter response. The traditional uniform responses of contain, isolate, evacuate and wait for a tactical response team and Crisis Negotiators may not be adequate or appropriate in an active shooter incident. The incident commander will need to consider the following:

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- a. **Contact/Rescue Team:** First responder intervention will be based on opportunity. These teams will be in the form of law enforcement with an identified element leader. Team movement will be in a controlled and disciplined tactical manner under the control and direction of the team leader consistent with active shooter training.
 - b. **Containment:** Dedicated security elements should always be a component of intervention teams. Individual action is discouraged, as it is usually counterproductive to the overall coordinated, focused responses needed in an active shooter incident. Site containment will be left to the discretion of the first officer on scene that assumes incident command responsibility and initiates the situation assessment. Containment of an active shooter incident may take the form of officers serving in an "observe and report" capacity.
6. **ACTIVE SHOOTER – SITE SECURITY:** No location associated with an active shooter will be considered secure until the tactical response team commander declares it as such. Officers assigned to security functions will maintain positions until properly relieved.
 7. **TACTICAL RESPONSE TEAMS (i.e., SWAT):** When tactical response teams are prepared to deploy, the initial responding officers may be relieved by these specialized units or they may be redeployed.

E. MISCELLANEOUS ISSUES:

1. **NOTIFICATIONS:** In addition to internal notifications, the local police officials are required to make immediate notification to the County Prosecutor's Office regarding any active shooter threat/actual event.
2. If the suspect is arrested or incapacitated, standard operating procedures will be followed regarding the treatment of the suspect(s), investigation of the incident, and scene/evidence preservation.
3. If the contact team contains the suspect, and the suspect is no longer considered to be an "active shooter," the incident commander will request the appropriate tactical response team to respond and be deployed. Trained negotiators will be utilized to attempt to contact the suspect(s) to negotiate and to affect surrender.
4. If either team encounters a suspected explosive device, they should merely note/report its presence and bypass it. The scene shall be handled appropriately in terms of the explosive devices.
5. 
6. During the course of the event, all personnel are to restrict their use of the radio for emergency traffic only and the incident commander shall consider the use of tactical radio channels.
7. **LOCKDOWN VS. EVACUATION:**
 - a. In response to the active shooter, the facility may be under lockdown or the facility management or administration may have ordered evacuation. Once law enforcement is called to and arrives on scene, law enforcement has the authority to reassess the situation. The incident commander shall immediately determine if the facility has undergone any degree of evacuation or if it is under lockdown. Such information is important for the following reasons:

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- b. If evacuation has taken place (to any degree), vital intelligence information can be obtained via law enforcement interviews of those who have been evacuated. The intelligence includes, but is not limited to: suspect descriptions (physical and clothing), suspect identities, type of weaponry the suspect(s) have, location last seen, comments made by the suspect(s), locations of victims (injured and non-injured), type/description/location of possible planted explosive devices, etc.
- c. Contact and Rescue Teams need to know if lockdown has taken place as this means that they are likely to encounter a larger number of victims as they transverse the facility and it may impact upon the tactics employed by the Teams.
- d. Those evacuated need to be compared to the facility manifest to make sure all occupants are accounted for.
- e. If a lockdown has occurred prior to their arrival, the incident commander will determine whether to order a law enforcement-supervised evacuation or leave it in lockdown mode. If the incident commander determines that an evacuation is appropriate, several techniques are available. Once the contact team has completed their search in a specific area, the rescue team can fall in behind them and evacuate these areas. Alternatively, if the whereabouts of the active shooter(s) is known and other sections of the facility can be evacuated by law enforcement with a reasonable degree of safety, this action may be taken. All evacuees shall be removed from the scene to an area that takes them out of harms way and debriefed.

F. NEWS MEDIA:

- 1. All media interactions and disclosures shall be consistent with the Department's Media Relations policy
- 2. Access to the scene will be restricted to emergency personnel. Upon scene stabilization, the department may allow news media access to the scene for photo opportunities. However, said access shall be restricted and controlled by law enforcement, crime scene preservation is of the utmost importance. The highest ranking on-scene member of the lead investigatory agency shall make the decision to authorize access, as well as the degree of access allowed.
- 3. Media access to investigative personnel for interview purposes shall be arranged for at a secured off-site location, preferably one that gives law enforcement the ability to screen persons entering the press area by screening them for proper State of NJ Press Credentials.
- 5. **TACTICAL FLIGHT RESTRICTIONS (TFR's):** A TFR is a regulatory action issued via the U.S. Notice to Airmen (NOTAM) system to restrict certain aircraft from operating within a defined area, on a temporary basis, to protect persons or property in the air or on the ground. Should an event occur (e.g., Active Shooter) whereby tactical operations are in progress and there is a real concern that the suspect(s) may possess the capabilities of observing said real-time operations on television, thereby putting at risk the safety of law enforcement personnel and/or innocent victims, or that such broadcast may impede/interfere with law enforcement operations at an on-going event, the lead law enforcement agency may pursue a TFR by contacting the Operations Manager in Charge of either the NY Center (Ronkonkoma, Long Island, NY – has jurisdiction over most of New Jersey) or the

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Washington Center (Washington D.C. – has jurisdiction over the southern portion of New Jersey) and requesting a TFR.
Contact for our area: 1-631-468-5959

NOTE: For more detailed explanations of TFR's, go to www.faa.gov, and under the subheading of "Regulations & Guidelines", click on "Advisory and Circulars". Then in the "search" window type in "91-63c", which will bring up the actual Advisory Circular which gives specific information related to TFR's.

G. AFTER ACTION ACTIVITIES:

1. COUNSELING:

- a. The department requires that all law enforcement personnel who respond to, or participate in any manner with, an active shooter incident shall attend a debriefing with qualified mental health professional(s) or certified critical incident stress counselors. This shall include, but not limited to, personnel who participate in contact/rescue teams, supervisors/commanders involved in decision making associated with the event as well as law enforcement communications personnel who were on duty at the time of the incident.
- b. Additional counseling will be based upon recommendations of the mental health professional(s)/counselor(s), at the request of the employee, or at the direction of the Chief of Police.
- c. Procedures set-forth in the Critical Incident Stress Policy will be followed.

2. REPORTING:

- a. Personnel involved in the event shall be required to submit applicable written after-action reports delineating their assignments as well as detailed descriptions of their actions during the event.
- b. Immediately thereafter as practical, but under no circumstances to exceed two weeks, all after-action reports will be forwarded to the County Prosecutor, State or Federal agency, as applicable and if requested, who will then oversee/coordinate a multi-agency critique of the event to review the responses/actions taken by the involved agencies. The results of this critique may be utilized for plan revision and future training.

H. TRAINING:

1. The Police Training Commission shall develop and/or certify standardized training guidelines and lesson plans for "Rapid Response to An Active Shooter" training. Adherence/compliance with these guidelines is mandated. Standardization of training will help ensure that all law enforcement agencies/personnel receive a foundation of active shooter training, will react in a similar manner, and will enhance the ability of agencies to work as a team during mutual aid incidents.

Each agency shall have a minimum of one officer certified as a "train the trainer" in this subject matter. A pre-requisite for an officer to become a "train the trainer" is certification in Methods of Instruction (MOI).

2. An annual review of this policy is mandated. A law enforcement officer who is certified as a trainer in "Rapid Response to An Active Shooter" shall be given the task of this annual review and make revisions, as necessary.

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3. All first responders on the POLICE DEPARTMENT will be required to participate in initial training for "Rapid Response to Active An Shooter." This initial training shall encompass both classroom instruction as well as practical drilling.
4. The Department requires that all first responders participate in annual training in the Department's "Rapid Response to An Active Shooter" policy.
5. All first responders will be required to participate in a practical drill involving "Rapid Response to An Active Shooter" every other year, at a minimum. When planning an actual drill, law enforcement shall reach out to school officials and determine if they would like to participate in a joint drill. Mutual drilling will assist both disciplines in seeing their respective policies actually applied, how the joint implementation of these policies work, and may serve to satisfy any training requirements mandated by their respective oversight bodies. Ideally, when conducting joint drills with schools, different school facilities should be utilized each time to better acquaint law enforcement with the physical layout of the facility as well as expose the staff of the various schools to this training.

I. RECOMMENDATIONS:

1. Law enforcement officials invite school officials into this policy review process for input purposes and supply designated school officials with a copy of the final product as well as any future revisions that may occur (void of specific law enforcement related tactics and strategies).
2. School officials review and revise (if necessary) their respective policy on an annual basis, that they invite law enforcement into this review process for input, and supply law enforcement (local and county) with a final product as well as any future revisions.
3. Current blueprints of the floor plans of each school within the district are supplied to law enforcement.
4. School officials train all of their staff (administration, educators and custodial) annually regarding this issue. Once again, law enforcement should be invited to assist in this training so that they can better explain to school staff as to why certain things are done, what is expected of them and what they may expect from law enforcement.
5. School officials develop a synopsis or "cliff note" version of their school procedures in responding to an active shooter and distribute them, along with the policies themselves, to designated district employees as well as law enforcement.
6. During their planning phase, facility officials should consider a variety of staging areas to evacuate facility occupants to and to alternate the usage of these designated staging areas so as not to be predictable.

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VOLUME TITLE: SERVICE	# PAGES: 5					CHAPTER 7
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ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						ALL EVALUATION DATE:
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PURPOSE:

To ensure that proper procedures are followed when responding to active alarms and giving proper status when completing the response.

POLICY:

It is the policy of the Fort Lee Police Department to respond to all active alarms in an expedient and safe manner, each officer should maintain complete control of vehicles used in response to an alarm call, obey all motor vehicle laws and use proper audible and visual warning devices at traffic controlled intersections while doing so. Public and employee safety is paramount when responding to such calls.

The Alarm Bureau of the Police Department will follow procedures as set forth in Borough Ordinance 126-10 in enforcing violations due to false alarms. Officers should follow the below procedures when responding to such alarms.

PROCEDURE:

I. DISPATCH OF AN ACTIVE ALARM

- A. When Communications Division receives a signal for an active alarm (burglar, panic or holdup) they will follow the procedure set forth in VOL. II, CH. 11. in dispatching patrol units to these alarms.

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- B. Communications personnel will also be responsible for contacting alarm companies, homes and businesses where the alarm originated from, or emergency numbers for a particular location for response to the scene.

II. RESPONDING OFFICER(S)

- A. Responding officers should adhere to the response code given for each alarm call unless a supervisor changes the status of the response.

B.

[REDACTED]

C.

[REDACTED]

1.

[REDACTED]

a.

[REDACTED]

- b. If it is determined that the alarm was accidental or a false alarm, then Com-Cen should be advised of such.

(1) Com-Cen should also be advised of an outside audible alarm.

2.

[REDACTED]

a.

[REDACTED]

(1)

[REDACTED]

- b. If no occupants or intruders are located, the premises should be secured and a determination should be made as to whether an emergency contact person is responding.

(1) If the premises is secured and the emergency contact is either not responding or cannot respond within 20 minutes, officers should secure from the scene.

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- (2) If an emergency contact is responding within the 20-minute time period, an officer should stand by for their arrival.
 - (3) After the premises is checked by the party that responded and there is a crime report to be taken, the officer that stood by will take the appropriate report and make proper notifications to process the scene if needed.
 - (4) In all cases where officers enter a premises and no one can be notified, an investigation report will be completed by the assigned officer, who will also leave a note in an obvious location explaining to the owner, or occupant, what had occurred with the case number assigned.
 - c. If an intruder is located and arrested, proper notifications should be made to a Supervisor, Detectives and an owner to respond to the scene.
 - d. If there is an entry point, which cannot be secured and an owner or emergency contact could not be located, then a locksmith should be called to secure the premises. The key should be turned over to the Tour Commander and left at the desk with the report and the bill for the replacement of the lock. A note will be left for the owner to respond to Headquarters to pick up the key and meet the locksmith for payment.
 - (1) If it is a secured crime scene, it cannot be processed by BCI unless an owner is present, this may have to be done after the owner picks up the key.
 - e. Com-Cen should be notified of any broken windows or other possible causes for the alarm.
 3. When an owner or resident is present at a false alarm, they should be notified of the following ramifications :
 - a. First offense will be a warning in written form.
 - b. Second offense will be a second written warning.
 - c. Third offense will be a summons issued by the Bureau of Alarms.
 - d. All subsequent offenses will be followed by summons, fines are governed by Borough Ordinance.
- D. Outside audible alarms:
1. When there is an outside audible alarm, Com-Cen should be notified.
 - a. Attempts should be made to make an emergency contact listed for that residence in Com-Cen, or to contact the alarm company listed for that residence to reset the alarm.

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- b. The resident, emergency contact, or alarm company will have 30 minutes to reset the alarm, if it is not reset in this time period Com-Cen should be notified. Com-Cen will then notify the Alarm Bureau. The resident will later be sent a Borough Ordinance Summons by the Alarm Bureau.
- c. No attempt should be made to disable the alarm.

III. HOLDUPS IN PROGRESS/ BUSINESS

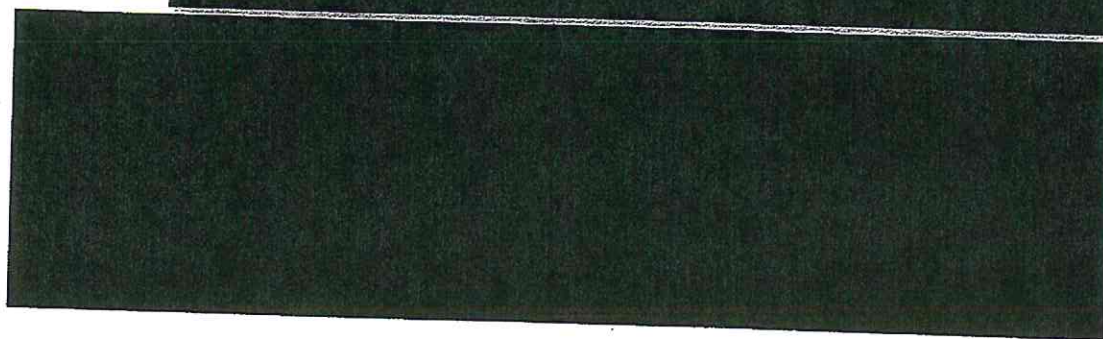
- A. Officers will respond to the area [REDACTED]
 - 1. When close to the scene they will attempt to take notice of any vehicles leaving the area at a high rate of speed.
 - 2. [REDACTED]
 - 3. [REDACTED]
 - a. [REDACTED]
 - 4. Individuals leaving the location should be stopped and questioned as to the situation inside, keeping in mind that they may also be suspects.
 - 5. If officers by observation of the location cannot determine that the alarm is actual or false, then they should request that communications call the location and request a manager or employee to step outside, a clothing description of the person stepping out should be obtained and given to officers outside.
 - a. Manager or employee stepping out should be directed to walk toward the officers and away from the building.
 - b. They can then be questioned by officers about the alarm status.
 - 6. Officers are not to approach the target location unless:
 - a. They become reasonably certain that the alarm is false.
 - b. Direct intervention is immediately necessary to save lives.
 - c. Sufficient time has passed without any indications that a holdup is occurring (Normal traffic leaving the building, apparent business as usual or it is clear the business is closed and no contact can be made etc).

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NOTE:



B.



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VOLUME: 4	CHAPTER: 2		# OF PAGES: 19
SUBJECT: ALL HAZARDS PLAN			
BY THE ORDER OF: Keith M. Bendul Chief of Police			
REFERENCE:	ACCREDITATION STANDARDS: 1.9.9, 3.7.1, 3.7.2, 3.7.3, 3.7.4, 3.7.5, 3.7.6		
EFFECTIVE DATE: 08/31/2016	SUPERSEDES: All Hazards Plans V5Ch13/All Previous		

PURPOSE: To establish guidelines for personnel when responding to critical incidents.

POLICY: It is the policy of the Fort Lee Police Department to maintain responsibilities and outline actions to be taken to protect life and property during disaster and emergency situations and to safely recover from disasters as quickly and efficiently as possible. We will implement the National Incident Management System (NIMS) and the Incident Command System (ICS) in the event of any significant emergency operation or unusual occurrence. When our agency is the principal or sole agency managing the emergency operation, the ICS shall be implemented with our agency in lead. When another agency is the principal or sole agency managing the emergency operation, our personnel shall participate in a unified command.

If a Command Post is established, the location of the Command Post will be provided to the other responding emergency services agencies. If a command post is established by the Incident Command from another agency responsible for the incident (i.e. fire department) then the Communications Center will advise the first responding unit and any Supervisor arriving on scene.

PROCEDURES:

I. All Hazard Plan for Responding to Critical Incidents.

- A. Either as a single agency response or as part of a much larger multi-agency incident response the Fort Lee Police Department will implement and use the Incident Command System (ICS) and the National Incident Management System (NIMS) as part of a unified command structure.
- B. This agency will follow the Borough of Fort Lee Office of Emergency Management Basic Plan, which has been written in compliance with New Jersey state law and approved by the New Jersey State Police, Office of Emergency Management. The Basic Plan is an "All Hazard" approach to emergency management and contains many annexes of which law enforcement is a part. It contains command and control protocol for the following majors functions:
 - 1. Command;
 - 2. Operations;
 - 3. Planning;
 - 4. Logistics; and
 - 5. Finance/Administration.
- C. All personnel are required to follow this policy and work in cooperation with a unified command structure as a member of a team for response to unusual occurrences/critical incidents; which may include but are not limited to:
 - 1. Natural Disasters;
 - 2. Manmade Disasters;
 - 3. Pandemics;
 - 4. Civil Disturbances;
 - 5. Significant Criminal Incidents;
 - 6. Terrorist Incidents;
 - 7. Other Large Scale Events.

II. All Hazards Response: Command Section.

- A. Establishing an Incident Commander.
 - 1. The Incident Commander will vary depending on the situation, size, scale, and scope of the incident. The Incident Commander may not always be the highest ranking individual but rather an individual with the specific skills, knowledge base, and training needed to respond to the specific situation.

2. When an incident occurs the initial Incident Commander will be established from the responding resources on-scene and communicated through radio transmission to all responding personnel. During a more complex incident, a person with higher qualifications may be designated to assume the function of Incident Commander.
 - a. Any change in incident command will be communicated to the other agencies at the Command Post with Communication Center being notified as well.
3. The Incident Commander manages all emergency activities, including development, implementation, and review of strategic decisions, as well as post event assessment.
 - a. The Incident Commander is the authority for all emergency response efforts.
 - b. The Incident Commander may retain any or all of the positions in the Command and General Staff depending on the complexity of the event.
 - c. The Incident Commander shall communicate closely with all other members of a unified command.
 - d. The Incident Commander determines the location of the Incident Command Post (ICP). If the event continues to expand, the Emergency Operations Center (EOC) may be activated through the Office of Emergency Management.
 - e. An immediate assessment of the situation is essential for effective police response. The Incident Commander must ascertain the following information at the earliest possible time:
 - 1).
 - 2).
 - 3).
 - 4).
 - 5).
 - 6).
 - 7).
 - 8).

9).

10).

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13).

14).

B. Establishing a field command post.

1.

2.

3.

4.

5.

6. Command Post Occupancy:

- a. Entrance into the Command Post area must be restricted in an effort to limit confusion and maintain focus on the incident at hand.
- b. Persons who may be assigned to the Command Post in addition to the Incident Commander are officers and personnel assigned to manage functions of the emergency (i.e. traffic, ESU, logistics, etc.)

and any other individuals supporting these positions that are asked to remain at the Command Post by the Incident Commander.

C. Mustering additional agency personnel.

1. The Incident Commander shall be responsible for determining if additional resources are required.
 - a. If needed, additional resources shall be called-in in accordance with Police Department policy through the Tour Commander and other requested services through Communications Center.
2. The Incident Commander shall be responsible for assigning someone to carry out the staging of additional personnel and reporting back in a timely manner the progress made towards achieving the staffing requested.
3. Recording personnel time: the Administrative Division is primarily responsible for ensuring proper daily recording of personnel time, in accordance with the policies of the relevant agencies.
 - a. If applicable (depending on the agencies involved), personnel time records will be collected and processed for each operational period.
 - b. The unit leader may require the assistance of personnel familiar with the relevant policies of any affected agencies.
 - c. These records must be verified, checked for accuracy, and posted according to existing policies.
 - d. Excess hours worked must also be determined, for which separate logs must be maintained.

D. Requesting mutual aid, when necessary.

1. If an incident is local and can be handled by local resources, the Incident Commander has the authority to utilize all available resources.
 - a. If an incident exceeds the limits of our organization, the Office of Emergency Management (OEM) Coordinator shall be notified and additional resources coordinated through OEM.
 - b. In a police emergency, mutual aid may be called by the Tour Commander Shift Supervisor. Immediate notification shall be made using the Chain-of-Command.
 - c. Mutual Aid in an emergency will be drawn, as needed, from contiguous jurisdictions first then other jurisdictions, as directed by the Incident Commander, or as established by the Bergen County Police Association Mutual Aid Plan.

E. Establishing a Public Information Officer (official) or function.

1. The Incident Commander shall designate one or more personnel as a Public Information Officer (PIO) who shall serve as the conduit for the release of

information to the public and media regarding the incident in accordance with the Public Information Policy V5Ch10.

2. The Public Information Officer (PIO):

- a. Advises the Incident Commander on information dissemination and media relations;
- b. Obtains information from and provides information to the Planning Section;
- c. Obtains information from and provides information to the community and media;
- d. Determines from the Incident Commander if there are any limits on information release;
- e. Develops material for use in media briefings;
- f. Obtains Incident Commander's approval of media releases;
- g. Informs media and conducts briefings;
- h. Arranges for tours and other interviews or briefings that may be required;
- i. Obtains media information that may be useful to incident planning; and
- j. Maintains current information summaries and/or displays on the incident and provides information on status of incident to assigned personnel.

F. Establishing a Safety Officer (official) or function.

1. If needed, a Safety Officer should be assigned by the Incident Commander. The Safety Officer's function is to develop and recommend measures for assuring personnel safety, and to assess and/or anticipate hazardous and unsafe situations. The Safety Officer is responsible for the following:
 - a. Participate in planning meeting.
 - b. Identify hazardous situations associated with the incident.
 - c. Review the Incident Action Plan for safety implications.
 - d. Exercise emergency authority to stop and prevent unsafe acts.
 - e. Investigate accidents that have occurred within the incident area.
 - f. Assign assistants as needed.
 - g. Maintain Unit Log.

G. Establishing a Liaison Officer (official) or function.

1. The Incident Commander should designate a person as a Liaison Officer who shall serve as the primary individual who will be tasked with being the personal connection between the Incident Commander and representatives from other response organizations.
2. The Liaison Officer:
 - a. Assists the Incident Commander by serving as a point of contact for representatives from other response organizations; and
 - b. Provides briefings to and answers questions from supporting organizations.

H. Ensuring that the incident is documented, reviewed, and forwarded to the Chief of Police.

1. An "After Action Report" shall be completed for each significant incident requiring the activation of this plan.
 - a. To ensure an accurate and timely preparation of the After Action Report, the Incident Commander or his/her designee will be responsible for its completion.
 - b. The report shall include a summary of the incident, timeline of actions taken, resources used, personnel involved, outside agency assistance, and conclusion.
 - c. Once the report is completed it will be reviewed by function managers such as traffic, logistics, communications, etc. to assure it is as complete and accurate as possible.
 - d. Once the review is completed and the Incident Commander is satisfied with the report it shall be forwarded to the Chief of Police.
2. Conducting post-incident investigations.
 - a. At the conclusion of an incident, the Incident Commander shall assess the requirements for the post-incident investigation. The depth and comprehensiveness of the post-incident investigation and final report shall be commensurate with the size, scale, and scope of the incident itself. A single point of contact shall be identified and assigned the responsibility for the post-incident investigation and final report.
 - b. Post incident investigations are required to determine the root cause of incidents requiring the activation of this plan and to identify any secondary issues that resulted in the incident. During this investigation it should be determined if any criminal act occurred. If at any time during the post-incident investigation a criminal act is identified as having been committed the investigation will become criminal in nature and conducted accordingly. The responsibility for conducting the investigation will be shifted to a sworn law

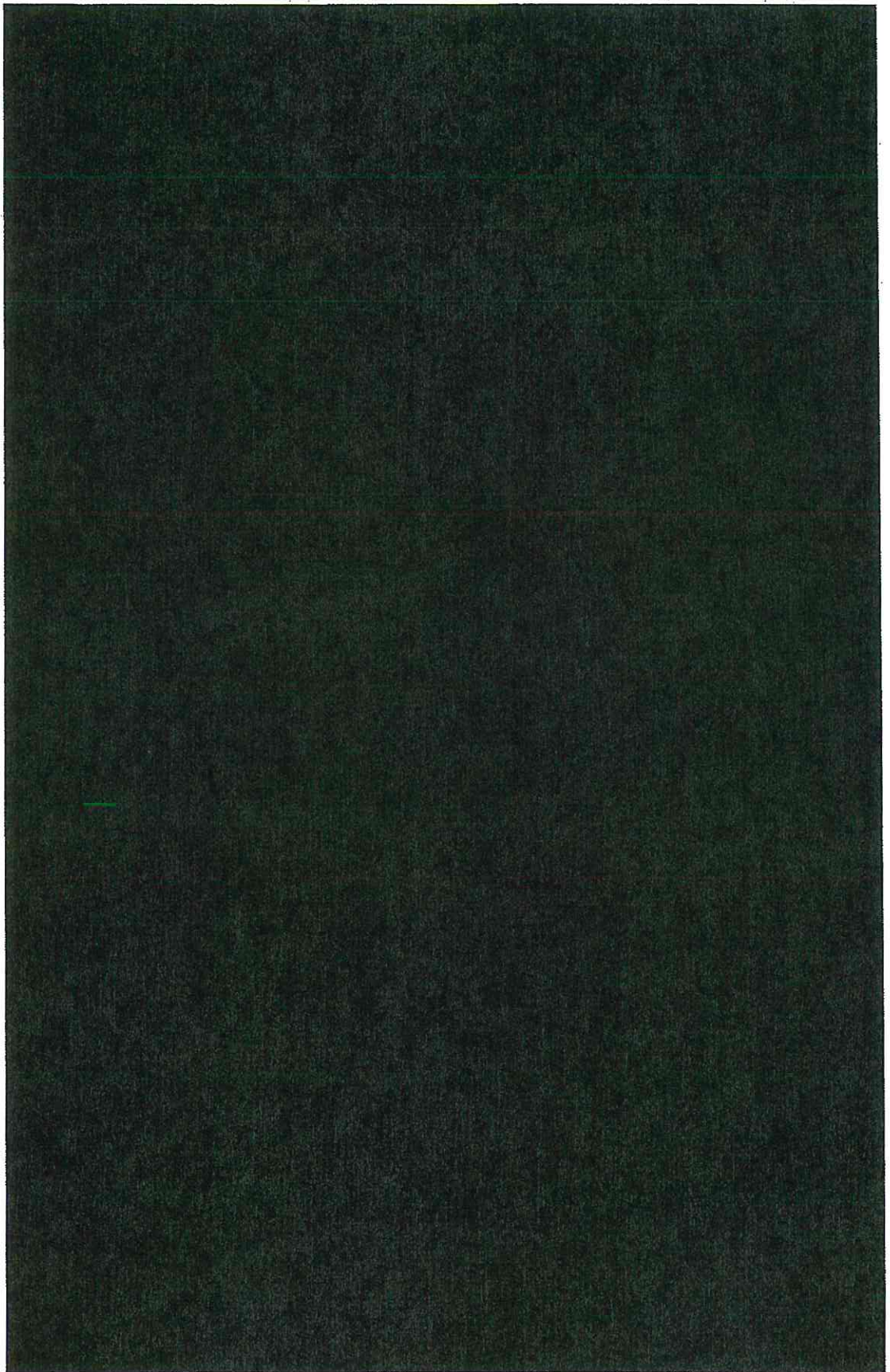
enforcement officer (local, state, or federal depending on the scope of the incident) and the county prosecutor's office will be brought in, if necessary.

III. All Hazards Response: Operations Section.

A.

B.

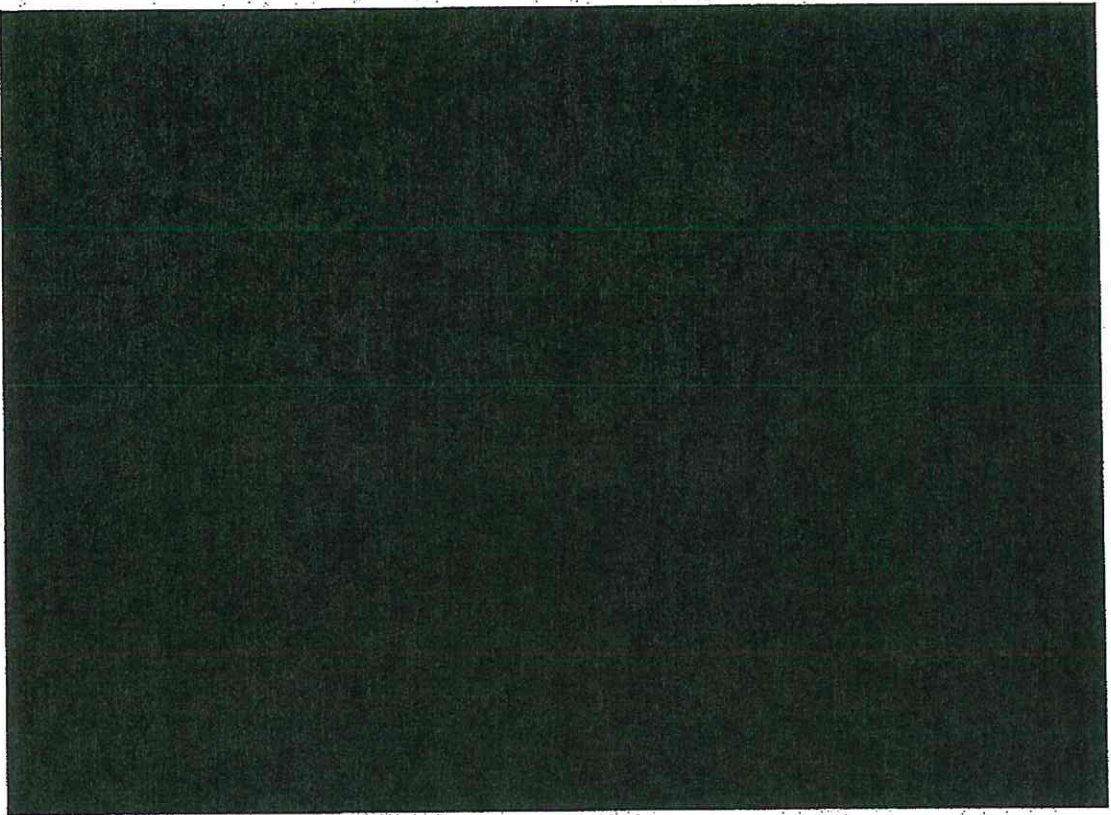
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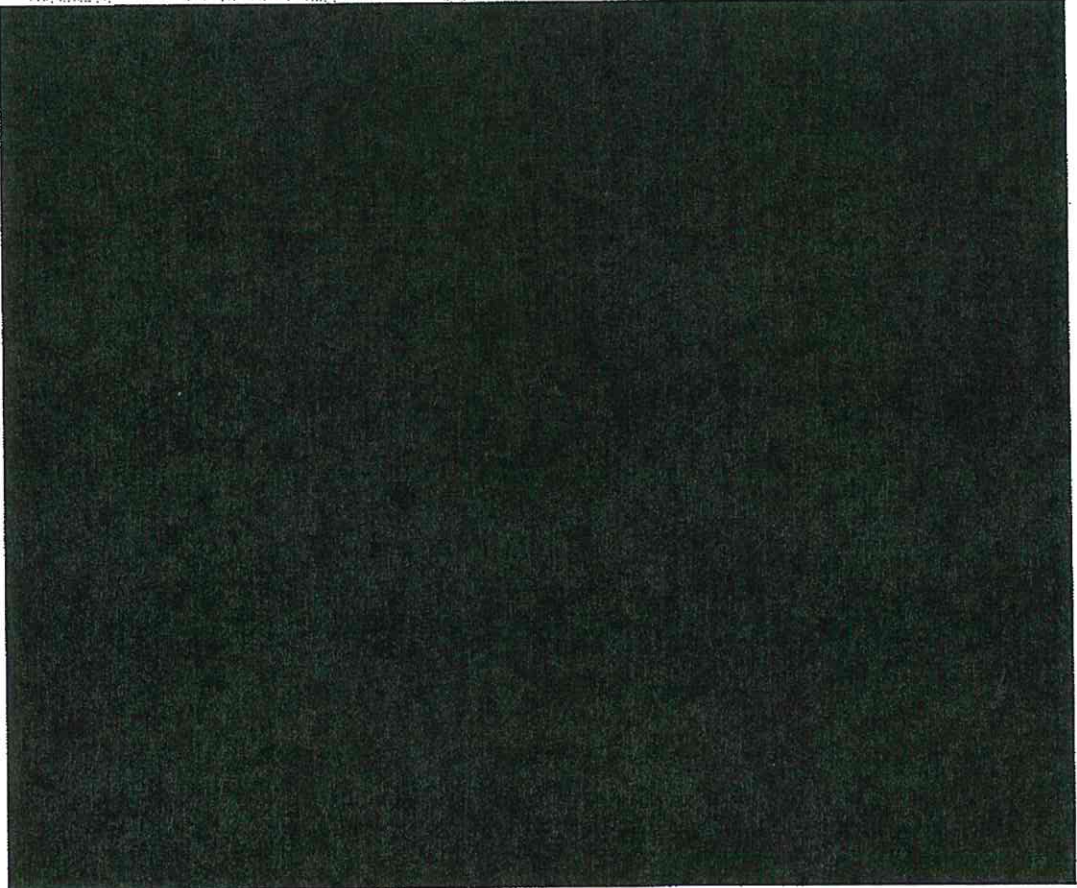
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IV. All Hazards Response: Planning Section.

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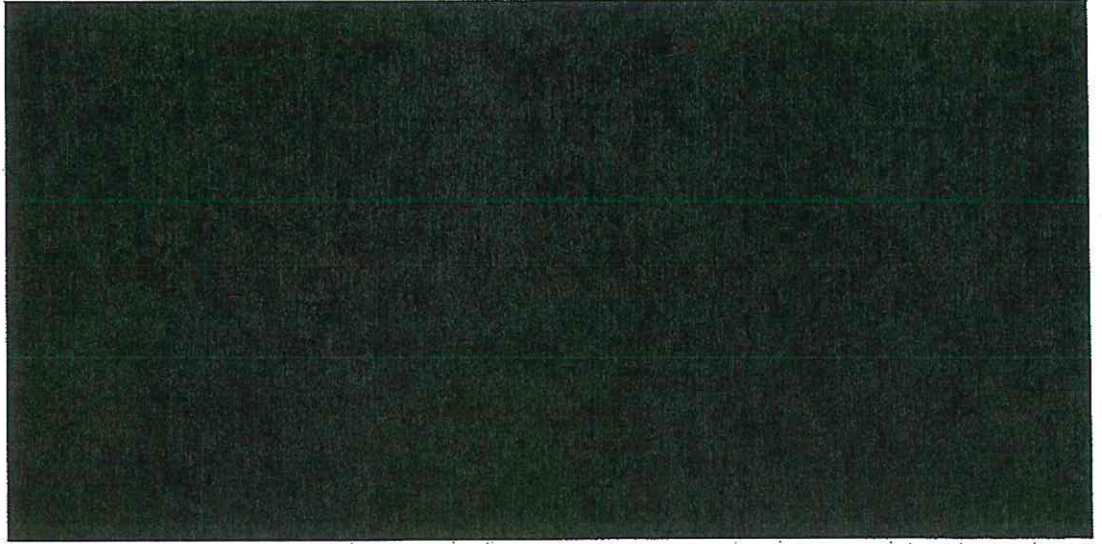


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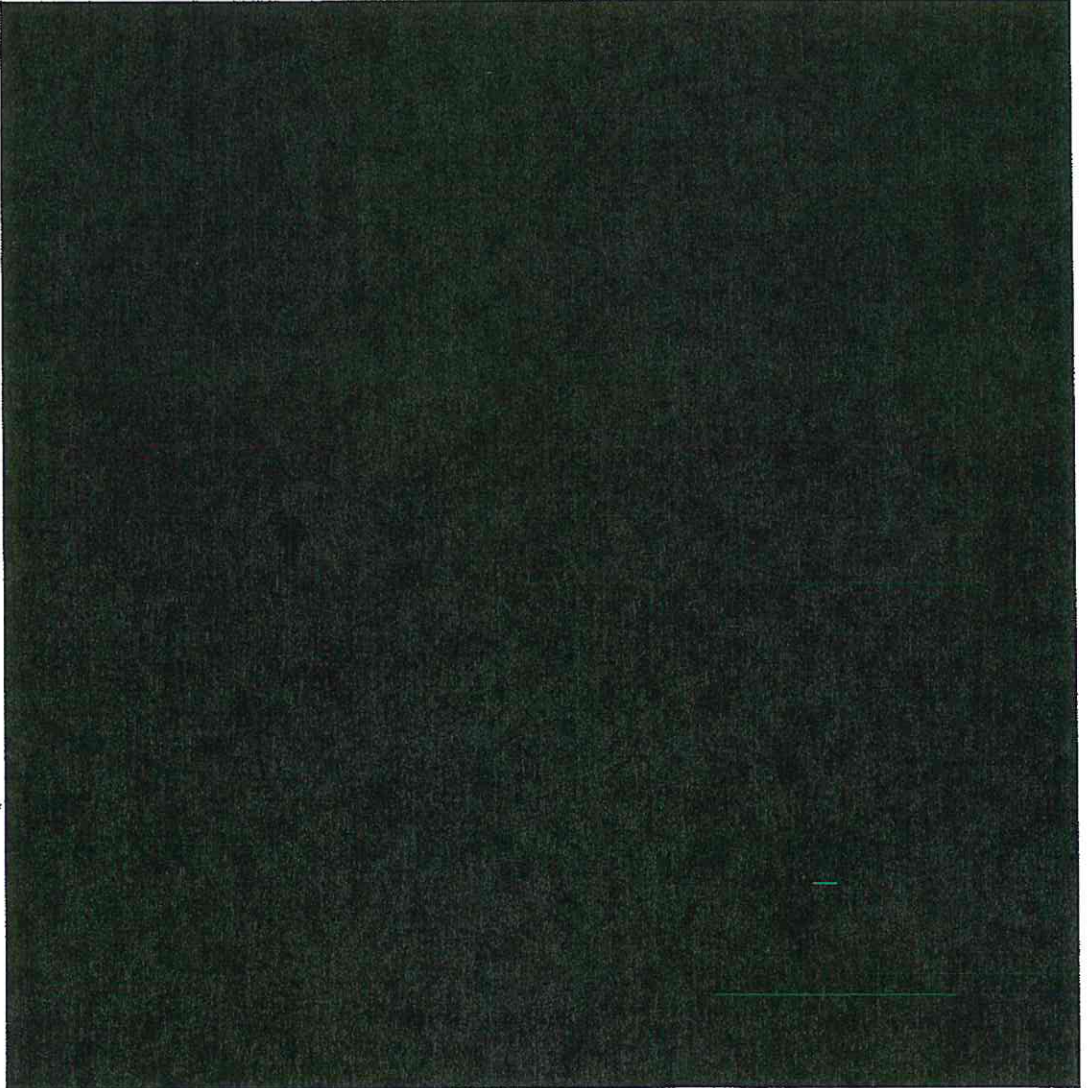
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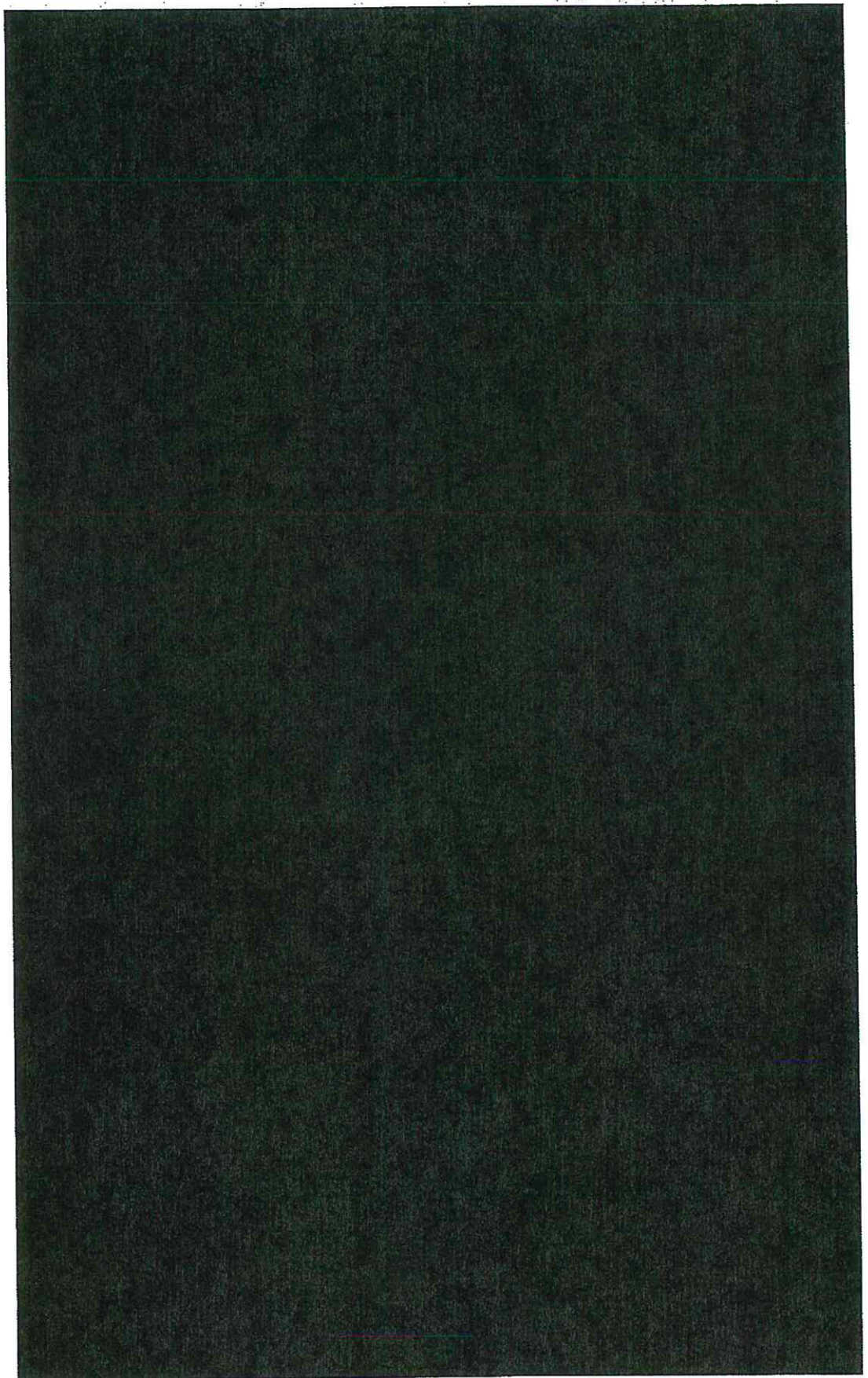


V. All Hazards Response: Logistics Section.

A.



B.



C. Food for incident personnel.

1. The Office of Emergency Management (if on scene) should determine food and hydration requirements of the responders, and has the responsibility for planning menus, ordering and serving food, maintaining food service areas, and managing food security and safety. If OEM is not on scene, personnel will be designated by the Incident Commander or Operations Section Chief.
2. Efficient food service is important, but it is especially important for any extended incident. The OEM must be able to anticipate incident needs, such as the number of people who will need to be fed and whether the type, location, or complexity of the incident predicates special food requirements. OEM must supply food needs for the entire incident, including all remote locations (e.g., Camps and Staging Areas), and also supply food service to operations personnel who are unable to leave their assignments.
3. The Fort Lee OEM must interact closely with the following elements:
 - a. Planning Section, to determine the number of personnel who must be fed;
 - b. Facilities Unit, to arrange food service areas;
 - c. Supply Unit, to order food, unless provided under contract or agreement;
 - d. Ground Support Unit, to obtain ground transportation.
4. Careful planning and monitoring is required to ensure food safety before and during food service operations, including the assignment, as indicated, of public health professionals with expertise in environmental health and food safety.

D. Supplies.

1. The Supply Unit (under OEM) orders, receives, stores, and processes all incident-related resources, personnel, and supplies. Once established, the Supply Unit also has the basic responsibility for all off-incident ordering, including
 - a. All tactical and support resources (including personnel).
 - b. All expendable and nonexpendable supplies required for incident support.
2. The Supply Unit provides the support required to receive, process, store, and distribute all supply orders. The unit also handles tool operations, which include storing, disbursing, and servicing of all tools and portable, nonexpendable equipment.

E.

F.

VI. All Hazards Response: Finance/Administration Section.

A. Financial and cost summaries and/or analyses.

1. The Office of Emergency Management provides cost analysis and summary data for the incident. This Unit must ensure that equipment and personnel for which payment is required are properly identified, obtain and record all cost data, and analyze and prepare estimates of incident costs. The Cost Unit also provides input on cost estimates for resource use to the Planning Section. The Cost Unit must maintain accurate information on the actual costs of all assigned resources.

B. Overseeing contract negotiations, when required.

1. Agreements among all parties providing or requesting resources are necessary to enable effective and efficient resource management during incident operations. This includes developing and maintaining standing agreements and contracts for services and supplies that may be needed during an incident and as agreed upon by the OEM and the Borough of Fort Lee
2. OEM is responsible for overseeing all contract negotiations involving the incident. Any final approval must be approved by the Financial/Administrative Section Chief and Incident Commander prior to execution.

C. Tracking personnel and equipment time.

1. The Time Unit is primarily responsible for ensuring proper daily recording of personnel and equipment time, in accordance with the policies of the relevant agencies, for any needed reimbursement. The Time Unit also ensures that the Logistics Section records or captures equipment usage time, through the Transportation Unit.
 - a. If applicable (depending on the agencies involved), personnel time records will be collected and processed for each operational period.
 - b. The unit leader may require the assistance of personnel familiar with the relevant policies of any affected agencies.
 - c. These records must be verified, checked for accuracy, and posted according to existing policies.
 - d. Excess hours worked must also be determined, for which separate logs must be maintained.

D. Tracking costs of equipment and consumable supplies.

1. The Cost Unit provides cost analysis data as well as record keeping of costs of equipment and consumable supplies for the incident. This unit must ensure that equipment and personnel for which payment is required are properly identified, obtain and record all cost data, and analyze and prepare estimates of incident costs. The Cost Unit also provides input on cost

estimates for resource use to the Planning Section. The Cost Unit must maintain accurate information on the actual costs of all assigned resources.

E. Processing of claims for accidents, injuries, and liability issues.

1. The Medical Unit, led by the Workman's Compensation Officer handles the processing of claims for injuries and accidents related to the incident. Other activities are, of course, varied and may not always be accomplished by the same person. Some of their primary functions are:
 - a. The handling of injury and accident compensation and ensures that all forms required by workers' compensation programs and local agencies are completed.
 - b. They will report any liability issues they discover or are brought to their attention to the attention of the Incident Commander and Safety Officer for possible mitigation action.
 - c. They maintain files on injuries and illnesses associated with the incident and ensure that all witness statements are obtained in writing.
 - d. Since the Medical Unit may also perform certain parts of these tasks, close coordination between the Medical and Compensation and Claims Units is essential.
 - e. The claims function handles investigations of all civil tort claims involving property associated with or involved in the incident. The Compensation and Claims Unit maintains logs on the claims, obtains witness statements, and documents investigations and agency follow-up requirements.

VII. Hazardous Materials Training.

- A. Personnel who, in the course of their normal duties, may encounter an emergency involving or who may come into contact with hazardous materials will be provided with awareness level training for events involving hazardous materials as follows (29 C.F.R. §1910.120 (q) (6)). See Hazardous Materials Policy V4Ch2.1 and Hazardous Materials/Accident Scenes Policy V4Ch2.2 for more information.
 1. New personnel will receive the instruction during their initial employment training.
 2. Veteran personnel will receive the instruction annually during in-service training.
- B. The purpose of this training is to provide responding law enforcement personnel with the basic knowledge to recognize a hazardous situation and immediately implement basic procedures to have authorities with the technical ability to assess the situation. Also, responding law enforcement personnel need to understand basic self-protection measures for themselves and others, while being able to protect the incident scene and controlling the area to prevent unauthorized or unknowing persons from entering into a possible contamination zone.

**ORGANIZATION
ANTI-CRIME PATROL DUTIES
VOL. II, CH. 26**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 01-09-2006	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME II
VOLUME TITLE: ORGANIZATION	# PAGES: 3					CHAPTER 26
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: ANTI-CRIME PATROL DUTIES						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:						Special Instructions
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish a patrol based unit, which will patrol the Fort Lee in an unmarked vehicle and in civilian clothes, in an effort to deter crime and arrest individuals who are attempting to commit crimes against the Fort Lee residential and business community.

POLICY:

The following procedures will be followed for the use of Fort Lee Police Department uniform patrol personnel to be assigned to Anti-Crime patrol duties;

I. OFFICER SELECTION

- A. The officers that are selected to perform in the capacity of the Anti-Crime unit shall be selected [REDACTED] at the discretion of the Chief of Police. Only these officers shall be utilized for the Anti-Crime Unit.

II. UTILIZATION

- A. [REDACTED]

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- [REDACTED]
- B. The [REDACTED] will specify the duties to be performed by the Anti-Crime officer(s) for that particular day. The [REDACTED] at their discretion may contact Detective Division personnel to ascertain if there are any pending criminal activities that may need to be addressed.
- C. The officer(s) that are assigned to the Anti-Crime patrol unit for that particular day will be assigned to plainclothes and will utilize an unmarked police vehicle that is equipped with a Mobile Video Recorder. In the event that there are no unmarked vehicles available with a Mobile Video Recorder, no officers will be assigned to Anti-Crime patrol duties. The Desk Supervisor will include in his/her Daily Activity Report any noteworthy activities performed by the Anti-Crime Unit.
- D. In the event that officers are assigned to Anti-Crime patrol duties and for some reason are needed to be utilized on the respective shift in a uniform capacity, the Tour Commander may summon the officer(s) back to the uniform patrol function and will immediately contact the [REDACTED] and advise them of the reason for the change in duties.
- E. [REDACTED]
- F. The Road Supervisor shall monitor an officer(s) assigned to the Anti-Crime patrol function, and the Road Supervisor will be accountable for the actions taken by the Anti-Crime officer(s) during their tour of duty.
- G. The officer(s) assigned to the Anti-Crime detail will make every attempt to have a marked uniform patrol vehicle conduct any necessitated motor vehicle stops. The primary intent of the Anti-Crime detail will be to concentrate on the prevention of current criminal trends and not for motor vehicle violations.
- H. The officer(s) assigned to the Anti-Crime detail will not initiate or participate in any motor vehicle pursuits as specified in the New Jersey Attorney General Guidelines, without the express permission of the Tour Commander.
- I. Any officer assigned to the Anti-Crime detail will at all times exhibit his/her badge on their outer most garment and will verbally identify themselves as police officers when making contact with civilians while engaged in police related activities.

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III. PRODUCTIVITY REVIEW

- A. The [REDACTED] will keep records indicating the amount of motor vehicle summonses and arrests made by the Anti-Crime detail in an effort to judge the effectiveness of the Anti-Crime program. The results of this record keeping will be reported to the Chief of Police or his designee on a basis specified by the Chief of Police. Productivity of the program will be reviewed on a monthly basis at the Administrative staff meetings to determine the viability of the program. Future assignments to the unit and the continuance of officers who are initially assigned to the unit will be based on productivity analysis.

FORT LEE POLICE DEPARTMENT POLICY & PROCEDURES			
VOLUME: 3	CHAPTER: 6	# OF PAGES: 27	
SUBJECT: ARREST AND TRANSPORTATION			
BY THE ORDER OF: Keith M. Bendul Chief of Police		ACCREDITATION STANDARDS: 3.1.2, 5.1.1, 5.1.2	
Effective Date: 02/12/2016		Supersedes: Search, Seizure and Arrest Procedures V7Ch1	

PURPOSE The purpose of this policy is to provide basic guidance to personnel and to codify standardized procedures regarding arrests, processing, transportation, and release.

POLICY It is the policy of the Fort Lee Police Department to be in compliance with all statutes, contemporary criminal procedure, Attorney General and Prosecutor Directives and Guidelines when arresting and subsequently transporting any person in order to protect any arrestee's or detainee's rights and to minimize risk to police personnel and the general public.

PROCEDURES

I. Definitions

- A. Arrest is defined as a substantial physical interference with the liberty of a person, resulting in apprehension and custodial detention. It is generally used for the purpose of preventing a person from committing a criminal offense, or calling upon a person to answer or account for an alleged completed crime or offense.
1. An actual arrest occurs when a law enforcement officer intentionally employs physical touching of a person and delivers a formal communication of a present intention to arrest.
 2. A constructive arrest occurs without an intentional use of physical contact and without a formal statement indicating an intention to take a person into custody. The courts generally consider whether there has been a submission to the assertion of authority.
- B. Fresh pursuit is defined by N.J.S.A. 2A: 156-2 as not necessarily implying immediate or instant pursuit, but pursuit without unreasonable delay.
- C. Presence sums up the requirement that officers knew of the event by the use of any of their senses. A defendant's admission brings the offense within the presence of the officer.
- D. Probable cause refers to facts or evidence that would make a reasonable person believe that a crime or wrongdoing has been, is being, or will be committed.
1. Vague hunches or suspicions are not enough.
 2. The belief must be supported by the facts that can be articulated in the officer's report and testimony.
 3. Experience as a police officer is a fact, which can be relied upon to support probable cause, provided it can be documented.
 4. The facts upon which the belief of guilt is based must have been known at the time of arrest.
 5. Post-arrest actions by the accused are irrelevant to the lawfulness of the initial arrest.
 6. It is not necessary to believe beyond a reasonable doubt that a person committed an offense in order to arrest.
 7. There is no limit to the types of information that can be used to support probable cause, provided such information is not vague and can be documented. Among the types of information the officer can rely upon:
 - a. Observed facts surrounding the incident (behavior, appearance and location of subject; subject's height and weight).
 - b. Familiarity with the subject(s)' prior record, prior observation of subject and earlier contacts with subject.

- c. Reports from others (e.g., accounts given by victims or witnesses; reliable informants or citizen informants).
 - 1) Reports from citizen informants are differentiated from anonymous informants in that the citizen reports the information face-to-face with the officer. The citizen may be known to the police, but merely not identified. Citizen informants are considered more reliable than an anonymous informant (such as an untraceable telephone call.)
 - 2) Information received from anonymous sources is generally not sufficient cause to restrict a person's liberty without some corroboration of illegal activity. One exception is DWI where the Courts have ruled that a 9-1-1 call reporting an ongoing DWI vehicle can be treated in the same manner as the citizen informant.
- d. Each of these sources of information can lead to a determination of probable cause, but some require corroboration by other facts if they are to be given weight.

II. General Provisions

- A. When a person has been arrested he/she will be processed for that arrest and the appropriate documentation presented to the court without unnecessary delay. When appropriate, bail will be set and the person will be provided a reasonable opportunity to arrange for the posting of bail.
- B. When practicable, officers should identify themselves to the person(s) being arrested and indicate the crime or offense. The arrestee should be informed of the warrant and the charges.
- C. Consular notification for non-US citizens is addressed in *Policy V3C25 Consular Notification and Access*. Additionally, in order to comply with **AG Directive 2007-3**:
 - 1. When making an arrest for any indictable crime or for DWI, the arresting officer shall inquire about the arrestee's citizenship, nationality and immigration status.
 - 2. If the officer has reason to believe that the person may not be lawfully present in the United States, the arresting officer shall:
 - a. Notify the Immigration and Customs Enforcement (ICE) Law Enforcement Support Center via NLETS with an Immigration Alien Inquiry (IAQ) message key. ICE will generate an Immigrant Alien Response (IAR).
 - b. Notify the Bergen County Prosecutor's Office if an indictable offense has been committed. Copies of any NLETS IAQ, IAR, or fax shall also be forwarded.
 - c. Notify the municipal court administrator if a DWI has been committed.

- d. Ensure that the judge is advised that the person arrested is believed not to be in the United States lawfully when they are setting bail.
 - e. Forward to the records bureau the original NLETS documentation or fax with the other reports made necessary by the arrest.
3. No employee of this department shall consider a person's race or ethnicity as a factor in drawing an inference or conclusion that the person may be an undocumented immigrant.
 4. When warranted, the arresting officer shall contact the ICE Law Enforcement Support Center (LESC) at 1-866-347-2423 for assistance. LESC operates 24 hours a day, 365 days a year, to supply real-time assistance to officers who are investigating or have arrested foreign-born individuals involved in or suspect of criminal activity.
 5. If ICE issues a detainer, the person is to be held for a period not to exceed 48 hours (excluding Saturdays, Sundays, and holidays). If ICE does not claim the person within the designated 48 hours, the person is to be released.
 - a. If the detainee is still at HQ and prior to release the tour commander shall contact ICE and advise them that the detained party is scheduled for release.
 - b. Forward all detainees to the Bergen County Jail if the person has already been committed there.
- D. Diplomatic and consular immunity is addressed in *Policy V3C24 Consular Notification and Access*.

III. Arrest with a Warrant

- A. An arrest warrant has the purpose of interposing a probable cause determination by a neutral and detached judge between the law enforcement officer and the person to be arrested. Warrants include bench warrants, CDR warrants, ACS, ATS, and any other criminal process issued by a court.
 1. For the warrant to be valid, there must be a showing of probable cause that a specific person committed a particular crime.
 2. The suspect must be identified by name, or if the suspect's name is unknown, by a description, which identifies him/her with reasonable certainty.
- B. Sworn police officers have the right to execute a warrant by arresting defendants at their homes or at any public place within the State.
- C. A police officer making an arrest should identify himself to the person being arrested. The officer should also indicate the crime for which the suspect is being arrested.
- D. Unless impracticable, the warrant should be exhibited. If the warrant is not in the arresting officer's possession at the time of the arrest, the person arrested should be informed of the offenses charged and the fact that a warrant has been issued.

- E. If officers have an arrest warrant for an indictable offense and has probable cause to believe that the subject of the warrant is inside a house, building or apartment, the officer may, under appropriate circumstances, enter the house, building or apartment to make the arrest.
 - 1. Officers should use sound judgment in determining whether to enter the building or wait to make the arrest outside. If an officer decides to enter, he/she should announce his identity and demand that the person inside open the door.
 - 2. Arrest warrants permit entry into a residence to make an arrest only if the premises is the primary residence of the person to be arrested. If the premises/residence is not the primary residence of the person to be arrested, an entry cannot be made without a search warrant, consent or exigent circumstances.
- F. Only in rare circumstances involving extremely serious offenses and exigent circumstances can an officer enter a residence to make a warrantless arrest, without knocking and announcing their presence. These circumstances include:
 - 1. There is reason to believe that the knock and announcement would cause danger to the officer;
 - 2. There is reason to believe that the suspect would attempt to escape;
 - 3. There is reason to believe that the suspect would try to destroy evidence;
 - 4. If it is necessary to prevent commission of a crime.
- G. A forcible entry or subterfuge may be used to gain entry where it is refused.
- H. When executing an arrest warrant outside of Fort Lee, officers should provide prior notice to the law enforcement agency in that jurisdiction prior to execution except under exigent circumstances where prior notice is impracticable or may otherwise compromise the investigation.
- I. To execute arrest warrants out of the State of New Jersey, contact the Bergen County Prosecutor's Office, Extradition Unit.
- J. Officers should only use that amount of force necessary to effectuate the arrest. Unless impracticable, pre-planned warrant arrests should be conducted by a minimum of two officers. More officers or tactical resources can be used depending upon the circumstances and anticipated flight risk.
- K. Officers shall not execute an arrest warrant without first confirming or taking reasonable measures to confirm the validity of the warrant.
 - 1. The arrest warrant should be verified and confirmed through ACS, ATS, and/or NCIC.
 - a. Verify the identity of the person to be arrested

- b. Understand the scope of the arrest warrant so as not to exceed any limitations set by the warrant
- 2. Arrest warrants issued by the judge of the Fort Lee Municipal Court that are not listed in the ACS/ATS system are to be confirmed as valid with the court administrator prior to any action being taken.
- 3. Arrest warrants issued by a judge of any other court, not listed in the ACS/ATS system, are to be confirmed as valid with the issuing authority prior to any action being taken.
- 4. Members of this department should not assist an outside law enforcement agency with the execution of an arrest warrant until such time as it has been confirmed that the warrant is valid.
- 5. An NCIC hit is not probable cause to make an arrest. A confirmation request shall be sent to the agency that entered the person. A positive response by that agency will serve as confirmation of the warrant as per Part 7 of the *National Crime Information Center Operating Manual*.
- 6. A printed copy of the request and response should be attached to with the investigative report of the incident.
- L. Requests from other jurisdictions to serve/execute their warrant(s) should be referred to the tour commander.
- M. When serving/executing an arrest warrant at the request of another jurisdiction, the arresting officer shall record the warrant number, jurisdiction name, and results in the arrest report and include a copy of the warrant with the report.
- N. After completing the service of a warrant, the arresting officer will be responsible to ensure the warrant is executed in the ACS/ATS system.
- O. When the tour commander receives a call from another law enforcement jurisdiction advising that it has a person detained on a Fort Lee Police warrant, communications personnel shall verify the warrant through ATS/ACS. If the warrant is valid the tour commander will notify the jurisdiction (in New Jersey only, otherwise extradition is required) of such, and this agency will pick up the individual as soon as practicable.
 - 1. The jurisdiction making the arrest on the warrant is responsible for executing the warrant in the ATS/ACS system.
 - 2. When Fort Lee officers take custody of the subject of the warrant, they will check with communications personnel to make sure the warrant has been executed.
 - 3. If the warrant was not executed by the arresting jurisdiction, communications personnel can execute the warrant in the ATS/ACS system.
 - 4. If the bail is for 100 dollars or less, the tour commander should consider the distance of the jurisdiction detaining the party and the staffing available to make a determination as to whether the arrestee should be picked up on the warrant or the party should be released.

- a. If staffing prohibits picking up the party, the Fort Lee Municipal Court judge or court administrator shall be contacted to request a ROR and a new court date.
 - b. If the request is granted, the party should be given the next available court date and the agency will be faxed a *Bail Recognizance Form* with that new date.
 - c. The stopping jurisdiction will then have the party sign the *Bail Recognizance Form* acknowledging the new court date and fax it back the tour commander.
 5. If the Fort Lee warrant is originating from another law enforcement agency operating in Fort Lee (i.e. Port Authority) then the tour commander should refer the caller to the appropriate department.
- P. When a Fort Lee officer detains a party on a warrant from another jurisdiction, the communication center will notify the jurisdiction involved and verify that it will pick up the person named in the warrant.
1. When communications receives confirmation that the issuing agency will respond, the officer will place the individual under arrest for the warrant.
 2. Upon arrival at headquarters, the officer will secure the individual in the processing room cell following all procedures set-forth in the *Policy V5C7 Holding Facility*.
 3. The arresting officer will then respond to communications and inform the dispatcher to execute the warrant, and retrieve copies of the warrant and executed warrant to attach the printout to the arrest report.
 4. An arrest report will then be completed. Upon release of the individual to the jurisdiction that issued the warrant, the *TOT Book* at the desk will be filled out and the report will be updated.
 5. If the issuing jurisdiction releases the party on the their own recognizance in lieu of picking them up, they can provide a new court date to be given to the party or advise them to call their court for a new date. A bail recognizance form should be completed if asked, if not, the outcome will be noted in CAD.

IV. Arrest without a Warrant

- A. Officers may make a warrantless arrest of a person within the territorial limits of the State of New Jersey if there is probable cause to believe that the suspect has committed or is presently committing a crime (1st, 2nd, 3rd, 4th degree crime).
 1. N.J.S.A. 2A: 155-1 et seq., permits a law enforcement officer from one state who is in fresh pursuit to enter another state to effect an arrest for a 1st, 2nd, or 3rd degree crime.
- B. Within the territorial limits of Fort Lee, officers may make a warrantless arrest of someone who, in their presence, has committed a disorderly person offense or other minor offense that involves a breach of the peace (N.J.S.A. 40A: 14-152).

1. N.J.S.A. 2A: 156-1, et seq., authorizes a police officer, who is in fresh pursuit of a person and who is reasonably believed by him/her to have committed a 1st, 2nd or 3rd degree crime or has committed, or attempted to commit, any criminal offense in the presence of such officer, or for whom such officer holds a warrant of arrest may arrest and hold that person anywhere in the state.
 2. However, if the offense is a 4th degree crime, disorderly person, petty disorderly person offense, or DWI the authority to pursue under N.J.S.A. 2A: 156-1 only extends to offenses committed in the officer's presence or ones that he holds a warrant for the arrest of the person.
- C. In certain circumstances, an officer may affect the warrantless arrest of a person whom the officer has probable cause to believe has committed a disorderly or petty disorderly persons offense, even though the offense did not take place in the officer's presence. These offenses are:
1. Driving while intoxicated;
 2. Shoplifting;
 3. Theft of library materials;
 4. Domestic violence related offenses.
- D. Only in rare circumstances involving extremely serious offenses and exigent circumstances can an officer enter a residence to make a warrantless arrest.
1. Officers are not required to delay the conducting of an entry or search if to do so would endanger their safety or the safety of others. Therefore, if officers have reasonable grounds to believe that a firearm or other condition exists that poses a severe threat to public safety, that officer may take whatever action deemed appropriate to thwart that threat.
 2. Officers who have reasonable cause to believe a place contains substances imminently likely to burn, explode, or otherwise cause death, serious bodily injury, or substantial destruction of property may, without a warrant, enter and search the premises to the extent reasonably necessary for the prevention of such death, serious bodily injury, or destruction.
 3. Officers in hot pursuit of a fleeing suspect wanted for a crime may enter into a structure without a warrant to effectuate the arrest.
 4. A warrantless forcible entry into a dwelling for the arrest of a person for a minor offense (e.g., DWI offenses, minor drug offenses, DP & PDP offenses) is considered unreasonable.
 5. Fresh pursuit alone is an insufficient justification for a warrantless entry into a person's home to affect an arrest absent exigent circumstances.
- E. As a general rule, an arrest for a violation of N.J.S.A. 39 (except DWI, Possession of CDS in a Vehicle, or Leaving the Scene of an Accident with Serious Injuries) is improper if the underlying offense poses little or no threat to the public safety, and if there is no reason to believe that the offender would fail to respond to a summons.

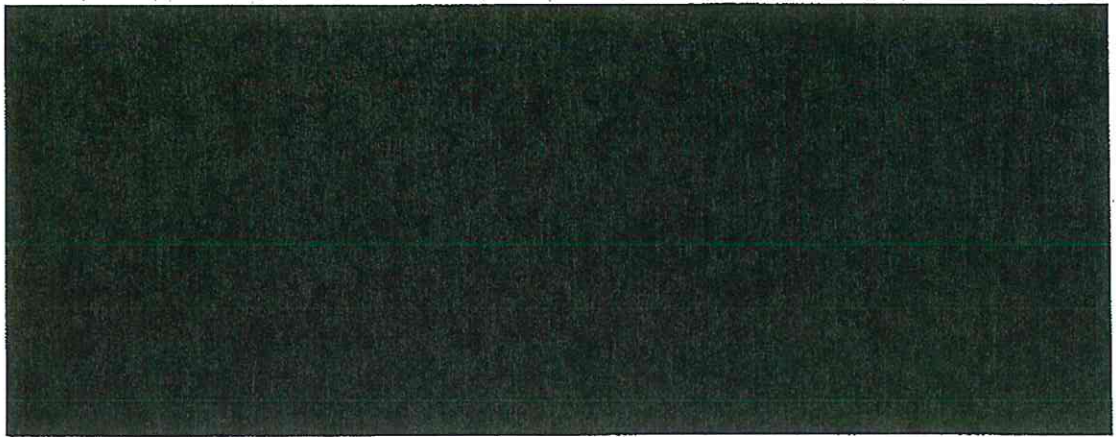
1. Officers may arrest (bailable motor vehicle offenses only see *Policy V3C19 Uniform Traffic Enforcement and Control*) or issue a summons to any person who commits a motor vehicle violation in his presence and then flees with the officer in fresh pursuit to another municipality.
2. In other than a fresh pursuit situation, an officer may arrest (bailable motor vehicle offenses only) or issue a summons to any person anywhere on roads forming the border of Fort Lee municipality. The matter should then be heard in the municipal court where the offenses occurred.

V. Handcuffing

- A. Sworn personnel should maintain and carry on duty an operable set of handcuffs equipped with a double locking feature.
- B. Sworn personnel should maintain a set of handcuffs free of dirt, lint or other conditions that may make them inoperative.

C.

D.



VI. Decision to Not Arrest

- A. There are circumstances where although there are grounds for a lawful arrest, better police practice dictates that the offender not be arrested. However, in most cases, it is not the role of a police officer to decide whether an offense should be prosecuted. That is the responsibility of the applicable prosecutor. Any decision not to arrest must be reached only after the officer has carefully weighed the following guidelines.
1. When the arrest would cause a greater risk of harm to the general public than the offense that had been committed, the officer should refrain from effectuating an arrest. Example: In an unruly crowd situation, a police officer's decision to arrest may aggravate tension and lead to a riot or other serious disorder.
 - a. An officer would be justified to back away and wait for additional units.
 - b. An organized directed plan would be the first step, not an immediate arrest.
 2. In situations where police resources are stretched to the limit, e.g., on a particularly busy night, arrests for minor offenses would take up officer's time to the point that he/she could not respond to really serious crimes.
 - a. Even though there is no arrest at the time the offense is committed, the officer may sign a complaint against the offender at a later time.
 - b. The offender in such cases should be properly identified for later arrest or issuance of summonses.
 - c. If the officer knows offender's identity and he/she has been arrested before, then his information can be obtained in the in-house computer system.
 - d. The issuance of uniform traffic tickets, criminal complaints and disorderly complaints must be made before the expiration of the applicable statute of limitations.
 3. In situations where the arrest would cause harm or embarrassment to an offender who poses no threat of danger to the public. The following are examples of this kind of situation:

- a. An intoxicated person (unless they are driving a vehicle), who is harmless and, at most, needs a little assistance getting home. See ATRA Policy and Procedure.
 - b. A juvenile offender whose wrongdoing would best be handled through informal warnings, advice, etc., (for a very minor offense) and a talk with the parents. In this way, getting a record of any kind can be avoided.
- 4. When the arrest would jeopardize an ongoing drug, vice or organized crime investigation, the officer should refrain from arresting an individual.
 - a. During a vice investigation or organized crime investigation, it may be necessary to forego an arrest in order to develop adequate intelligence information that would result in major charges issued to multiple defendants at a later time.
 - b. This option should be considered only under the direction of a division commander.

VII. Custody and Transportation

- A. Personnel shall search the rear seat of vehicles used for arrestee transportation at the beginning of their shift and prior to occupation by an arrestee. Vehicles shall be searched again immediately after transportation to ensure that contraband or evidence had not been secreted by the arrestee. Found property/evidence should be collected and processed in accordance with existing procedures. The arrestee should be charged accordingly, when applicable.
- B. Immediately upon arrest all persons will be adequately secured. At a minimum, they should be handcuffed unless handcuffing is not possible due to injury or disability. Unless impractical due to injury, disability or physical size, handcuffs should be placed behind the back, see subsection V. Officers should remain aware of the dangers of positional asphyxia and continually monitor arrestees for symptoms.
 - 1. Disposable handcuffs (e.g., Nylon flex cuffs) are authorized for incidents where the number of arrestees exceeds the number of available handcuffs or when the arrestee's injury, disability or physical size prohibits the use of handcuffs.
 - 2. Leg shackles and a handcuffing belt may be utilized when deemed necessary to provide additional restraints for subjects who are combative or deemed a flight risk. No other types of restraints are can be used unless authorized by the Chief of Police, or a supervisor in an emergency situation.
 - 3. Officers should ensure that the arrestee is seated upright and, whenever possible, secured in a seatbelt after the application of restraints and prior to transportation.
- C. The individual taken into custody is to be searched (not frisked) for weapons, contraband, evidence and implements of escape, as is the area under that individual's immediate control. The search must be thorough enough to ensure the

safety of the individual, the arresting officer, and other officers and persons the individual may come in contact with while in custody.

1. This search must be conducted contemporaneous to the arrest as soon as is practical after the person has been restrained.
 2. In situations where an arrestee is accepted from another department, facility, or officer, the officer conducting the transportation must not assume that a competent search has already been conducted. Arrestees that are coming from these various environments may have inadvertently been exposed to contraband or weapons after their initial search and this possibility warrants the need for a new pre-transportation search.
 3. The search should minimally include (if worn):
 - a. Hat;
 - b. Jacket;
 - c. Footwear (inside and out);
 - d. Pockets;
 - e. Gloves;
 - f. Waistbands.
 4. Unless an officer of the same sex as the arrestee is immediately available, arrestees of the opposite sex can still be searched incidental to arrest with either the back of the officer's hand or a hand-held metal detector. Officers should consider the age, maturity (juveniles), charges, and the circumstances that may compel a full search incidental to arrest. Officers should consider having another person of the same sex as the arrestee witness this search incidental to arrest or use a search tool.
- D. After being restrained and searched the arrestee should be placed in the rear of a police vehicle equipped with a partition between the front and rear passenger compartments with the rear door and window controls disabled or removed. The arrestee should be further secured with the vehicle's safety restraints (seatbelts). This further restraint will provide an additional level of security for the transporting officer(s).
1. In arrest situations after a pursuit or an assault on a police officer or any other combative situation, a back-up officer should transport the arrestee, when possible.
 2. Single arrestees should be placed in the right rear seat. Under no circumstances shall an arrestee be placed in the front seat or shall an officer ride in the back seat with an arrestee. A second officer should follow the transporting officer or join the transporting officer in their vehicle for security and to assist at headquarters as needed.
 3. When transporting arrestee(s) of the sex opposite from the officer:

- a. The vehicle's interior light should be illuminated during the transport; and
 - b. Two officers should conduct the transport; or
 - c. One officer can conduct the transport with a second officer following *closely* behind.
4. Arrestees shall never be handcuffed to or otherwise secured to any part of a vehicle, nor shall two or more prisoner be handcuffed or otherwise restrained to one another.
5. Whenever an arrestee is placed into a police vehicle, the doors to the vehicle should be locked to prevent unauthorized persons from opening the vehicle door.
6. Officers should exercise due care and provide assistance to arrestees who are entering or exiting a department vehicle during transportation procedures.
7. The following are situations when using a seatbelt may be inappropriate or unsafe:
 - a. Aggressive/combatative arrestee making attempts to secure him impracticable;
 - b. Injuries to the arrestee that may be aggravated by the seat belt;
 - c. The use of supplementary restraints on the arrestee that make it difficult, impossible, or unsafe for the seat belt to be employed.
- E. If no such equipped vehicle is available or when confronted with a legitimate and unforeseen exigency that requires transportation of an arrestee in a vehicle that is not equipped with a security partition, it should be necessary to have two (2) officers present in the vehicle for the transportation. In such situations, both officers may ride in the front seat, but the passenger officer's attention will be on the arrestee(s).
- F. Arrestees should not be left unattended after being placed into police cars awaiting transportation. Officers must be constantly aware that other persons may attempt to free or otherwise facilitate an escape.
- G. Generally, arrestees are not permitted to communicate with anyone except a police officer during transportation or while waiting to be transported. Persons approaching a police vehicle containing an arrestee should be instructed to leave and advised that the failure to oblige may result in their arrest and/or prosecution.
- H. If the transporting vehicle is equipped with a working MVR, the unit shall be placed in the record mode with the camera facing the arrestee. The arrestee should be advised that he/she is being recorded.
- I. Prior to commencing transportation, officers should advise communications of the number of arrestees being transported, their gender, their classification (adult or juvenile), the starting location, their destination, and starting mileage to the nearest

1/10th of a mile. Upon arrival at their destination officers are to give their ending mileage.

- J. If any suspicious, threatening, dangerous, or alarming incident occurs during transportation, the officer should immediately notify communications and pull over in a safe location to further observe or correct the situation. Particular attention should be directed toward arrestees who are or might possibly be under the influence of alcohol or drugs or who have a propensity or history of being violent.
- K. Arrestees should ordinarily be transported directly to police headquarters, another law enforcement agency, or confinement facility as directed unless being taken to a medical facility for evaluation and/or treatment.
 - 1. Unless the injury is serious or life threatening, the arrestee can refuse medical evaluation and/or treatment.
 - 2. Officers should employ the level of additional security at the treatment facility permitted by the nature of the injury, the regimen of treatment, and as allowed by the treating physician/nurse.
 - 3. Any evidence or indication of injury or illness to an arrestee should be documented on the officer's report.
 - 4. Officers shall take universal precautions against blood-borne pathogens and infectious diseases.
 - 5. If an arrestee must be admitted to the hospital, an officer should be assigned to guard and remain with them until properly relieved (e.g. Bergen County Sheriff Officer at the Bergen Regional Medical Center or other medical facility or the arrestee is released ROR by a judge).
 - 6. Police personnel shall not sign any documents at the hospital or medical facility indicating that the Borough of Fort Lee is the responsible billing party.
 - 7. Prisoner visitors are prohibited. Only authorized medical staff shall be allowed into the room and have contact with the arrestee.
 - 8. Officer(s) should ensure that the room/area is secure so that the arrestee cannot escape.
 - 9. Officer(s) should remain at the arrestee's room or inside and ensure that no unauthorized personnel enter. The arrestee should be continuously monitored to minimize the potential for escape.
 - 10. If an escape occurs, see subsection VII.M and contact hospital security.
 - 11. If the hospital notifies the officer that the arrestee will be released, the officer should notify the tour commander. The tour commander will determine if the arrestee is to be transported to police headquarters for further processing, to be interviewed by detectives, or to be transported to the Bergen County Jail.
 - 12. If the hospital informs the officer that an arrestee who is to be committed to the Bergen County Jail has a medical condition that requires admission to

the hospital, the officer should notify the tour commander. The tour commander should arrange for the Bergen County Sheriff to take custody of the arrestee at the hospital. The officer at the hospital should remain at the hospital guarding the arrestee until the Sheriff's Office arrives and custody is transferred or the officer is relieved.

- L. Arrestee transportation should not be interrupted except in extreme cases. Should the arrestee be stricken with a condition requiring immediate medical aid or a motor vehicle crash involving the transport, the transporting officer should stop safely and should not remove the arrestee from the vehicle to render aid unless another officer is present to assist. If the officer(s) observe(s) a motor vehicle accident with potential serious bodily injuries or someone whose life is in jeopardy while transporting the arrestee, the officer may stop to render assistance until relieved.
- M. If an arrestee escapes while in custody prior to or during transportation:
 - 1. The arresting/transporting officer(s) should immediately notify communications.
 - a. Communications shall immediately notify the tour commander or designee.
 - b. Extreme caution shall be exercised to minimize the potential of a hostage scenario.
 - 2. A general radio broadcast to all duty personnel shall be broadcast as soon as practicable and provide the following information at a minimum:
 - a. Arrestee's name, if known;
 - b. General description;
 - c. Clothing description;
 - d. Last known home address;
 - e. Last direction of flight;
 - f. Crime(s) originally arrested for;
 - g. Weapons, if known; and
 - h. Any other pertinent information known.
 - 3. Additionally, the on-duty tour commander should ensure that the escape is broadcast over SPEN to surrounding communities. Provide the same information listed above. Update any changes to this information as necessary.
 - 4. The tour commander should cause notification to the Chief of Police through the chain of command.
 - 5. The tour commander or his/her designee may assign additional staffing (including K9, ESU, mutual aid resources) as needed for assistance to the

scene or to provide patrol coverage while existing duty personnel are committed to the escape investigation/search. Activation of additional resources should be consistent with the offense for which the escapee had been taken into custody, the likelihood of injury to the escapee and/or other persons, the likelihood of apprehension, and the anticipated duration of the search.

6. Communications personnel shall ensure that telephone contact is made with any jurisdiction where the escapee may be likely to flee, provide the pertinent information, and request assistance from that jurisdiction in apprehension.
 7. If and when the escapee is recaptured, the tour commander should direct a minimum of two (2) officers to reclaim the arrestee and transport him back to Fort Lee Police headquarters. Any alarm or broadcast to patrols or surrounding agencies should be promptly cancelled. Additional measures should be taken to prevent any further escape.
 8. Seek medical attention if the escapee requires it. Additional security measures shall be deployed to minimize any future escape attempt.
 9. The incident must be fully documented in the investigative report and forwarded to the transporting officer's division commander.
- N. When transportation terminates at this department, officers will bring the arrestee(s) into the booking area through the sally port. The transporting officer should request that the duty tour commander raise the sally port door. The vehicle should be driven into the garage and turned off, securing the vehicle keys and closing the exterior door before securing officer weapons then removing the arrestee from the vehicle.
- O. If an officer suspects that an arrestee may have a communicable disease, personnel shall wear appropriate protective equipment while searching, fingerprinting and processing the arrestee.
1. Clean the handcuffs with an alcohol or disinfectant (anti-bacterial) wipe after removal from an arrestee.
 2. Personnel shall thoroughly wash their hands with disinfectant soap after completing the search.
 3. If an officer has reason to believe his clothing has become contaminated as a result of contact with a party with a communicable disease, his clothing should be removed and placed in a plastic bag and cleaned as soon as practicable in compliance with Policy V6C3 *Communicable Disease Blood Borne Pathogen*. After placing clothing in a plastic bag, personnel should wash their hands thoroughly with disinfectant soap.
 4. The interior of the police vehicles is to be cleaned with a disinfectant before being used again.
 5. Paper towels used to clean up are to be discarded in a plastic bag and placed in an outside trash receptacle.

VIII. Special Needs Custody and Transportation

- A. There may be instances when normal custody and transportation procedures are impracticable. These reasons include, but are not limited to:
1. Arrestee(s) who exhibit signs of mental illness;
 2. Arrestee(s) who may be emotionally disturbed;
 3. Arrestee(s) who are physically disabled;
 4. Arrestee(s) who are injured;
 5. Arrestee(s) who are morbidly obese.
- B. Transportation for arrestees who exhibit special needs may be accomplished by ambulance, if available. Restraints should be used, if available and practical. If the arrestee has a wheelchair, the wheelchair should be transported with him. Canes and crutches should also be taken; but shall be stored as prisoner property until needed.
- C. The tour commander will determine whether the person being arrested should be taken to the booking room or to a medical facility for evaluation and/or treatment first.
- D. If an arrestee indicates that he has medication that they need to sustain their health, the arresting officer should take possession of the medication.
1. Personnel should not dispense or permit arrestees to take medication (prescription or non-prescription) without authorization of a physician licensed to practice medicine in the State of New Jersey;
 2. If the arrestee needs immediate medical attention, he should be transported to the hospital via ambulance;
 3. If the arrestee is going to be committed to the Bergen County Jail, the transporting officer should bring the medication for determination by the jail's medical staff.
 4. Under no circumstances should personnel sign or endorse any medical authorization for any person under arrest or in custody.
- E. Arrestees have no right or privilege to attend funerals, religious services, visit in hospitals with critically ill family or friends, make phone calls other than to contact an attorney, family member, or arrange for bail; or attend probate proceedings while in the custody of this agency.

IX. Processing of Persons Arrested Without a Warrant (R.3:3 and R. 3:4)

- A. Notwithstanding the provisions in this policy concerning custodial arrests, officers are permitted by Court Rule 7:3 (R.7:3) to charge a person by use of a *Special Form of Complaint and Summons* at the scene of the arrest without taking the defendant into custody for municipal ordinance violations.
1. The *Special Form of Complaint and Summons* shall not be used for:

- a. Any offense involving domestic violence; and
 - b. Any offense with a companion indictable matter.
 - 2. All municipal ordinance violations charged in conjunction with an indictable matter and all domestic violence matters must be prepared on the special complaint form.
- B. A person arrested without a warrant for one or more of the below listed criminal offenses, conspiracy or attempt to commit one or more criminal offenses shall be taken to headquarters where the tour commander or designee shall:
- 1. Complete all post-arrest ID procedures required by law, see NJSA 53:1-15;
 - 2. Immediately prepare a complaint-warrant CDR-2;
 - 3. Contact the on-call judge without delay to make a bail determination. Bail shall be set no later than 12 hours after the arrest;
 - a. Murder;
 - b. Aggravated Manslaughter;
 - c. Manslaughter;
 - d. Kidnapping;
 - e. Robbery;
 - f. Aggravated Assault (2nd degree);
 - g. Burglary;
 - h. Aggravated Arson;
 - i. Arson;
 - j. Aggravated Sexual Assault;
 - k. Sexual Assault;
 - l. Aggravated Criminal Sexual Contact;
 - m. Criminal Sexual Contact;
 - n. Any crime involving the possession or use of a firearm;
 - o. Any 1st or 2nd Degree drug violation (2C:35).
- C. A person arrested without a warrant for any other crime or offense not listed above, shall be taken to headquarters where the tour commander or his/her designee shall:
- 1. Complete all post-arrest ID procedures required by law, see NJSA 53:1-15;

2. Immediately prepare a complaint-summons CDR-1;
 3. Issue the CDR-1 to the arrested person; and
 4. Release the person in lieu of continued detention.
- D. If the tour commander or his/her designee determines that one of the following conditions exist:
1. The person has previously failed to respond to a summons;
 2. There is reason to believe that the person is dangerous to himself, others, or to property;
 3. There is one or more outstanding arrest warrants for the person;
 4. The prosecution of the offense or offenses for which the person is arrested or the prosecution of any other offenses would be jeopardized by the immediate release of the person;
 5. The person cannot be satisfactorily identified;
 6. There is reason to believe that the person will not appear in response to a summons.
- E. Then the tour commander or his/her designee shall:
1. Immediately prepare a complaint-warrant CDR-2;
 2. Take the person arrested without unnecessary delay before a municipal court judge to have bail set. Bail shall be set no later than 12 hours after the arrest;

X. Post Arrest Identification and Processing

- A. Officers should wear protective gloves while fingerprinting an arrestee or prisoner.
- B. Fingerprints and photographs (mug shots) shall be completed for all adult persons when:
1. Arrested for an indictable offense.
 2. Arrested for a violation of any State law relating to narcotics or dangerous drugs, whether indictable or otherwise.
 3. Within a reasonable time after the filing of a complaint-summons by an officer charging the defendant with an indictable offense.
 4. Arrested for shoplifting.
 5. Arrested for prostitution.
 6. Convicted of a non-indictable offense and the identity of the convicted person is in question. The disposition shall be listed on the front of the state

fingerprint card and the date of sentence and terms of sentence shall be listed on the back of the fingerprint card.

7. Charged in an indictment/accusation and had not already been arrested, fingerprinted/photographed for the charge(s). The indictment number shall be listed on the front of the state fingerprint card.
 8. Arrested and believed to be wanted for an indictable offense.
 9. Arrested for a domestic violence related crime/offense where any of the following four criteria are met:
 - a. Victim exhibits signs of injury caused by an act of domestic violence;
 - b. A warrant is in effect;
 - c. There is probable cause to believe that the person has violated a judicial order in N.J.S.A. 2C: 29-9 AND there is probable cause to believe that the person has been served with that order;
 - d. There is probable cause to believe that a weapon as defined in N.J.S.A. 2C: 39-1 has been involved in an act of domestic violence.
 10. Arrested and believed to be a habitual criminal.
- C. The arresting officer should ensure that the following checks are made on the arrestee(s):
1. NCIC;
 2. ACS/ATS.
- D. The arresting officer should ensure that all appropriate victim/witness notifications are made.
- E. The arresting officer shall ensure that guidelines for alternate care for arrestee's dependents are followed and documented on the appropriate form; see *Policy V3C7 Alternate Care for Arrestee Dependents*.

XI. Reporting Requirements

- A. All arrest incidents should minimally require the following documentation whether electronic or paper:
1. Investigation report; only in situations where there is a crime or an identifiable victim;
 2. Arrest Report;
 3. DWI Report when applicable;
 4. Prisoner Screening Report as per *Policy V5C7 Temporary Detention/Holding Facility*;

5. Prisoner Property Envelope (if subject to confinement);
6. Evidence Report (if required);
7. Consent to Search (if required);
8. Miranda Waiver (if required);
9. Strip Search Form (if required);
10. Victim Notification Form (if required);
11. Commitment Form (if subject to confinement);
12. Cell Log as per as per *Policy V5C7 Temporary Detention/Holding Facility*;
13. Juvenile Arrest/Contact/Detention Report, if applicable;
14. Juvenile Release Form (if required); and
15. Any other documentation listed on the case jacket control sheet, which pertains to the arrest.

XII. Bail

- A. Whenever possible, officers should accept bail for the release of an arrestee/prisoner for an offense that requires such bail. Arrestees/prisoners should be granted ample time to make telephone calls to arrange bail.
 1. A \$50.00 filing fee must be collected when accepting bail for any indictable crime (as the fee established by the Court).
 2. The filing fee should be not be collected if:
 - a. The defendant is released ROR;
 - b. The defendant is arrested for any disorderly persons or petty disordering persons offense.
 3. The filing fee will not be imposed when taking bail from a warrant originating outside of this jurisdiction.
- B. No member of this department will recommend any particular bail bondsman to a person seeking bail. Bail may be accepted for an arrestee/prisoner prior to being transported to the Bergen County Jail.
- C. Bail receipts will have warrant/summons numbers written in the proper location at the top of the receipt. Bail receipts and copies of the summons/warrant will be distributed of as follows:
 1. If the \$50.00 filing fee is collected, it should be noted on the bail receipt and included in the envelope with the corresponding bail;

2. The completed white copy of the bail receipt and defendant's copy of the summons or complaint will be given to the defendant;
 3. The green copy of the bail receipt shall be placed with the bail and forwarded to the court via the court bail safe with a completed, signed recognizance form;
 4. The pink copy of the bail receipt shall be placed with the original complaint/summons, Central Court Services Form, or white copy of the MV summons (DWI Only) and forwarded to the court. The pink copy shall NOT be placed in the bail safe (in most cases this is done by case management officer, or with MV summonses the Records Bureau, green copy of a summons goes to records);
 5. The yellow copy stays in the Bail Receipt Book.
- D. A representative of the municipal court periodically responds to police headquarters to remove bail monies and the green copies of the bail receipts from the bail safe.
1. Upon counting the bail monies, the representative will initial each yellow bail receipt in the bail book to indicate that he has taken the green receipt and money for that particular bail. The initials will be placed under the docket number. The tour commander shall place his/her initials underneath the representative's initials.
 2. No bail book will be forwarded to the record room until all yellow copies have been so receipted.
- E. If a bail bondsman posts the defendant's bail, the original bail bond is to be attached to the original complaint/summons or copy of warrant and forwarded to the court by the Records Bureau.
1. No bail receipt is necessary when accepting a bail bond.
- F. Bail Waiver Forms should be used when the bail collected for a warrant can be applied towards the payment of fines and the defendant chooses to avoid appearing in court. Typically, this option is reserved for warrants that are issued for:
1. Failure to make court ordered payments;
 2. Motor vehicle offenses that do not require a mandatory court appearance.
 3. Line 4 of the Form shall contain the text "no court costs".
 4. One form is for the defendant, who is posting bail for himself. The other form is for a surety to post bail for the defendant (allowing the money posted to go toward the fine).
 - a. A bail receipt is still required; make a note on receipt that there is a waiver form.
 - b. Defendant name must be correct, surety name (if applicable), docket number, summons number, address and signature.

- c. WHITE COPY: Defendant or surety, YELLOW COPY: Attached to court copy of bail receipt (GREEN).
 - d. A copy of warrant should accompany the green copy of receipt to the court along with the cash bail.
- G. When any person appears with a warrant in their name issued from another court, the tour commander should:
 - 1. Verify the identity of the party in question.
 - 2. Assist the party with clearing up the outstanding warrant.
 - 3. Have the communications center run the party for current and any other outstanding warrants.
 - 4. Assign an officer to complete an arrest report.
 - 5. Accept the bail on behalf of the issuing jurisdiction.
 - a. Make 2 copies of warrant.
 - b. Take the appropriate amount of cash bail.
 - c. Fill out bail receipt for the proper amount.
 - d. Fill in the summons number in the top of the receipt.
 - e. Put the originating municipal court's name and address on the receipt to the left of where it says Municipal Court of Fort Lee.
 - f. Attach a copy of warrant to the bail and deposit with the green copy of receipt in an envelope with the recognizance form and place it in to the bail safe at the desk.
 - g. The white copy goes to person posting bail; attach the pink copy to the other copy of warrant and arrest report for records.
- H. When a person is arrested on a warrant from another jurisdiction, confirm the warrant with that jurisdiction. Ask if the warrant is valid and if they will pick up the defendant if bail cannot be posted. A hard copy should be obtained via fax, ACS or ATS.
 - 1. If the individual has the bail amount with him or can have someone get it in a short period of time take the bail money in accordance with subsection XII.G above.
 - 2. If the individual does not have the bail, cannot get the bail, and has no local charges.
 - a. Contact the appropriate law enforcement jurisdiction to verify if they are responding to pick up their prisoner.

- b. An arrest report must still be completed.
 - c. Officers picking up the arrestee shall sign the T.O.T. Book.
 - d. Document the T.O.T. information and time of release in the arrest report.
- I. In any case where a person is either arrested on a warrant, or comes in to post bail on a warrant, communications personnel must execute the warrant in ACS or ATS.

XIII. Supplemental Prisoner Transportation

- A. This section addresses instances where prisoners already in custody are transported to and from this agency. The Bergen County Sheriff's Office may be contacted for assistance with any prisoner transportation that may exceed 40 minutes.
- B. Prior to beginning any transportation, personnel assigned should ensure that the vehicle being used is sufficiently fueled. For transportation over long distances, officers should be prepared to purchase fuel if necessary, receipt is required for reimbursement. Reimbursement shall be sought through the chain of command.
- C. An E-Z Pass transponder should be taken, when required.
- D. Interstate transportation will typically be performed by the Bergen County Sheriff's Office. If this agency is called upon to assist, officers(s) assigned should be briefed on and adhere to the Sheriff's policies and procedures.
- E. Prisoners being taken to or from county jail, state prison, or other facility should be handcuffed in the back unless circumstances require handcuffing in the front. The circumstances may include, but are not limited to:
- 1. Transporting to/from long distances (typically out of county)
 - 2. Disability
 - 3. Potential for positional asphyxia (morbid obesity, etc.)
 - 4. Leg shackles and a handcuffing belt may be utilized when deemed necessary to provide additional restraints for subjects who are combative or deemed a flight risk.
 - 5. Transportation of arrestees/prisoners in a lying or supine position is prohibited. Accordingly, the application of additional restraints must be made in such a manner as to allow for upright transportation of all prisoners.
 - 6. At no time should officers lose sight of a prisoner(s).
- F. Personnel should search the rear seat of vehicles being used for prisoner transportation prior to occupation by the prisoner(s). Vehicles should be searched again following transportation.
- G. Prisoners being taken to/from any facility should be searched prior to being placed in a vehicle. Do not assume that the prisoner is free of weapons, contraband, evidence, or implements of escape.

- H. Each prisoner being transported to or from another detention facility should be positively identified as the person who is to be moved. Names, physical identifiers, photographs (if available), date of birth, etc., should be verified beforehand by the transporting officer(s). The proper documentation should accompany the prisoner being moved to or from another facility. This documentation includes, but is not limited to:
1. Warrants;
 2. Personal property, if feasible;
 3. Commitment papers;
 4. Medical clearance/ records of unusual illnesses (if applicable);
 5. Information relating to the prisoner's escape or suicide potential or other personal traits of a security nature;
 6. Victim Notification forms.
- I. Follow intake/booking procedures when bringing prisoners to this facility.
- J. Prisoners should be transported in a vehicle equipped with a safety partition with the rear doors and windows controls disabled or removed. A minimum of two officers should ordinarily perform the transportation. Prisoners should be secured with the vehicle's safety restraints. This further restraint will provide an additional level of security for the transporting officers. Two officers should be used at any time the following criteria exist:
1. The prisoner involved poses a security/health/escape or suicide risk;
 2. The prisoner is charged with a serious offense and has a substantial bail;
 3. There are multiple prisoners requiring transportation;
 4. The transportation will require the officer to leave the Bergen County Limits.
- K. Multiple prisoners can be transported within the same vehicle, but the number of prisoners shall not exceed the capacity of the safety devices (lap and shoulder harnesses) in rear seat or prisoner compartment area.
- L. Male and female prisoners should not be transported at the same time in the same vehicle.
- M. If any suspicious, threatening, dangerous, or alarming incident should occur during transportation, the officer should immediately notify communications and pull over in a safe location to further observe or correct the situation. Particular attention shall be directed toward prisoners who are or might possibly be under the influence of alcohol or drugs or who have a propensity or history of being violent.
- N. Prisoners are not permitted to communicate with anyone except a police officer during transportation or while waiting to be transported. Persons approaching a

police vehicle containing a prisoner shall be instructed to leave and advised that the failure to oblige may result in their arrest and/or prosecution.

- O. Prisoners should be transported directly to the intended destination as directed unless being taken to a medical facility for treatment.
- P. Prisoner transportation should not be interrupted for any reason except in extreme cases. Should the prisoner be stricken with a medical condition requiring immediate aid or a vehicle crash involving the transporting vehicle, the transporting officer shall stop safely but should not remove the prisoner from the vehicle to render aid unless another officer is present to assist. Also if the officer(s) observes a motor vehicle crash with potential serious bodily injuries or someone whose life is in jeopardy while transporting the prisoner, he may stop to render assistance until relieved. In these situations, the officer should;
 - 1. Immediately notify communications of the event and what type of assistance is needed. Communications personnel should then direct the appropriate type and level of assistance, if local; and
 - 2. If the transporting vehicle is in another jurisdiction, communications personnel should then immediately contact the law enforcement agency with jurisdictional responsibility for assistance.
- Q. If long-range transportation is necessary, the prisoner should be directed to use the restroom facilities prior to transportation. Personnel must remain aware that any request to stop may be a pretext for escape. If a restroom stop is required, personnel should use the facilities at a state, county or local law enforcement agency and not public restrooms at highway rest areas.
- R. Personnel shall not stop to eat or take breaks while transporting prisoners.
- S. Prior to commencing transportation, personnel should advise communications of the number of prisoners being transported, their gender, the starting location, their destination, and starting mileage. Upon arrival at their destination, personnel are to give their ending mileage. If out of radio range, use a telephone to relay this information and call a taped line.
- T. If a prisoner is being transported to another law enforcement agency or confinement facility, personnel should comply with all of that agency's rules and procedures concerning weapons storage.
- U. If the prisoner's destination is other than this agency,
 - 1. Make an entry in the *Prisoner Cell Log* noting the time the prisoner was transported from headquarters to another facility. The name of the facility will be noted.
 - 2. The transporting officer will also provide the county jail with a commitment paper that is signed by the judge or the appropriate court personnel, who authorized incarceration.

3. When a prisoner is sent to Bergen County Jail on a no bail or pending arraignment commitment a photocopy of the CDR is to accompany the prisoner.
4. On a contempt of court, if no copy is available then the jail is to be advised that the Fort Lee Court will fax them a copy the following day.
5. All committed prisoners must be logged on the *Daily Jail Committal Form*. The form should be faxed to the court each weekday by 0800 hours.
6. Bergen County inmate personal property forms are to be filled out completely and will include any currency in the possession of the prisoner, the amount is to be clearly marked on this form, the form should then be copied and both copies are to be brought out to the jail.
 - a. One copy will be given to the jail intake officer and the other will be time stamped by the jail intake officer, signed by all appropriate parties and returned to the case jacket in headquarters.
 - b. Any currency in a prisoner's property should be placed in a white envelope after being counted. The amount should be written on the envelope along with the case number and prisoner's name. The prisoner and arresting officer should sign the envelope. The envelope should then be sealed and initialed by the officer across the seal, taped and placed in the property envelope (preprinted envelopes are available).
 - c. Officers transporting the prisoner to the jail will open the currency envelope and count the currency in front of the prisoner. The prisoner will again sign the envelope that he/she is receiving his currency and the officer will sign also. The envelope is to be secured in the case jacket after either giving the prisoner the currency or placing it in the property bag transported to the jail.
 - d. Any property other than what fits in the property envelope, or a container the size of a shoebox should be secured for either release to the prisoner when posting bail, or to be turned over to the Evidence Bureau for storage if the prisoner is transported to another facility.
 - e. For further on the handling of prisoner property see *Policy V5C7 Temporary Detention/Holding Facility*.
7. Restraints should not be removed until just prior to placing the prisoner in a cell or other secure holding facility
8. All necessary forms, documentation, and prisoner property, shall be turned over to the receiving agency
9. The receiving official should sign for the prisoner. If the signature is refused or unavailable, the name of the receiving official shall be documented in the transportation report/record

10. The receiving agency or court shall be advised of any potential medical or security hazards concerning the prisoner(s)
- V. If a prisoner escapes during transportation, see section VII.M.
- W. If prisoners with special needs are being transported to a Bergen County facility, first notify the Bergen County Sheriff's Office to see if that agency can provide transportation.
- X. Do not presume that restraining devices are unnecessary for disabled prisoners, but exercise discretion in restraining a disabled or injured prisoner for transportation. Depending on the degree of disability or the body parts or functions that are disabled, simple handcuffing in the front through a belt may suffice. Prisoners who cannot ambulate without crutches or cane(s) may be permitted to do so without restraint depending on their security risk. A wheelchair may be preferred to transport non-ambulatory prisoners where high security is warranted. The prisoner should be secured to the wheelchair.
- Y. Prisoners being picked up at other locations and exhibiting signs of untreated injuries should normally be refused. If the prisoner is being picked up on a Fort Lee warrant:
 1. Take the prisoner to the nearest medical facility for emergency treatment in accordance with subsection VII.K of this policy;
 2. If the prisoner exhibits signs of mental illness, follow the protocols found in *Policy V3C21 Emotionally Disturbed Persons*, specifically the subsections on mental health screening and commitment.
 3. Prisoners exhibiting signs of intoxication may be accepted, but should be transported to a medical facility for medical clearance.
 4. Promptly notify the tour commander and document the matter.
- Z. Operational or administrative problems encountered while transporting prisoners should be documented. These problems include, but are not limited to:
 1. Prisoners who become sick or injured during transportation;
 2. Agency vehicle crashes with prisoners on board during transportation;
 3. Prisoner escapes (or attempts to escape);
 4. Inoperative or damaged restraints or equipment;
 5. Intake problems at other facilities, etc.

FORT LEE POLICE DEPARTMENT POLICY & PROCEDURES			
VOLUME: 2	CHAPTER: 19		# OF PAGES: 4
SUBJECT: BODY ARMOR			
BY THE ORDER OF: Keith M. Bendul Chief of Police			REVISIONS:
REFERENCE:		ACCREDITATION STANDARDS: 1.6.2	
EFFECTIVE DATE: 06/13/2016	SUPERSEDES: All Previous V4Ch5 Body Armor		

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

POLICY: It is the policy of this law enforcement agency to maximize officer safety through the issuance and use of body armor in conjunction with the practice of prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for sound, basic safety procedures.

PROCEDURES

I. Issuance of Body Armor.

- A. All body armor issued by the department will comply with the current minimum threat level II protective standards prescribed by the National Institute of Justice.
- B. All officers shall be issued department body armor.
- C. Emergency Services Unit (ESU) personnel shall be issued tactical body armor. It shall be used consistent with ESU procedures.
- D. Body armor that is worn or damaged shall be replaced by the agency. Body armor that must be replaced due to misuse or abuse by the officer shall be paid for by the officer.

II. Availability and Use.

A.

B.

C.

D.

E.

F.

G.



III. Inspections of Body Armor.

- A. Supervisors shall be responsible for ensuring that body armor is worn and maintained as required by this policy by a periodic documented inspection of their employee's body armor.

IV. Care and Maintenance of Body Armor.

- A. Each officer is responsible for the proper storage of body armor in accordance with manufacturer's instructions and daily inspection for signs of damage and general cleanliness.
- B. As dirt and perspiration may erode ballistic panels, each officer shall be responsible for cleaning their body armor in accordance with the manufacturer's instructions.
- C. Officers are responsible for reporting any damage or wear to the ballistic panels or cover to their immediate supervisor and request that it be forwarded to the Administrative Division Commander.

V. Administrative Division.

- A. The Administrative Division shall be responsible for maintaining the following information:
 - 1. Technological advances in the body armor industry that may necessitate a change in body armor.
 - 2. A description of the service weapons and ammunition currently in use, and whether or not issued body armor can withstand their impact.
 - 3. Training programs that inform the officers about body armor, and emphasize its safe and proper use.

VI. Retiring of Body Armor.

- A. Body armor that has reached its useful life span may be retired.
- B. This agency should dispose of body armor in a responsible manner so as to deny access to it by any criminal element.
 - 1. Officers maybe be authorized to retain possession of issued body armor upon being issued a replacement.
 - 2. Retired officers may be authorized to retain possession of their issued body armor with permission from the Chief of Police.

- C. The disposal of any body armor must be in accordance with this policy and must be approved by the Chief of Police prior to it being turned over to an approved new entity or before it is marked for destruction.
 - 1. The Chief of Police's approval will be in writing and will be retained in agency records in accordance with the records retention schedule set forth by the State of New Jersey.
- D. Approved entities that may receive body armor are:
 - 1. Any law enforcement agency in the United States or one of their auxiliaries.
 - 2. Any United States Military, reservists, National Guard, or one of their auxiliaries.
 - 3. Any foreign law enforcement agency after obtaining approval from the United States State Department.
- E. Before an approved entity is allowed to take custody and control of any body armor being retired they will sign a letter or form, designed by the agency's legal counsel, that acknowledges the following, at a minimum:
 - 1. They acknowledge the body armor has reached its useful life span.
 - 2. Any further transfer of the body armor must be in accordance with state and federal law that applies to the approved entity.

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VOL. III, CH. 8**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 4/30/2001	REVISION DATE: 8/22/07	PAGE #:	SECTION:	APPROVED	VOLUME III
VOLUME TITLE: COMMUNITY ASSISTANCE	# PAGES: 17					CHAPTER 8
ACCREDITATION STANDARD(S):	REFERENCE: V3C8					
SUBJECT: BOMB THREATS						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL: Directive 2007-1		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

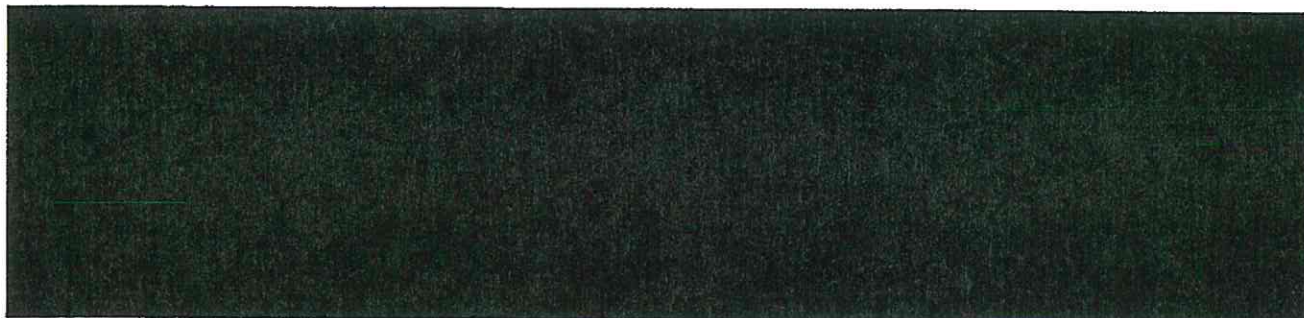
PURPOSE:

To establish a procedure, for the safe handling of Bomb Threats, suspected explosives or explosive devices and Weapons of Mass Destruction (WMD).

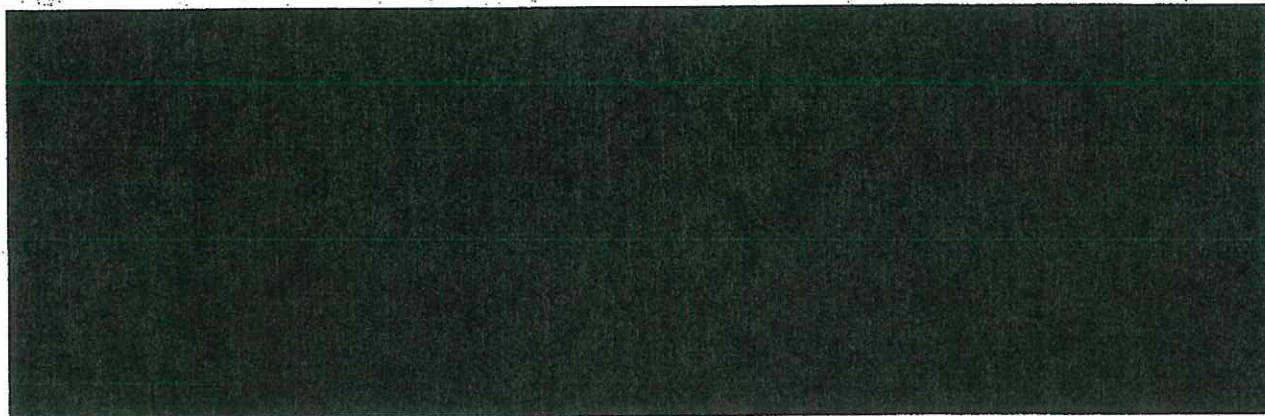
This procedure will assist in providing maximum protection to persons and or property and safeguarding evidence at reported incidents of suspected explosive devices or post-blast bomb scenes.

It is also written with the full knowledge that the danger can be reduced but never eliminated from any Bomb or Explosive materials response.

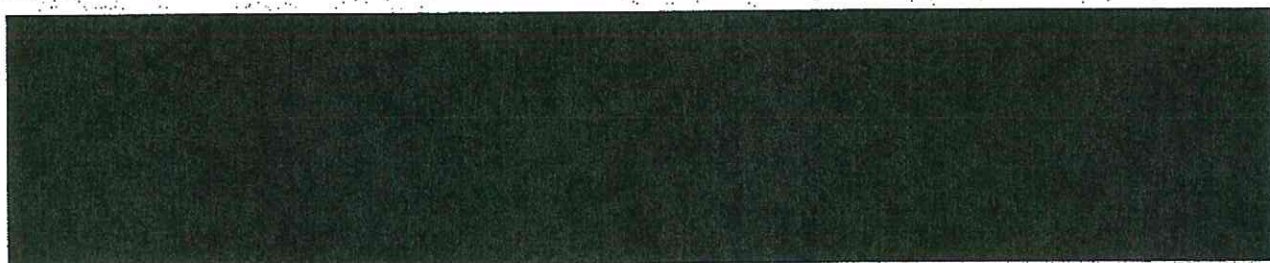
POLICY



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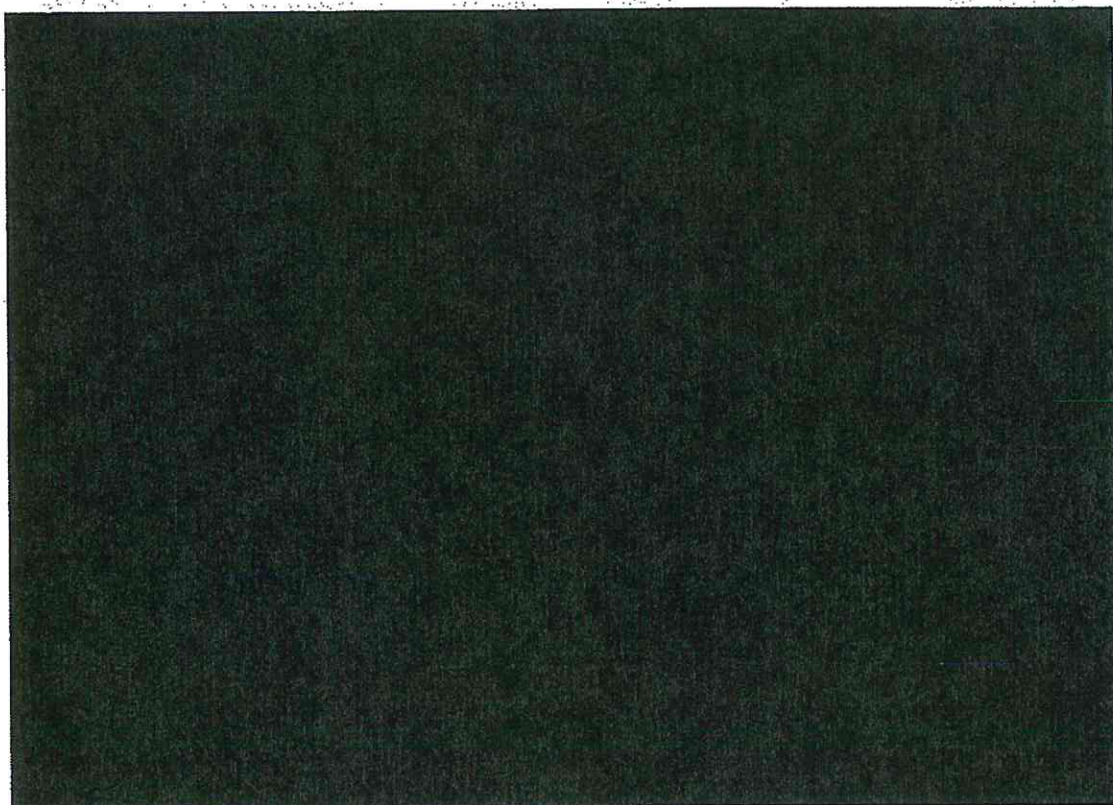


CALLER



I. PROCEDURE

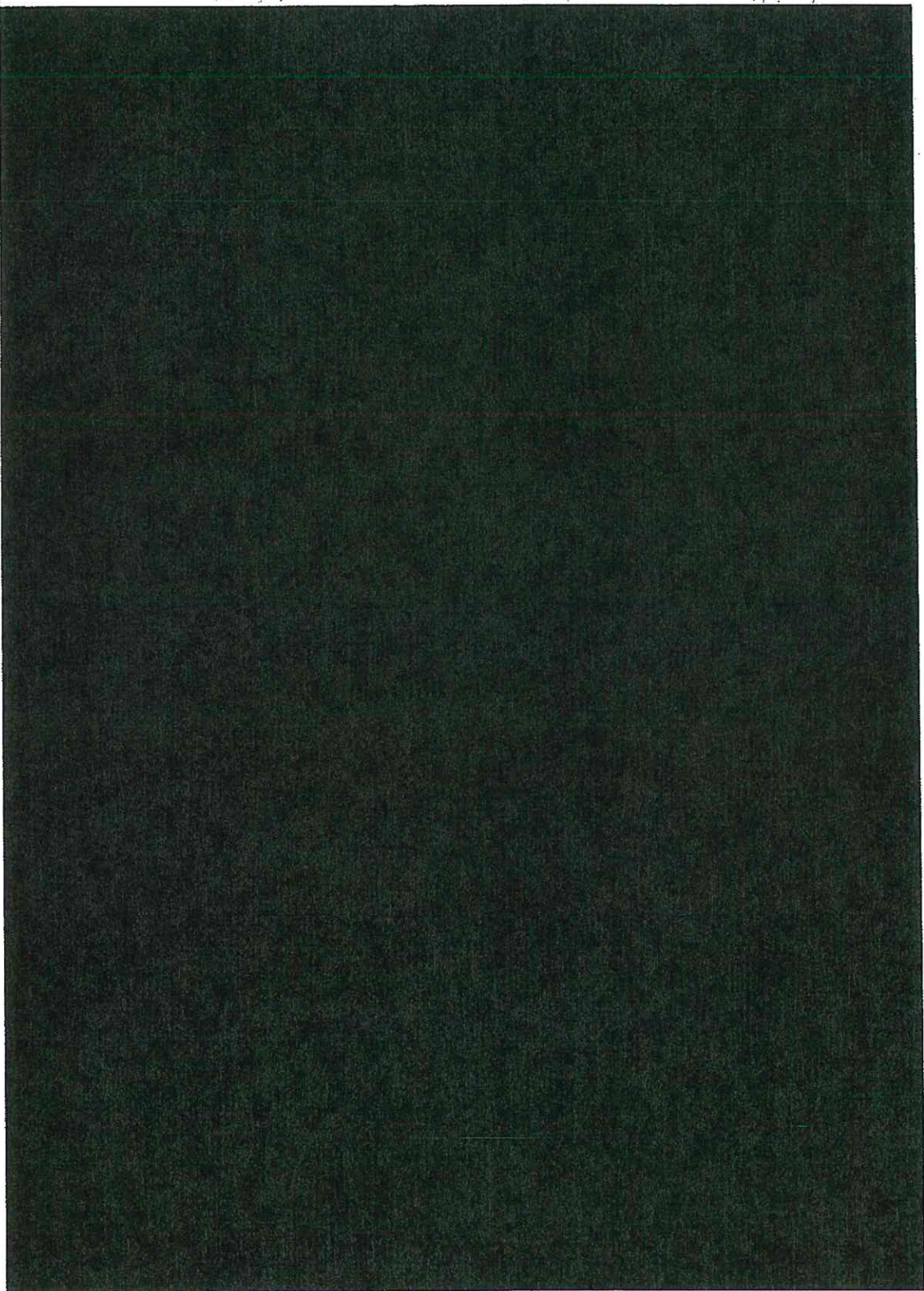
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B.

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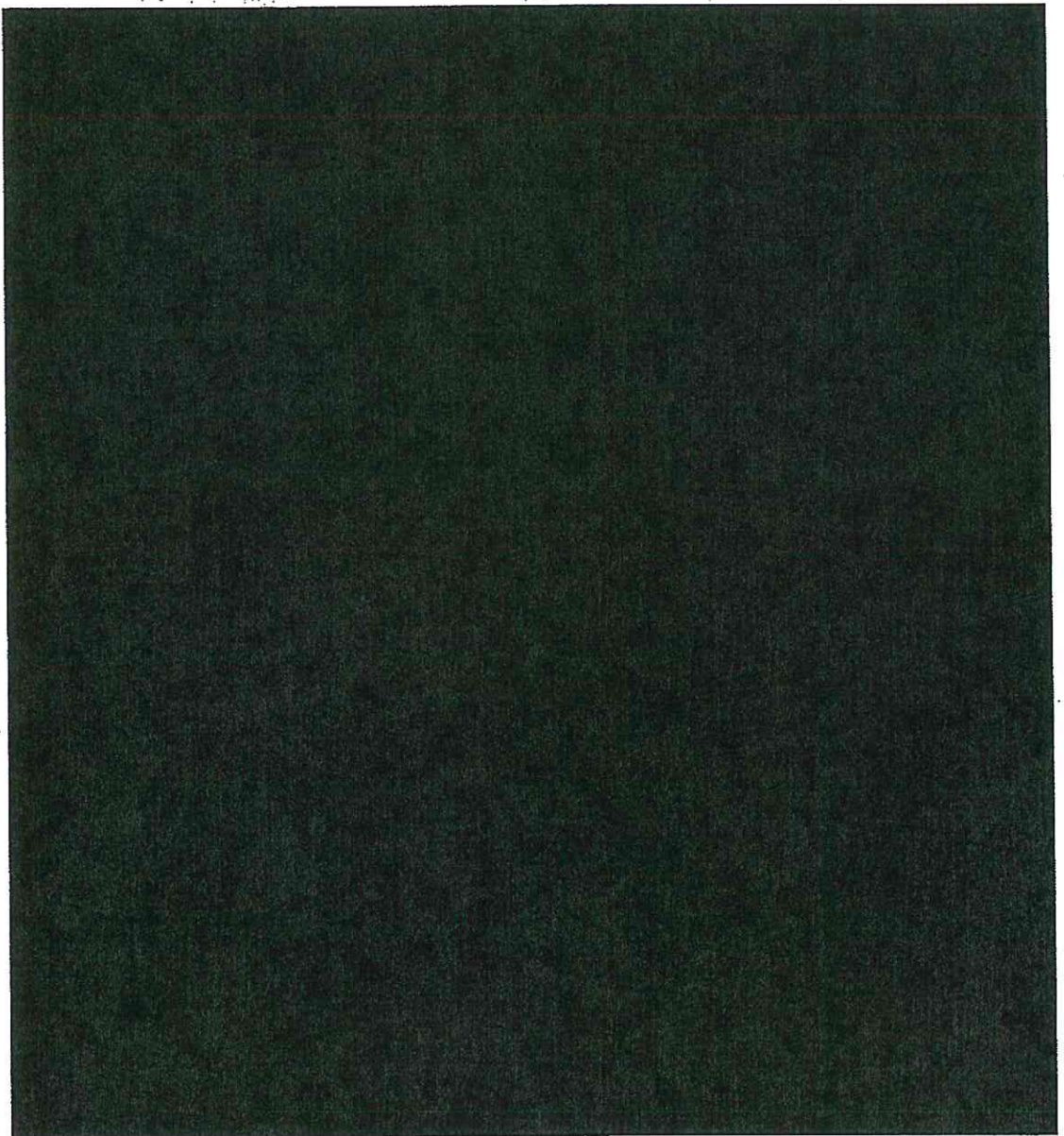
II. ACTION OF SUPERVISORS

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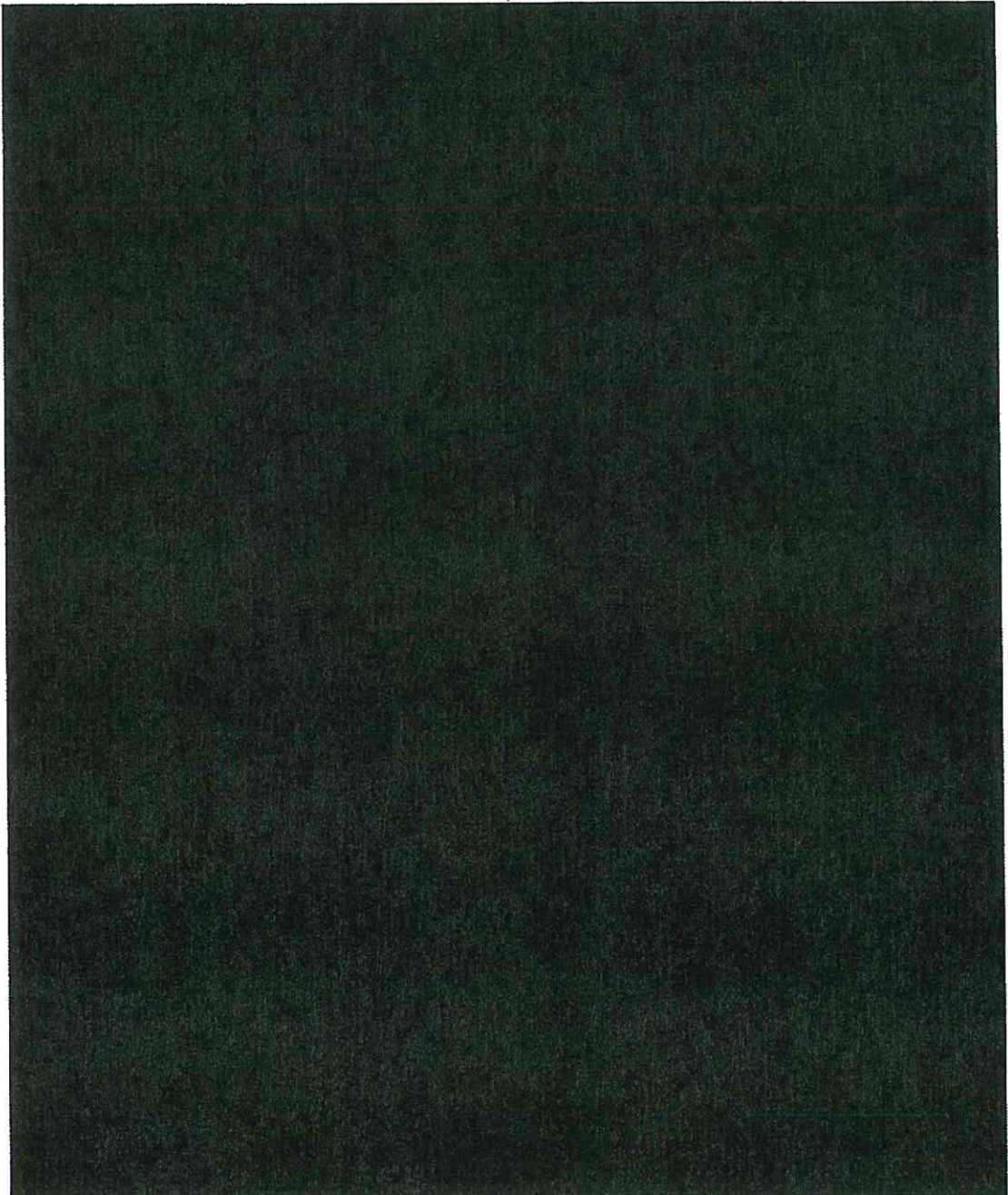


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III. EVACUATION PROCEDURES

A.



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IV. SEARCHING

A.

B.

C.

D.

E.

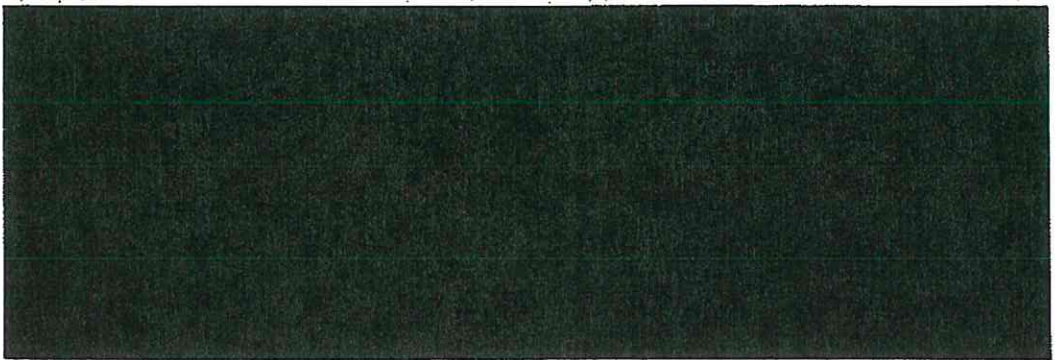
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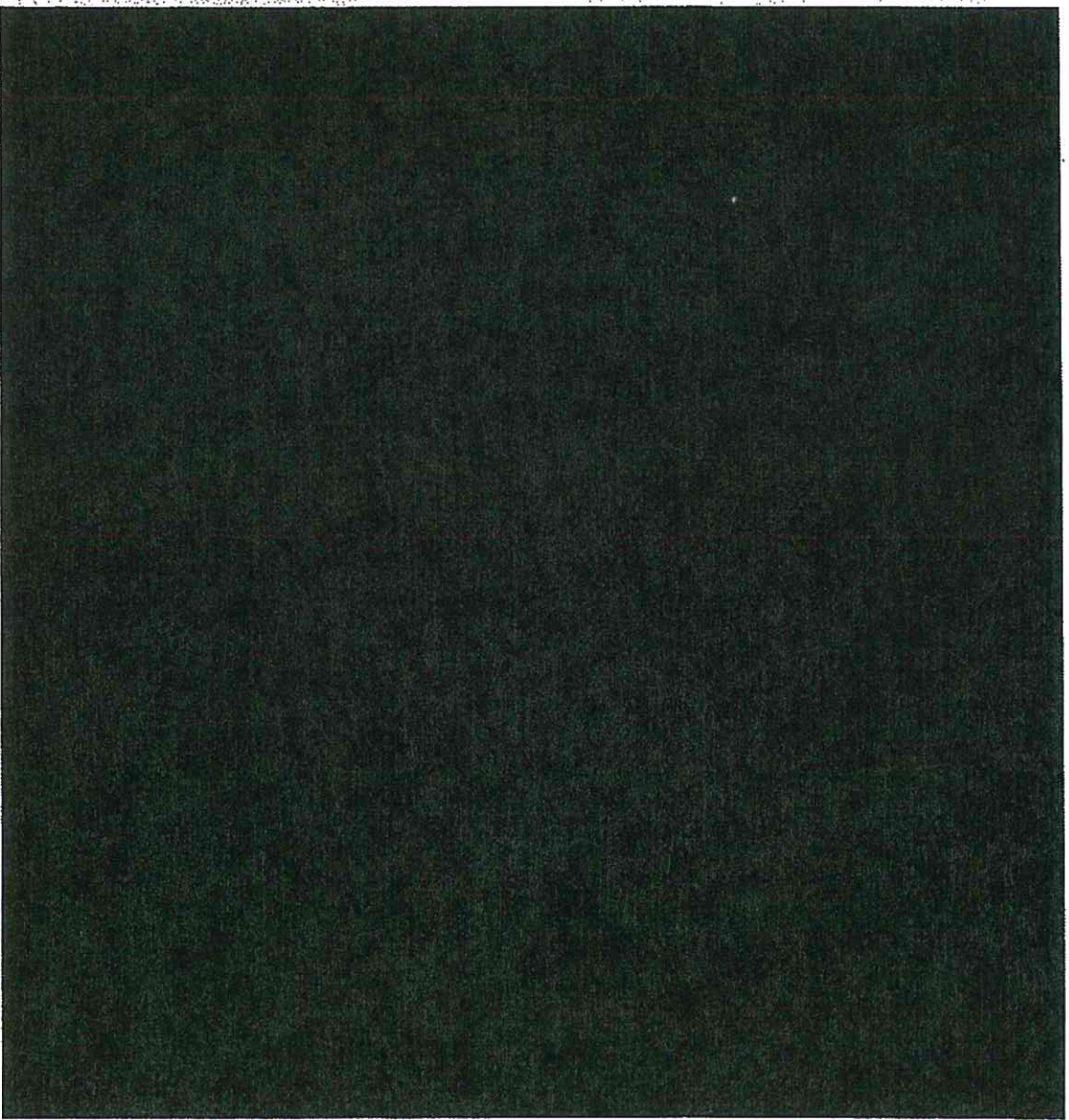
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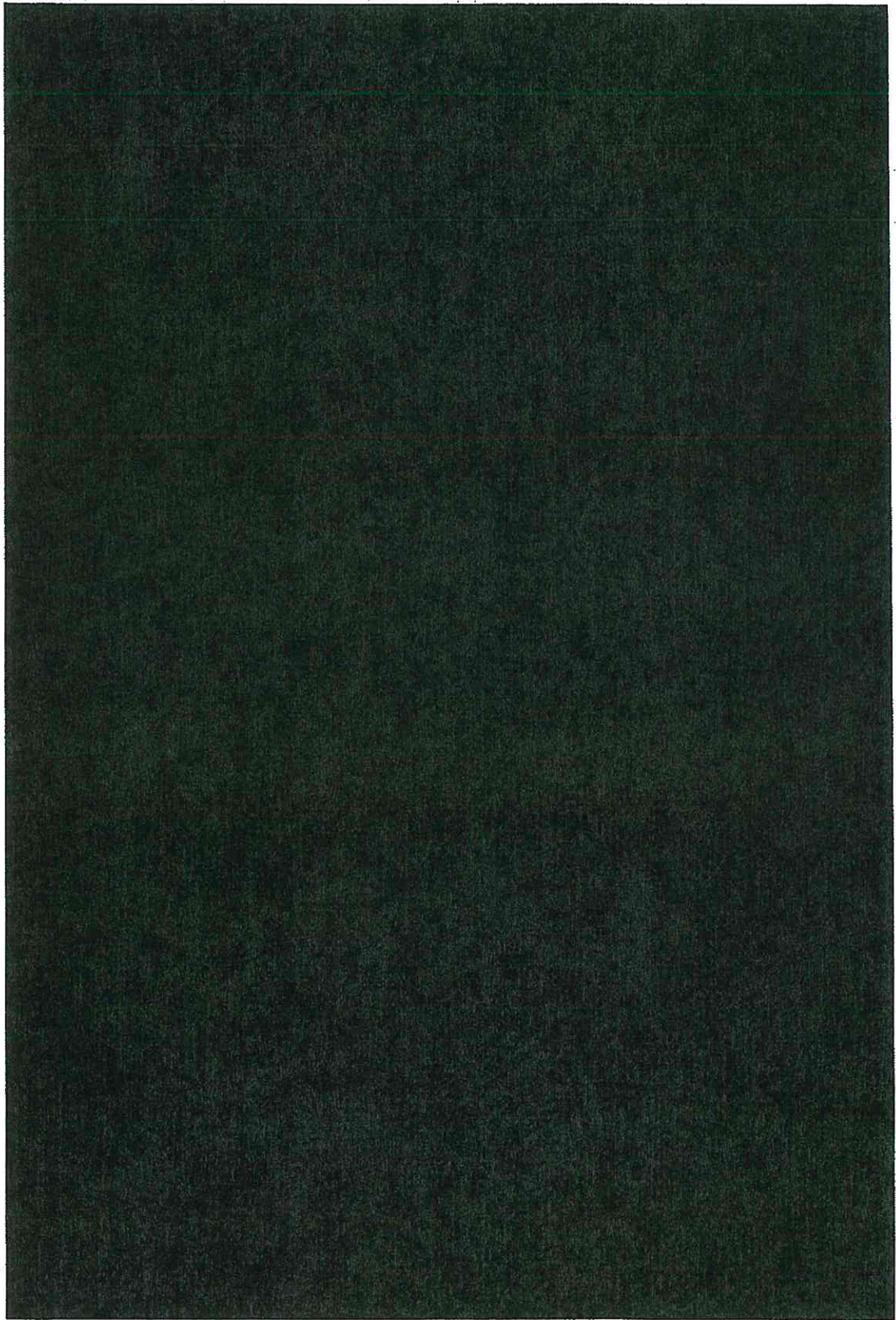


V. SUSPICIOUS OBJECT LOCATED

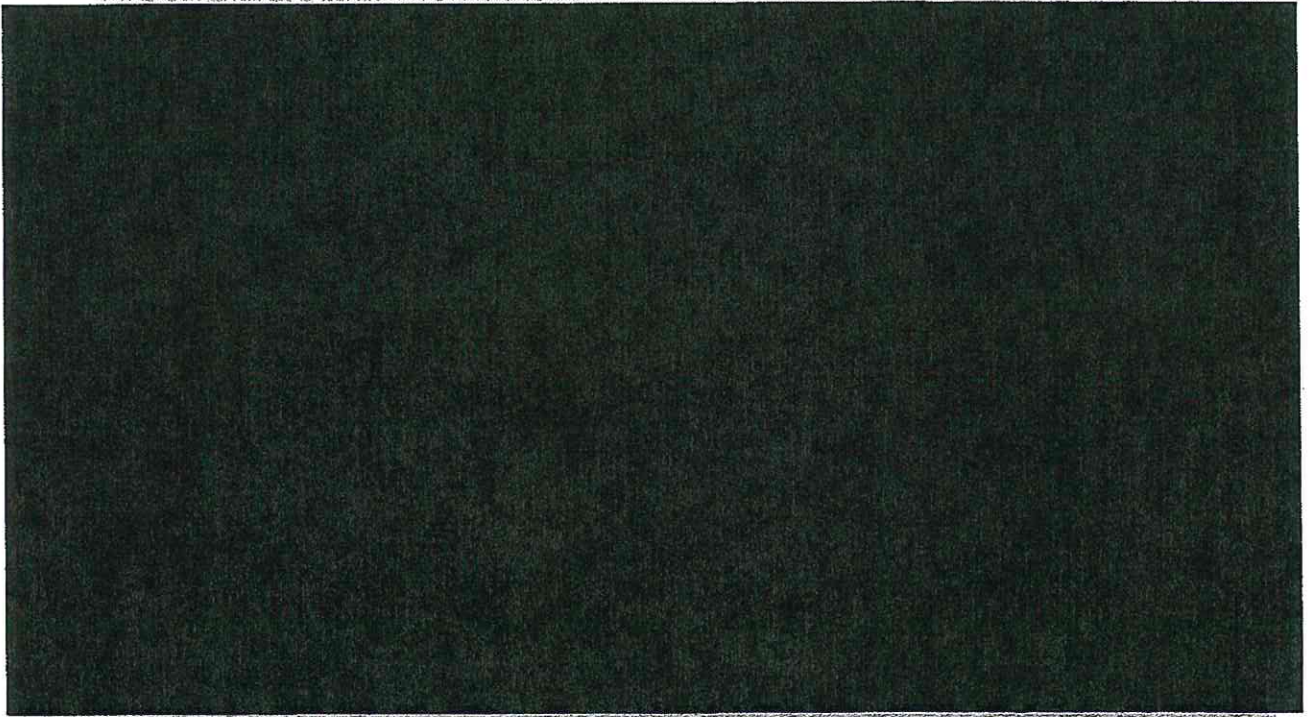
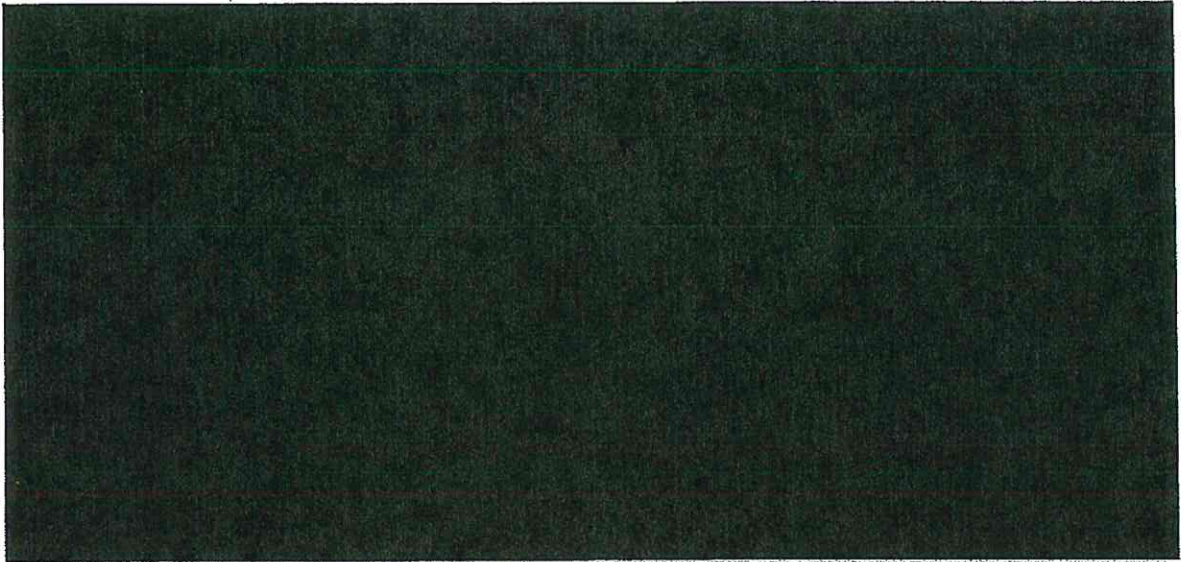
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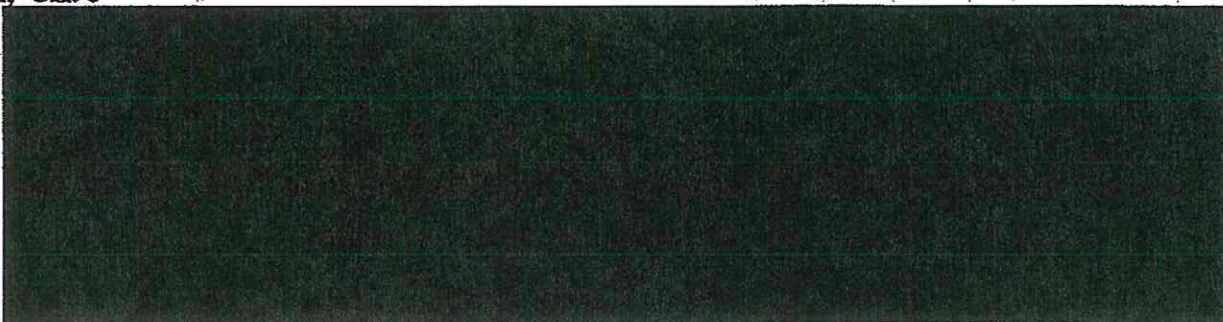
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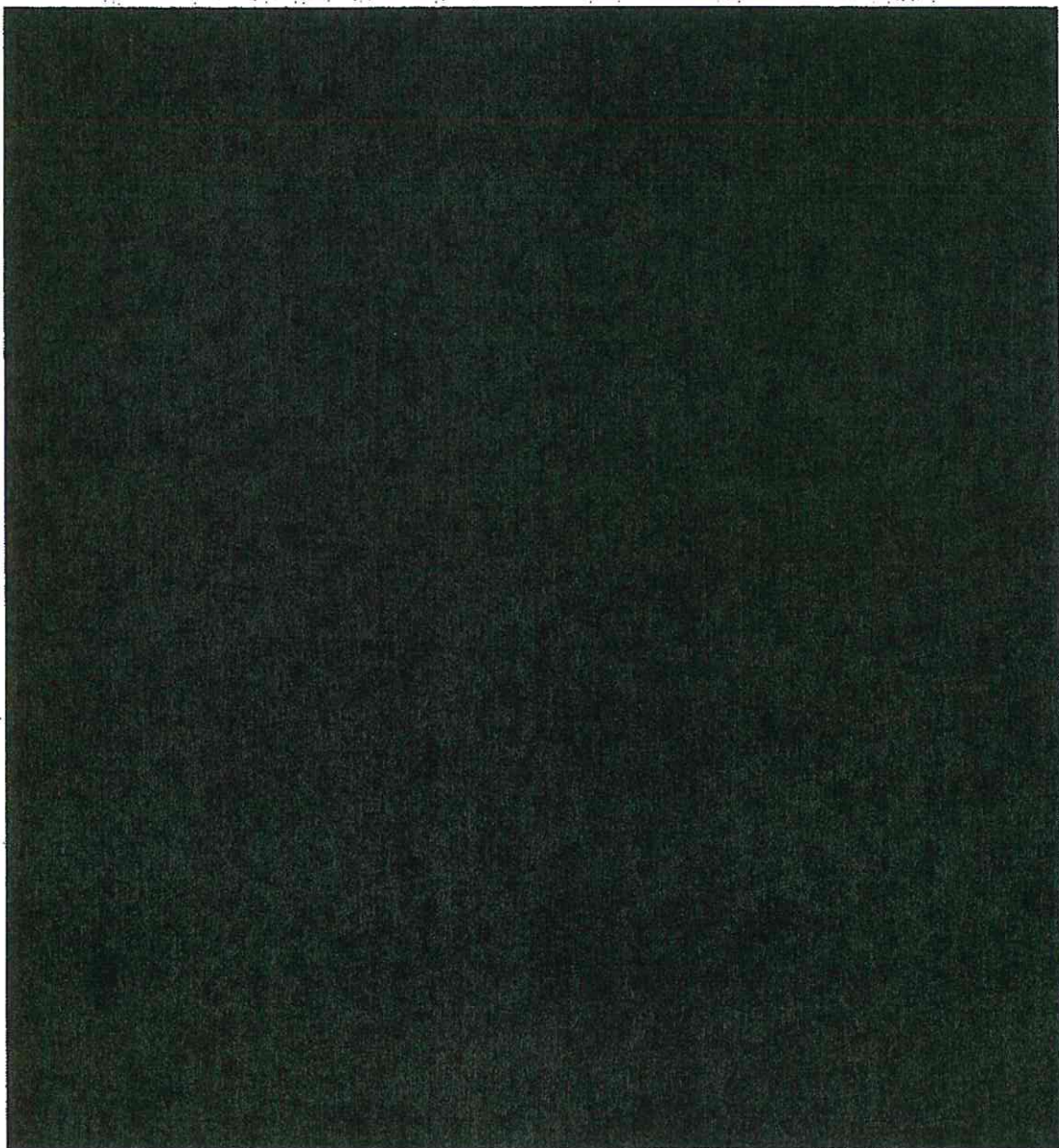


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VI. BUILDINGS

A.



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B.

C.

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VII POST BLAST INVESTIGATIONS:

A.

B.

C.

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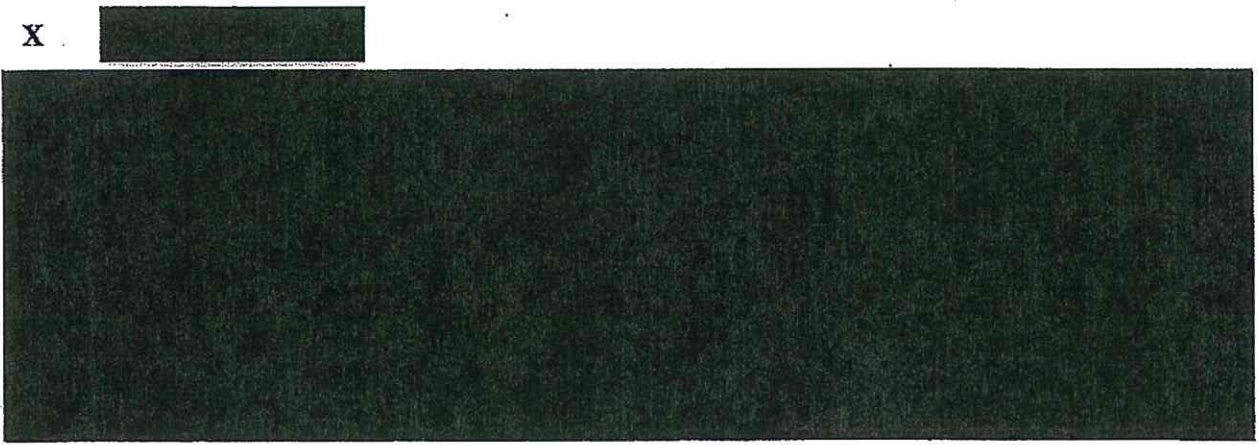
VIII RESPONSE OF OTHER AGENCIES:

- A. **U.S. Postal Inspection Service**, has the primary jurisdiction to investigate any explosive incident directed at the U.S. Postal Service Property or functions, including: Mailboxes, mail trucks, delivered packages and undelivered packages.
- B. **Bureau of Alcohol, Tobacco and Firearms**, has the primary jurisdiction to investigate incidents against property used in or effecting commerce, incidents directed at any Treasury Building or function and the interstate transportation of explosives with unlawful intent, unless sent through U.S. Mail.
- C. **Federal Bureau of Investigation**, has the primary jurisdiction over all acts perpetrated by Terrorists / Revolutionary Groups or Individuals.

IX REPORTING REQUIREMENTS:

- A. The responding officer will complete the standard Incident Report and the Department Bomb Threat Report.
- B. The Hazardous Devices Officer will complete a FBI Bomb Data Center Report for any explosive incident with the exception of a Bomb Threat. This report will be forwarded to the FBI Bomb Data Center.
- C. The Hazardous Devices Officer will report found or recovered Military Ordinance to a Military E.O.D. Unit.

X



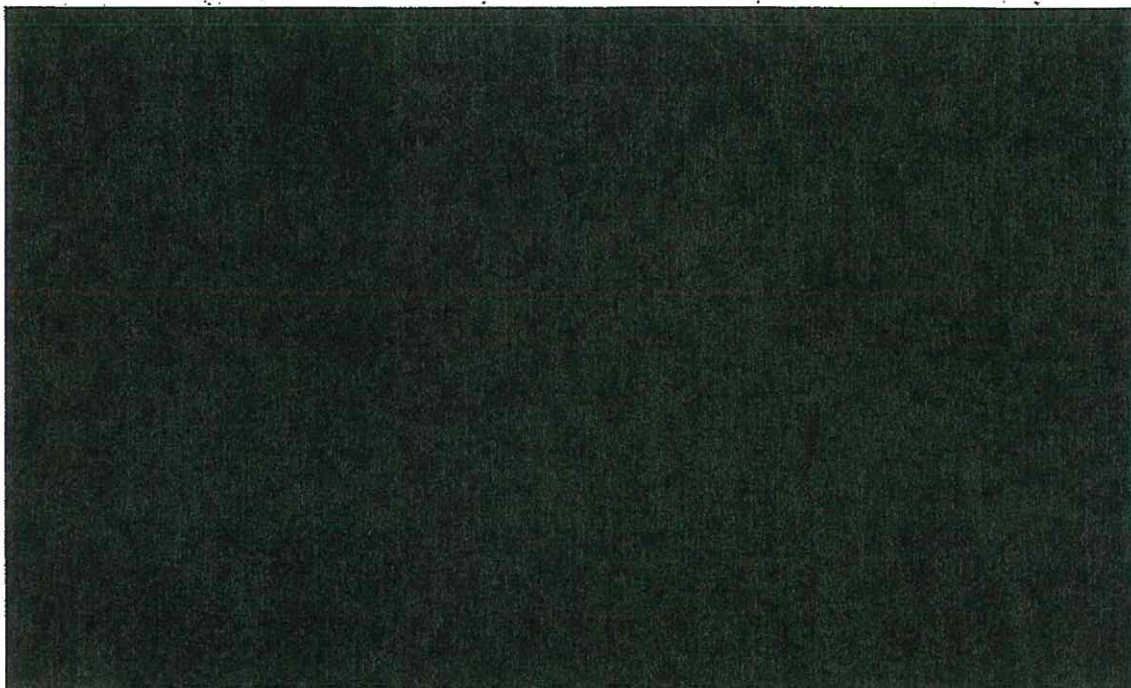
XI. NEWS MEDIA:

- 1. All media interactions and disclosures shall be consistent with the Department's Media Relations policy.

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2. Access to the scene will be restricted to emergency personnel. The news media, upon scene stabilization, may be allowed access to the scene for photo opportunities. However, said access shall be restricted and controlled by law enforcement. The decision as to authorize access as well as the degree of access will be made by the highest ranking on-scene member of the lead investigatory agency.

3.



NOTE:



XII. WEAPONS of MASS DESTRUCTION (WMD)



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B.

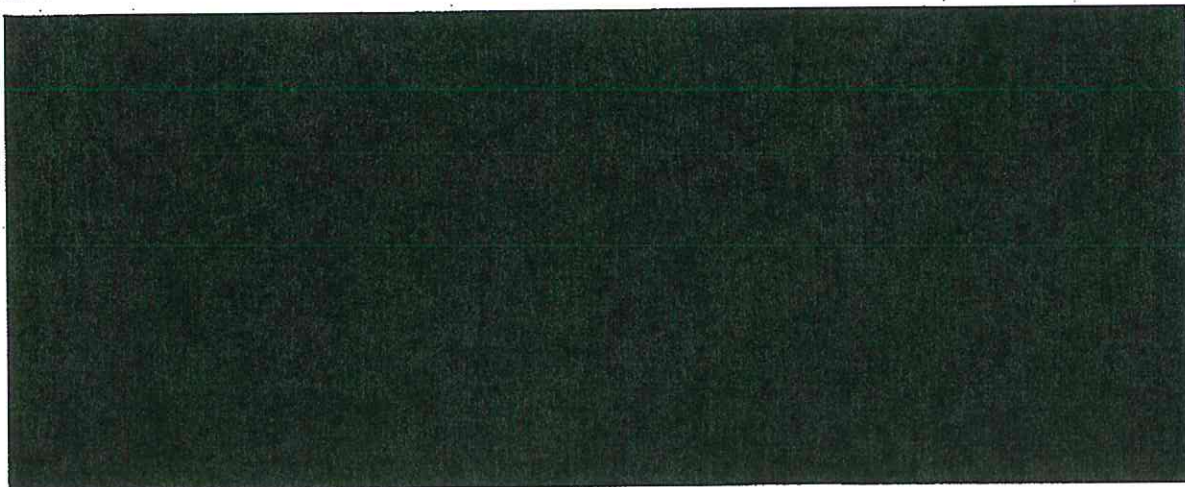
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C.

D.

E.

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FORT LEE POLICE DEPARTMENT POLICY & PROCEDURES			
VOLUME: 3	CHAPTER: 1		# OF PAGES: 11
SUBJECT: CALL RESPONSE GUIDELINES			
BY THE ORDER OF: _____ Keith M. Bendul Chief of Police		REVISIONS: 	
REFERENCE: N.J.S.A. 39:4-91		ACCREDITATION STANDARDS: 3.5.1	
EFFECTIVE DATE: 06/13/2016	SUPERSEDES: All Previous V4Ch21 Responding to Routine and Emergency Calls		

PURPOSE The purpose of this policy and procedure is to provide personnel with clear guidelines for responding to calls for service.

POLICY It is the policy of the Fort Lee Police Department to evaluate the urgency requiring a response to any given situation and to respond accordingly in an effective, efficient, and expeditious manner. As a general rule, no matter how urgent the response, personnel are required to operate department vehicles in a safe and controlled manner at all times, while taking into consideration the characteristics of the roadway, weather conditions, and the potential actions of other citizens. The first priority of call response is to arrive safely at the scene with minimal disruption to the public.

PROCEDURES

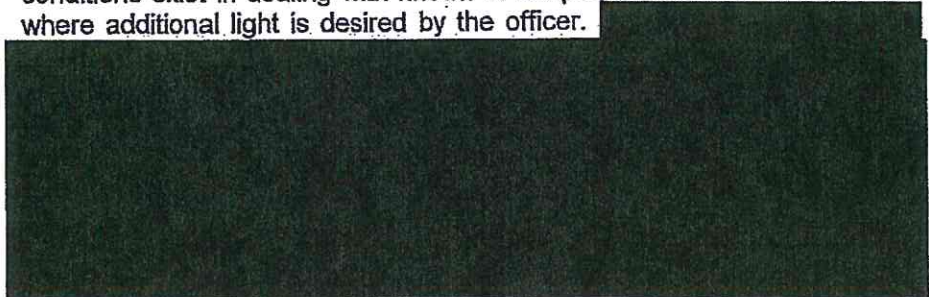
I. Definitions

- A. **Authorized Emergency Vehicle** - as defined in Title 39, section 1-1 of the New Jersey Statutes Annotated and includes any Fort Lee Police Department vehicle equipped with emergency lights, siren, or other emergency warning devices required by law and used for emergency response situations. This term includes marked and unmarked vehicles regardless of type, make, or model.
- B. **Emergency** - an emergency is deemed to exist when a request for assistance is characterized by a need for immediate response to alleviate an impending threat to the safety of persons.
- C. **Standard Response** - a situation in which there is no urgent, immediate, or emergency response required by the police department in order to satisfactorily service the call. Officers are to respond to the call and generally proceed without undue delay.
- D. **Emergency Warning Devices** includes devices placed in/on each agency emergency vehicle that emit audible or visual signals in order to warn others that urgent law enforcement services are in the process of being delivered.
- E. **Serious Crime** - a crime that involves actual or threatened attack that the officer or dispatcher has reasonable cause to believe could or has resulted in death or serious bodily injury (e.g. aggravated assault, armed robbery, murder, etc.)
- F. **Supervisor** - is any person with the rank of Sergeant or higher to the Chief Police and/or any officer assigned to serve in the capacity of a Tour Commander/Road Supervisor, or Division Commander.

II. General

- A. All vehicle operations must be in accordance with existing statutes, local ordinances, and departmental policies and procedures including, but not limited to:
 - 1. 39:1-1 - Authorized emergency vehicle defined;
 - 2. 39:3-69 -- Horns and audible warning devices;
 - 3. 39:3-76.2 et seq. -- Seatbelts required;
 - 4. 39:4-91 -- Right of way of emergency vehicles; liability of drivers;
 - 5. 39:4-97.3 -- Use of Wireless Devices.
- B. Personnel engaged in emergency vehicle operations shall utilize emergency warning devices while engaged in a pursuit, overtaking another vehicle, or when responding to emergency or urgent calls for assistance.
 - 1. Emergency lights should be used in all situations in which the officer is to expedite his movement in order to reach his destination more quickly. The

lights are also used to signal violators to drive to the extreme right of the roadway and stop. The emergency lights will be left on during the duration of a motor vehicle stop in order to warn approaching traffic of the potential hazard. Emergency lights shall also be utilized in the following circumstances:

- a. When stopping traffic violators;
 - b. When assisting motorists parked or stopped in hazardous locations.
2. The siren is frequently used simultaneously with the emergency lights. The siren may have a startling effect on other users of the roadway, resulting in erratic and unpredictable driving behavior. Officers should be judicious in the use of the siren as it may complicate traffic problems.
 3. Hazardous warning lights (four-way flashers) should not be used when parking the police unit on the side of the roadway to assist a motorist along with other emergency lighting as it may interfere with other motorists recognition of brake lights and turn signals as the cars re-enter lanes of traffic.
 4. The spotlight should be used as a protection to the officer when hazardous conditions exist in dealing with known or suspected felons or in situations where additional light is desired by the officer. 
 5. The public address system is particularly valuable when stopping a traffic violator. The desired actions of the violator can be directed from a safe distance minimizing the hazard to the officer. The public address system is also valuable in directing persons when unusual conditions exist, such as the traffic artery temporarily obstructed, alerting pedestrians to hazardous conditions or elements, and communicating with other persons concerned with relieving the emergency conditions.
- C. Police vehicle operation shall not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provision protect the driver from the consequences of their reckless disregard for the safety of others. N.J.S.A. 39:4-91.
 - D. Personnel operating departmental vehicles shall exercise due regard for the safety of all persons. No assignment shall be of such importance and no task shall be expedited with such emphasis, that the principles of safety become secondary. There are no tasks in the department of such importance that they justify the reckless disregard of the safety of innocent persons.
 - E. Calls for service will be evaluated as to the seriousness of the situation. The response to a call for service will be governed by the urgency, as determined either

by the Communications Center or the individual officer, with the final determination being the duty Tour Commander/Road Supervisor. Individual officers have the primary discretion when deciding the appropriate response to a particular call for service, whether it originated from the Communications Center, a direct report in the field from contact with a citizen, or personal observation.

- F. Response to any type of call requires personnel to utilize the shortest, quickest and safest route of travel.
- G. These procedures should provide guidelines for the evaluation of the urgency of a response to a given situation. While these procedures are designed to guide personnel in the manner in which they will respond to a call, they also serve as a guide for communications personnel when assigning calls and assessing response priorities in conjunction with their Standard Operating Guidelines.
- H. Personnel will be held strictly accountable for the consequences of their negligent disregard for the safety of others.
- I. Upon arrival at the scene of any call for service, whether assigned or self-initiated, personnel should:
 - 1. In non-emergency situations, attempt to lawfully park the vehicle when unattended. Do not block fire hydrants.
 - 2. In emergency situations, park in such a manner as to cause the least amount of obstruction to other traffic.
 - 3. Police vehicles shall not block access to a fire hydrant at a fire scene, or in any way obstruct the passage of fire and/or rescue apparatus.
 - 4. Police vehicles should be parked at medical calls so as to allow ambulances/paramedics a safe parking area without compromising any roadway evidence.
 - 5. Marked police vehicles may be strategically parked in the roadway to protect crash scenes, crime scenes, injured persons, or officers directing traffic or otherwise engaged in crash or crime scene processing when such use is signaled by activation of the vehicle's emergency lights.

III. Communications Center Responsibilities

- A. The Communications Center has the responsibility of receiving and recording all incoming information on calls for police service and assistance as established by the police department's Policies and Procedures and in conjunction with their Standard Operating Guidelines.
- B. Codes are the method by which units are dispatched. These codes convey the urgency, or lack of urgency to a specific incident, as well as a possible degree of danger that may face the responding officers upon their arrival at a scene.
 - 1. In most instances the dispatcher can only rely upon information gathered as to which code a unit will be dispatched upon.

2. It is imperative that the dispatchers obtain as much, as well as accurate information that they can for all incidents. [REDACTED]

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED]
- e. [REDACTED]
- f. [REDACTED]
- g. [REDACTED]
- h. [REDACTED]

C. [REDACTED]

D. [REDACTED]

E. [REDACTED]

- F. The dispatcher shall perform relevant record and motor vehicle checks, when appropriate;
- G. The dispatcher shall control all radio communications during the incident;
- H. The dispatcher shall coordinate assistance under the direction of the Tour Commander or police department command personnel; and
- I. The Communications Center will continue to monitor the incident until it has been stabilized and completed with officers clearing from the scene of a call.

IV. Emergency Response

- A. Only sworn officers of the Fort Lee Police Department who have completed academy training may operate departmental vehicles under emergency response conditions.
- B. Officers will initiate an emergency response only when operating conspicuously marked police vehicles equipped with emergency lights, sirens, and other required equipment and under circumstances requiring an emergency response

1. Emergency responses may be conducted in unmarked police vehicles if the unmarked vehicle is equipped with emergency lighting and a siren.
- C. Officers will not respond to calls under emergency conditions unless they were dispatched to the call, notify the dispatcher of their intent to act as a back-up, or have prior approval from a supervisor.
- D. Emergency responses will not be conducted when police vehicles are occupied by persons other than Fort Lee Police Department employees (suspects, prisoners, witnesses, victims, etc.), except that officers accompanied by authorized civilian riders may engage in an emergency response subject to supervisory approval.
- E. Police vehicles shall be operated on an emergency basis only when the personnel operating the vehicle have reasonable cause to believe an emergency response is necessary.
- F. Officers initiating non-dispatched emergency responses should immediately notify the Communications Center of their intended destination, nature of the call and that they will be responding under emergency conditions.
- G. Emergency calls are critical in nature and usually involve situations where there is:
 1. Imminent danger of death or serious injury;
 2. Any ongoing crime/offense that involves violence (including in-progress domestic violence calls) that may result in injury;
 3. Any serious crime that has just occurred and there is reason to believe that the suspect is still in the area;
 4. Any incident that involves exigent or unique circumstances that demands an emergency police response;
 5. An officer down or in trouble call or any request from an officer for an emergency response;
 6. Dangerous or fleeing felon(s);
 7. Any incident representing a threat to life and/or property or a crime that has occurred and the suspect has fled the area.
- H. Examples include, but are not limited to:
 1. Homicides, shootings or stabbings;
 2. Attempted suicide in progress;
 3. Vehicle crashes involving serious personal injury, entrapment, fire, etc.;
 4. Life threatening need for medical assistance;
 5. Bank or armed robberies in progress, including robbery alarms;
 6. Burglaries in progress, including burglar alarms;

7. Subject(s) with a gun or other deadly weapon;
 8. Bombing, explosion, fire, building collapse;
 9. Assaults (including sexual assaults) or domestic violence assaults in progress;
 10. Kidnapping or abduction;
 11. Hostage/barricaded subject investigations.
- I. Immediately upon initiating an emergency response, officers shall activate the overhead rotating/flashing lights and the siren (when necessary to alert other motorists/pedestrians of the officer's approach). Even when both the emergency lights and siren are in simultaneous operation, officers are still obligated to drive with due regard for the safety of all persons.
1. Headlights of the emergency vehicle should be activated to augment the emergency vehicle's visibility.
 2. Four-way flashers shall not be used when the emergency vehicle is in motion because they may interfere with other motorists' recognition of brake lights and turn signals.
 3. Emergency warning devices may be deactivated a reasonable distance from the scene (to be determined by the vehicle operator) so as to not alert suspects to law enforcement's proximity.
 4. When emergency warning devices are deactivated, the operator of the emergency vehicle shall comply with posted speed limits, obey all traffic control devices and signals, and proceed in a manner consistent with normal traffic flow.
 5. When approaching any intersection under emergency response conditions, the officer shall slow the vehicle to a point where he is able to yield the right-of-way to all moving vehicles and pedestrians to avoid a collision. If necessary, officers shall come to a complete stop at such intersections in order to ensure the safety of others. Officers will enter the intersection and resume speed only when it is safe to do so.
- J. Vehicles engaged in an emergency response should not caravan or be in close proximity to one another. When operating a police vehicle under emergency conditions officers should consider the possibility that other emergency vehicles (fire trucks, ambulances, other police vehicles/agencies) may also be responding to the same or other emergency calls for service.
1. When multiple officers are responding to a call, different siren patterns may help motorists notice different responding units.
- K. Officers engaged in emergency operations may exceed the posted speed limit so long as life or property is not endangered. Further, officers may:

1. Proceed through a red light or stop sign, but only after slowing or stopping as may be necessary for safe operation and other vehicles in the area yield the right of way;
 2. Disregard regulations governing direction of movement or turning in specific directions as long as life and property are not endangered.
- L. As soon as practicable, the first unit on the scene should verify the existence of an emergency that would justify secondary units to continue, modify, or cancel their emergency response.
- M. Once the scene of the initial emergency has been secured, ancillary and/or support units are no longer justified in an emergency response. In these cases, these supporting units shall respond to the scene as a [REDACTED] response.

V. Urgent Response

- A. These calls require a direct response, but are not so critical that they could be termed emergencies. Police presence is needed at the scene but the need does not warrant an emergency response.
1. An urgent response is accomplished by responding directly to an assignment without unnecessary delay, usually traveling at moderate speeds and proceeding with caution without emergency warning devices in operation.
 2. Units responding to urgent calls should be attentive to their radios as the situation may quickly change to a more or less serious incident, thereby allowing personnel to adjust their response accordingly.
- B. Conditions that will define an urgent response include, but are not limited to:
1. An in-progress incident that could be classified as a minor offense or civil dispute;
 2. Any incident that represents a significant hazard to the flow of traffic;
 3. Any incident that requires a prompt, non-emergency response;
 4. Another officer's call for non-emergency assistance (i.e., request for a regular back-up unit; not a present problem).
- C. Examples of urgent calls include, but are not limited to:
1. Non-violent domestic / family problems, unless an assault has just occurred or is in progress;
 2. Property damage vehicle crashes;
 3. Non-life threatening medical aid; and
 4. Any other call that requires an immediate response from the police.

- D. Personnel must remain aware of the statutory limits placed on the operation of their vehicle when emergency lights and sirens are not in use.
- E. As soon as practicable, the first unit on the scene shall verify the existence of an urgency that would justify secondary units to continue, modify, or cancel their urgent response.
- F. Once the scene of the initial urgency has been secured, ancillary and/or support units are no longer justified in an urgent response. In these cases, these supporting units shall drive to the scene as a standard response.

VI. Standard Response

- A. Standard calls are those that require police presence for the purpose of taking some form of action, but do not require immediate arrival since the situation will probably not deteriorate due to the time of arrival. The majority of calls for police service will be of this type and will usually require that one officer be initially assigned, unless advised otherwise.
- B. A standard response involves no emergency lights or sirens. It is a normal traffic speed response where all traffic laws are obeyed. Standard responses include:
 - 1. General police assistance;
 - 2. To investigate an incident that has already occurred;
 - 3. Other incidents of a minor nature;
 - 4. Providing non-emergency assistance to other department personnel;
 - 5. Providing non-emergency assistance to other agencies.
- C. Examples of standard calls include, but are not limited to:
 - 1. A report of a past burglary;
 - 2. Noise complaint/loud groups or parties;
 - 3. Animal complaints (unless there is imminent danger of serious injury to others);
 - 4. Report of a past vehicle theft.
 - 5. Transport assistance (bank deposit);
 - 6. Assisting a motor vehicle lockout; and
 - 7. Any other non-emergency call that can be termed standard in nature.
- D. Traffic safety units or back up units responding to a crash investigation scene where the scene has already been secured by the initial arriving units shall be considered a standard response.

VII. Self-Initiated Use of Emergency Warning Devices

- A. Officers shall activate emergency warning devices when required to assist in handling any actual or perceived emergency situation. The officer shall advise Communications of the nature of the emergency and any need for assistance.
- B. In other than emergency situations, when expediency is required to effectively eliminate a potential hazard to the public or other personnel, officers should activate emergency warning devices to allow orderly and safe transit through heavily congested roadways. Examples of permissible uses of emergency warning devices during non-emergency response situations include, but are not limited to:
 - 1. Using emergency lights as beacons to protect disabled motorists; or
 - 2. Protecting roadway construction; or
 - 3. Protecting utility workers; or
 - 4. Using emergency lights when it is necessary to use agency vehicles as protective barriers.
 - 5. Officers shall deactivate emergency warning devices as soon as practicable once the need is no longer necessary.

VIII. Tour Commander/Road Supervisory Responsibilities

- A. The Tour Commander/Road Supervisor should monitor the response until the situation has stabilized or terminated, and assert control by directing units into or out of that or other response classifications, exercising good judgment. Upon being notified that a response has been initiated the Tour Commander/Road Supervisor should verify the following:
 - 1. The proper response classification has been made;
 - 2. No more than the required and necessary number of police units are involved in the response; and
 - 3. Affected allied agencies are notified.
- B. The Tour Commander/Road Supervisor or other police supervisor may override the decision of the dispatched or self-initiating officer, and direct an officer to use a different response to the call for service if deemed necessary under the circumstances involved. Officers should comply immediately with such orders

IX. Response to Officer Initiated Calls

- A. When officers are involved in situations where assistance is needed, they must be aware that a non-specific request will probably result in an uncoordinated, insufficient, or even overwhelming response. The subsequent response may be a greater hazard to life and property than that of the originating incident.

- B. Requesting officers must minimize this potential hazard by giving the following information:
1. Their unit number;
 2. Their exact location; and
 3. The reason for the assistance
- C. Officers making the request shall remain in radio contact and verify that the call has been received by Communications. Additionally, the officer should establish a field command post, if necessary, as soon as possible to provide status reports, to coordinate the efforts of arriving units and to confirm that adequate assistance actually arrives.
1. Responding units should identify and advise from where they are responding, if the response time would be excessive.
 2. Responding units should proceed to the Command Post at a specified location as broadcast by Communications, unless directed otherwise, in accordance with the response mode specified or warranted.
 3. Responding units will closely monitor their radios in the event that the situation changes (such as when an officer in trouble call is upgraded and/or downgraded to a back-up request), so that their response can be modified accordingly.
 4. Responding units should immediately notify communications upon arrival at the scene. Status reports should be provided as soon as possible by the supervisor or officer coordinating the response.
 5. Upon receipt of a termination notice, responding units shall discontinue emergency operation and return to their assigned post unless specifically requested to continue to the location under normal driving conditions.
- D. The first unit to arrive at the scene will report the current situation so that other units may adjust their response accordingly.
1. Any units called off by either Communications and/or the Road Supervisor will immediately discontinue any emergency or urgent response and resume normal patrol assignments.
 2. Any units advised to adjust their level of response will do so immediately.

FORT LEE POLICE DEPARTMENT POLICY & PROCEDURES			
VOLUME: 5	CHAPTER: 4	# OF PAGES: 9	
SUBJECT: COMMUNICATIONS			
BY THE ORDER OF: Thomas O. Ripoli Chief of Police		ACCREDITATION STANDARDS: 81.2.1, 81.2.2, 81.2.3, 81.2.4, 81.2.8, 81.2.12, 81.2.14, 81.3.2	
Effective Date: August 30, 2012		Supersedes: All Previous	

PURPOSE: To establish the communication function of the agency for routine and emergency situations.

POLICY: It is the policy of the Fort Lee Police Department to operate the various components of the communications system in compliance with local, state, and federal guidelines. Further, this agency recognizes that proper standardized radio and telephone procedures are essential for providing effective and efficient service to the community and ensuring employee safety.

PROCEDURE:

I. Organization

- A. The police department operates a Communications Center (Com-Cen), primarily staffed by civilian personnel (telecommunicators).
- B. The Communications Center handles radio (base, mobile and portable) and telephone communications, providing 24-hour coverage with all on-duty personnel.
- C. The Communications Center operates under the supervision of a sworn officer.
- D. The duties of the Communications Center include, but are not limited to, the following responsibilities:
 - 1. Answering all incoming calls, administrative as well as emergency and soliciting essential information from callers in order to properly and efficiently handle each call.
 - 2. Dispatching, coordinating, and monitoring radio communications for all police, fire and EMS agencies in Fort Lee.
 - 3. Monitoring officer status, to include periodic checks on field personnel.
 - 4. Accessing information from and disseminating information to local, state, and federal law enforcement agencies via the National Crime Information Center (NCIC) system.
 - 5. Obtaining and providing information needed by field personnel.
 - 6. Receiving and responding to alarms reported to this agency.

II. Security Measures for the Communications Center

- A. In order to ensure the physical protection and security of the communications function and related equipment and personnel, the Communications Center is located in a secure facility with limited and controlled access, in accordance with the New Jersey State Police CJIS Security Agreement.
- B. Access to the Communications Center is restricted to authorized police department personnel only. All other personnel shall restrict their access to official business only. Approved visitors must be escorted by authorized personnel.
- C. Security of the transmission lines, antennas, and power sources are provided.

III. Telephone Access

- A. The Communications Center monitors two separate telephone systems. The enhanced 9-1-1 (E 9-1-1) system is for emergency telephone calls and the other is for non-emergency calls.
- B. The police department utilizes the Enhanced 9-1-1 emergency telephone system. All emergency telephone calls are routed through this system, which is toll free.

- C. The police department advertises 9-1-1 on all marked patrol vehicles. Further, 9-1-1 is posted on pay telephones and prominently displayed in the telephone book.
- D. The non-emergency system is used for routine, administrative, or outgoing calls. In the event an emergency call is received on the administrative system, it is handled in the same manner as a call on the 9-1-1 system.
- E. Telecommunication Devices for the Deaf (TDD) are available on calls received on the 9-1-1 system.

IV. Obtaining and Recording Information for Calls for Service

- A. Calls for service can be generated a number of different ways: telephone calls from citizens, walk-ins to the police department, written / electronic requests for service, and calls initiated or received by officers and/or employees.
- B. Upon receiving a call for service, telecommunicators will attempt to gather as much relevant information as possible to assist responding units in locating the call. Additionally, the telecommunicator shall thoroughly interview the caller in order to anticipate conditions to be encountered at the scene, and enhance officer safety.
- C. As the information is being obtained, it will be entered into the Computer Aided Dispatch (CAD) system. CAD automatically assigns an incident number to all entries and captures the date and time the call for service is entered.
- D. Telecommunicators will obtain/record, all other information required by CAD, to including but not limited to:
 - 1. Name, address, and telephone number of the complainant, when possible;
 - 2. Type of incident reported;
 - 3. Location of incident reported;
 - 4. In the event all critical information cannot be obtained from the caller, the telecommunicator shall document the reason for the incomplete data in the notes field of the CAD entry.
- E. When the call is ready to be dispatched, telecommunicators will obtain/record all information required by CAD (which automatically records the time these transactions occur) to include:
 - 1. Identification of officers assigned as primary or back-up units;
 - 2. Time call is assigned for handling;
 - 3. Time of arrival of responding units;
 - 4. Time of return to service of responding units;
 - 5. Disposition/status of incident.

- F. All dispatches will be done over the police radio on the primary channel assigned at that time, unless if security or safety issues or concerns would necessitate the utilization of other communications devices.

Dispositions of calls should be updated at the beginning and end of shifts, calls will not be cleared in CAD unless verified by contacting the officer, or a supervisor.

V. Radio System

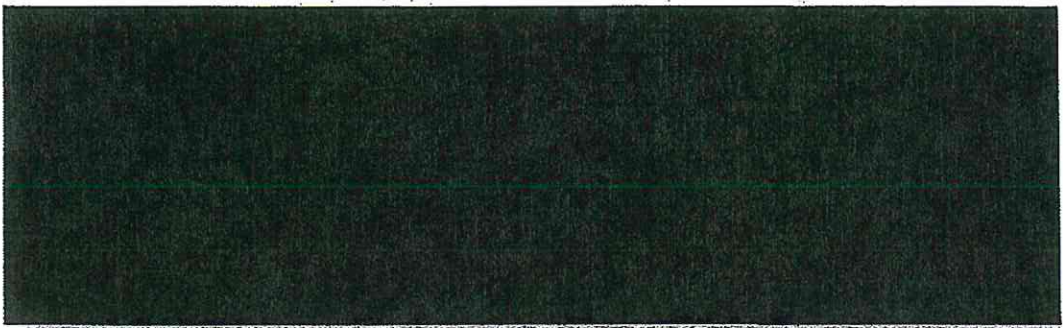
- A. The police department utilizes a two-way radio network.
- B. The radio system allows base, mobile, and portable access to various public safety agencies within the area and is capable of two-way operations on the state regional radio frequency.

VI. Radio Communications

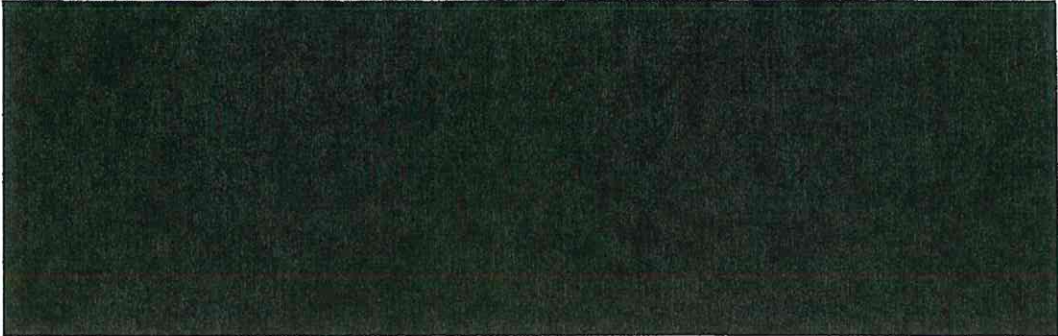
- A. All radio transmissions are to be kept as professional, concise, and complete as possible.
- B. At no time will members of the police department misuse or disrupt the radio system by transmitting unauthorized messages.
- C. All official communication will be transmitted only on the authorized department radio talk groups.
- D. On duty officers, depending on assignment, have access to mobile and/or portable radio equipment. They are responsible for maintaining contact with the Communications Center during their tour of duty.

E.

F.

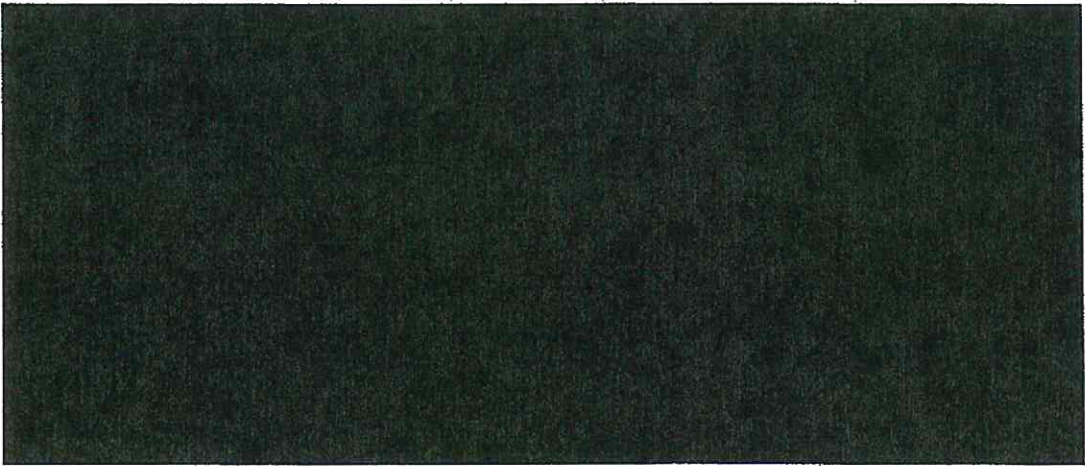


G.



2. Supervisors shall be responsible for monitoring call assignments, ensuring that the method of response is appropriate, and modifying methods of response as necessary.

H.



- I. When it becomes necessary for an officer to communicate with a different agency by radio, the following procedures will be used:
 1. The officer will advise the Communications Center of the information they need communicated to another agency. The Telecommunicator may communicate stated message via telephone or another interoperable radio channel, i.e. SPEN.

VII. Criteria to Determine the Number of Sworn Personnel Dispatched

A.



B.

C.

- D. Requests by field personnel for emergent assistance, activated officer distress alarms, and the inability to contact field personnel by radio or telephone are serious situations that require immediate attention and action. In such situations, the telecommunicator shall:
1. Clear the main radio channel of non-emergent radio traffic;
 2. Direct field units to the location or last known location of the officer or officers involved;
 3. Provide responding units with all known information concerning the emergency or possible emergency;
 4. Facilitate requests from officers and supervisors responding to the incident without delay.

VIII. Supervisory Presence On-Scene

- A. Situations might occur that would require the on-scene presence of the duty supervisor, or others, in order to assume command, conduct preliminary

investigations, and/or otherwise give direction. Telecommunicators will ensure that the duty supervisor is notified of incidents involving the following circumstance:

1. Use of force situations resulting in injury;
2. Crashes involving police department vehicles;
3. Calls for service involving serious injury or death;
4. High profile arrests;
5. Complaints concerning questionable conduct by a member of this police department;
6. Vehicular pursuits (specifically ending locations);
7. The discharge of a firearm;
8. The on-duty injury of a police department employee;
9. Hostage or barricaded suspect situations.

- B. Additionally, an officer can request the presence of the duty supervisor on any scene where the supervisor's involvement might be needed.

IX. Emergency First Aid Instruction

- A. The police department authorizes emergency first aid instruction over the telephone.
1. All personnel authorized to work in the Communications Center will receive training consistent with the requirements of the New Jersey Office of Emergency Telecommunications (OETS).
 2. Communications personnel shall utilize the medical protocol cards approved by authorizing agencies.
 3. Protocol cards are available at each answering position in the Communications Center.
 4. Continuing training education (CTE) courses for all personnel shall occur annually consisting of an 8-hour program developed by the local PSAP and approved by OETS in order to satisfy the Annual CTE requirements.

X. Misdialed 9-1-1 Calls

A. Misdialed 9-1-1 Calls

1. Upon receiving a disconnected 9-1-1 call, the telecommunicator will attempt to re-establish contact with the caller.

2. 

3. Telecommunicators will also dispatch an officer to investigate any misdialled 9-1-1 telephone call if in the opinion of the telecommunicator, based on the call back conversation, there is a reason to believe a police response is necessary.

B. Misdirected Emergency Calls

1. Whenever a call is received for an emergency service that this agency does not normally provide or is outside this agency's jurisdiction, the telecommunicator receiving the call shall evaluate the call and then exercise one or more of the following options, depending on the nature of the call:
 - a. The caller will be transferred to the appropriate agency to handle the call while the telecommunicator monitors the call to ensure that a good connection was made and to ascertain whether this agency's assistance is needed.
 - b. The telecommunicator will collect all pertinent information and then contact the appropriate agency and relay the request.
2. Most misdirected emergency calls through the 9-1-1 system can be transferred to the appropriate agency through a one-button transfer.
3. Any emergency call received on the non-emergency (administrative) number will be handled as a 9-1-1 call.
4. When misdirected, non-emergency calls are received by the Communications Center, they will provide the caller with the telephone number of the appropriate service provider, if possible.

XI. Recordings

- A. Communications personnel have the capability for immediate playback of telephone and radio conversations, to include the 9-1-1 system.
- B. All Communications within the Communications Center, including 9-1-1 calls, administrative telephone calls, and/or radio transmission monitored by the Communications Center are recorded. The recordings are maintained for a period of at least 31 days before erasure and reuse.
- C. All recordings are secured and access is restricted to the police department Command Staff and Technical Support Personnel, with the exception of immediate playback capabilities. The Evidence Custodian will maintain recordings requested for evidentiary purposes.
- D. Requests for recordings should be made directly to police administration. Any release of recordings, or copies of recordings will be in accordance with agency, local, state (OPRA) and federal policy and shall be strictly for law enforcement purposes, administrative review or for discovery requests (Discovery Rule 3:13)

XII. Back-up Resources

A.



**TRAFFIC
CONDITIONAL ALERTS
VOL. IX, CH. 26**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE:	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 4					CHAPTER 26
ACCREDITATION STANDARD(S):	REFERENCE:					
SUBJECT: CONDITIONAL ALERTS						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure that there are procedures in-place for officers to answer calls as expeditiously as possible during bad weather conditions or congestion due to traffic.

POLICY:

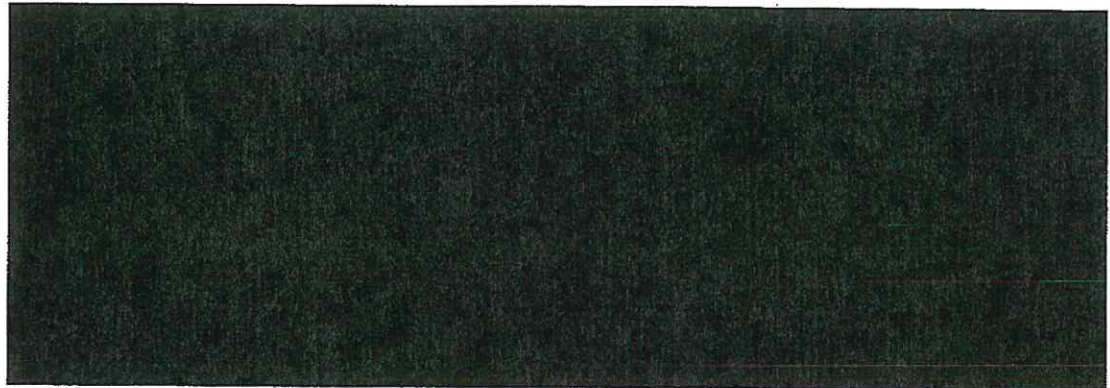
The Fort Lee Police Department shall have procedures in place, where during certain conditions, (weather or traffic related) the Tour Commander can tactically position units in different area's of the Borough, using a pre-set condition code.

PROCEDURES:

I. TOUR COMMANDER'S DUTIES

A.

B.



**TRAFFIC
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C.

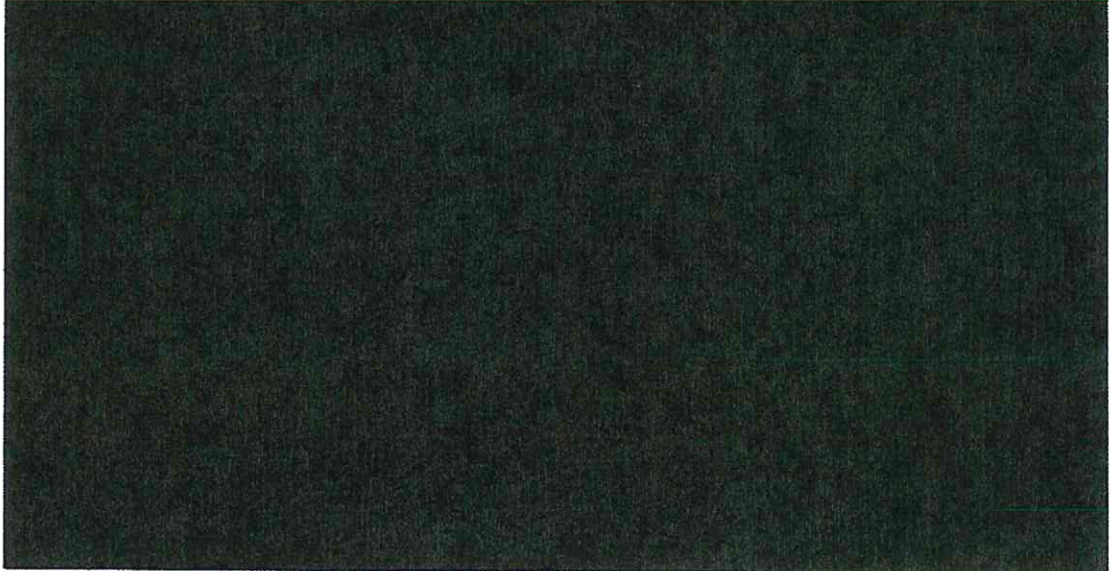


II. SHIFT SUPERVISOR'S DUTIES

A.



B.



C.

III. PATROL/TRAFFIC SUPERVISOR'S DUTIES

A.



IV. PATROL/TRAFFIC OFFICER'S DUTIES

A.



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B.

C.

**TRAFFIC
CONDITIONAL ALERTS
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D.

FORT LEE POLICE DEPARTMENT POLICY & PROCEDURES			
VOLUME: 3	CHAPTER: 11	# OF PAGES: 17	
SUBJECT: CONFIDENTIAL SOURCES (Funds and Informants)			
BY THE ORDER OF: Keith M. Bendul Chief of Police		REVISIONS:	
REFERENCE: NJ AG Directive 2016-1., Evidence Rule 516.		ACCREDITATION STANDARDS: 1.2.1, 4.5.3	
EFFECTIVE DATE: 10/03/2016		SUPERSEDES: All Previous, Informants & Intelligence V8Ch5, Confidential Fund/Petty Cash V8Ch10	

PURPOSE: This directive has been established to provide for the orderly collection of criminal information from individuals whose cooperation and knowledge are vital to effective prosecution.

POLICY: It is the policy of the Fort Lee Police Department to prudently use confidential sources in appropriate investigations and to ensure that such use is done with an awareness of the law enforcement objectives of the department and also the rights of all citizens.

PROCEDURES:

I. DEFINITIONS

A. Confidential sources shall include the following definitions:

1. Confidential Informant (CI)

- a. A confidential informant is defined as a person who supplies information to any individual within the Fort Lee Police Department and whose identity is to remain confidential and would not be disclosed during criminal litigation. Confidential informants often supply an officer/detective with valuable lead information that can be used to advance a criminal investigation. However, because the informant's identity will be shielded by the department, he/she cannot be used to gather evidence that the State could not use without the informant's testimony in a public court of law.

- 1) An informant may be a person who provided reliable information to an officer/detective, but does not accept any consistent control or direction from the officer/detective. This is the type of individual who is willing to provide information to the department, for whatever motivation, but unwilling to work with or place himself/herself under the direction of an officer/detective or covertly participate, in any manner, in a criminal investigation.

- 2) An informant may also be a person, who provides reliable information to an officer/detective, and may accept some degree of direction and control over his/her actions by an officer/detective. This is the type of individual who is willing to provide information to the department, for whatever motivation, and is willing to accept some degree of direction concerning his/her activities. However, he/she is not willing to gather evidence of such a nature that the State would ultimately require his/her testimony in a court of law.

2. Confidential Cooperating Witness (CCW)

- a. A confidential cooperating witness (CCW), is defined as any person whose identity is shielded by the department for some period of time in order to prevent widespread dissemination of his/her name, and who, under the direction of an officer/detective, with review by the appropriate prosecutorial authority, covertly gathers information of an evidentiary nature. A CCW's identification will ultimately be disclosed during a criminal prosecution or civil litigation.

- 1) A confidential cooperating witness may be asked to provide information already in his/her possession, to provide information which comes to his/her attention, or affirmatively seek out information concerning criminal conduct or other subjects of authorized investigative activity. A confidential cooperating witness may be also asked to provide operational assistance to the Fort Lee Police Department, including

furnishing resources or facilities. The Fort Lee Police Department may only use a confidential cooperating witness in the furtherance of its authorized investigative activities and law enforcement responsibilities.

B.

1.

C.

1.

II. CONFIDENTIAL SOURCE RECORDS

A. All confidential sources will be recorded in the master confidential source index and file system maintained by the Custodian of Confidential Source Records.

1. The following will be contained in each confidential source's file:

- a. Detective Bureau Confidential Informant Documentation Form or if assisted by the Bergen County Prosecutor's Office, the Bergen County Prosecutor's Office Confidential Informant/Witness Data Sheet;
- b. Source numbers and/or pseudonym of each confidential source;
- c. Signed Confidential Source Agreement;
- d. Current photograph;
- e. Current fingerprint card (or F.B.I./S.B.I. Number) adults only;
- f. A copy of New Jersey criminal history record, if applicable;
- g. A copy of out of state criminal records, if applicable;
- h. Source payment records, if applicable.

B. Maintenance and Security of Records

1. Confidential source file documents shall not be placed in department case files. Documents from the confidential source file shall not be left unattended, vulnerable to unauthorized viewing.

2.

- [REDACTED]
3. The confidential source's identity and the information provided is required to be maintained as confidential, unless obligated to disclose it by law or court order. Confidential source's assigned confidential numbers and not names are to be utilized in affidavits and reports.
 4. The confidential source file shall be inspected by January 31st of the following year [REDACTED] and the informant's status updated as follows:
 - a. Active (worked within the year);
 - b. Inactive (not worked within the year).
 - c. [REDACTED] shall report that the annual inspection has been completed and informant's status updated as appropriate.
 5. [REDACTED]
 - a. [REDACTED]
 - b. [REDACTED]
 - c. [REDACTED]
 - d. [REDACTED]
 - e. [REDACTED]
 6. Prior to any post-indictment discovery requirements, no information concerning a confidential source should be released outside the appropriate legal and investigative chain of command, except upon expressed written approval of the Bergen County Prosecutor or designee.
 7. Law enforcement must be aware that involuntary disclosure of the identity of a confidential source may occur. Initially, the privilege afforded a law enforcement agent to refuse to disclose the identity of his source is clearly not absolute, (**Evidence Rule 516**). If the "identity of the person furnishing the information has already been otherwise disclosed or disclosure of his identity is essential to assure a fair determination of the issues," disclosure may be ordered. As such, and where feasible prior to the inception of an investigation, an evaluation of the likelihood of confidential source identity

disclosure should be made. A primary factor to consider in this assessment should be the degree of personal participation by the confidential source in the criminal scheme. Less participation suggests less likelihood of mandated disclosure.

III. CONFIDENTIAL SOURCE MANAGEMENT

A. Use of Confidential Sources

1. No person shall be utilized as a confidential source unless the department believes that such a person is able to furnish reliable enforcement information or other lawful services to a law enforcement agency. In considering the use of a confidential source, the follow factors should be weighed:
 - a. The risk that use of a confidential source in a particular investigation or the conduct of a particular source may, contrary to instructions, violate individual rights, intrude upon privileged communications, unlawfully inhibit the free association of individuals or the expressions of ideas, or compromise in any way the investigation or subsequent prosecution.
 - 1) A person who is under the obligation of a legal privilege of confidentiality may be used as a confidential source only upon the expressed approval of the appropriate prosecutorial authority.
 - 2) Any person approved as a confidential source shall be advised by the contacting officer/detective that is seeking information from him/her, the Fort Lee Police Department is not requesting, and does not advocate, a breach of any legal obligation of confidentiality.
 - 3) If, despite the advice to the confidential source that his/her revelation of privileged information is not requested or advocated, he/she offers to provide information that is privileged, or arguably privileged, the offer shall not be accepted unless the Detective Division Commander and Bergen County Prosecutor or designee determines that serious consequences would ensue from the rejection of the offer. Such consequences include, but are not limited to: physical injury to an individual, severe property damage, or corrupt actions by a high public official.
 - 4) Persons Represented by Counsel
 - a) Whenever an individual is known to be represented by counsel in a particular matter, the officer/detective shall consult with the Bergen County Prosecutor's Office. He/she shall follow applicable law and procedures concerning contact with represented individuals in the absence of prior notice to the confidential source's counsel.

- b. The nature and seriousness of the matter under investigation, and the likelihood that the information the confidential source could provide is not readily available through other sources or by more direct means.
- c. The ability of the department to control the confidential source's activities while he/she is acting on behalf of the department and to ensure that his/her conduct will be consistent with applicable law and instructions.
- d. The motivation of the confidential source, including any consideration sought for his/her cooperation.
- e. The potential value of the information a confidential source may be able to furnish in return for a concession the government must make for his cooperation. As such, an officer/detective will not make promises, expressed or implied, with regard to prosecutorial consideration without first obtaining the expressed approval of the Bergen County Prosecutor or designee. Particular attention should be given to avoid any unauthorized promises relative to witness relocation and personal protection.
- f. If the proposed source is less than the age of 18, the risk and propriety of using an underage source must be evaluated. In such a circumstance, the procedures outlined in the juvenile source section of this directive must be adhered to.
- g. The source's state or federal parole or probation status. Permission from parole and probation officers must be considered.
 - 1) Whenever an officer/detective of this department seeks to use a probationer or parolee as an active confidential informant, one who participates in law enforcement activities at the request of this department, the supervisor or detective involved must:
 - a) Contact either the Assistant Prosecutor in charge of the Bergen County Narcotics Task Force, or the Assistant Prosecutor in charge of the Bergen County Prosecutor's Office Criminal Investigation Division. This officer/detective should be prepared to advise the assistant prosecutor of the identity of the individual that this agency wishes to use as an active confidential informant, the reason why it is advisable to use this particular probationer or parolee as a confidential informant and the need for doing so.
 - b) After consulting with the assistant prosecutor, the supervisor or detective should be prepared to sign a certification containing the above information, which will be submitted to the assignment judge by the assistant prosecutor, along with an application for permission to utilize the probationer or parolee as a confidential informant.

- c) If the court approves the application and the judge signs the order permitting the probationer or parolee to function as a confidential informant, this agency may then, and only then begin to utilize the probationer or parolee in the capacity of an active confidential informant.
- h. Whether a source is currently under indictment and, if so, the nature and gravity of the offense;
- i. Whether the source has been released on bail. If so, the nature and gravity of criminal arrests and convictions should be carefully considered;
- j. Whether a source is a fugitive from or an absent material witness to any criminal prosecution. Unless exigent circumstances so require, fugitives should not be used as confidential source. Arrangements should be made as soon as practicable for the imposition of bail. Thereafter, the source may be utilized in his non-fugitive status;
- k. Whether the source is currently, or has in the past, assisted another agency and the reliability of the information and the degree of cooperation he/she extended. The other agency should be contacted to ensure that no duplication of effort occurs and to inquire into the source's past reliability and truthfulness.
- l. Whether a confidential source has a prior criminal record. If so, the nature and gravity of the criminal arrests and convictions should be carefully considered;
- m. The record of conformance by the confidential source to the Fort Lee Police Department instruction and control in past operations.
- n. As a general rule, law enforcement should seek information leading to the arrest and prosecution of individuals at a higher level in the criminal hierarchy than the source. To be clear, law enforcement will work up the criminal organization, not down. In an effort to best manage this process and ensure compliance, cases where sources of information are approved for cooperation by the Bergen County Prosecutor or his designee, will require the preparation of a Cooperation Agreement, consistent with the Attorney General's mandates, as well as Brimage guidelines. It will be the practice of the Fort Lee Police Department to use Cooperation Agreements in all cases involving an indictable offense. These agreements will clearly articulate the reasonable expectations and obligations of both the defendant and the State in sufficient detail so that those expectations and agreed-upon responsibilities are clearly understood and can be enforced by a court, if necessary. All Cooperation Agreements will be signed by both the State and the cooperating source with the advice and consent of defense counsel.

o. De-Confliction

- 1) Confidential Informants or Cooperating Witnesses will be de-conflicted prior to use by the Detective Division Commander or designee by contacting the High Intensity Drug Trafficking Area (HIDTA) or the Regional Operations Intelligence Center Watch Center (ROIC) prior to use. This will ensure that the source is not part of an ongoing investigation or otherwise involved in a law enforcement relationship that may not be known by the Fort Lee Police Department.
- 2) The Fort Lee Police Department shall comply with the New Jersey Attorney General Law Enforcement Directive 2016-1.

- p. At no time will a source holding a professional license be told that cooperation will allow him/her to retain that license but may be told that his/her cooperation will be brought to the attention of the appropriate licensing board or body.

B. Background Check on Sources and Verification of Personal History

1. In all cases involving sources who are to receive some form of prosecutorial consideration, and in all cases involving persons with criminal records, it shall be the responsibility of the officer/detective to assure that an appropriate background investigation of the source is conducted in order to determine whether the department will use or continue to use the source. This includes obtaining a complete criminal history and the completion of the appropriate forms.

C. Documentation and Corroboration of Information Received from Sources

1. Information received from sources should be documented and records of such information received shall be maintained in the confidential source files.
 - a. If an officer has a person under arrest or comes upon someone who wishes to furnish information, an on-duty detective should be contacted to interview the individual. If no detectives are working, all information should be documented in a confidential report and forwarded to the Detective Division Commander.
2. The Fort Lee Police Department shall make every reasonable effort to corroborate information received from those sources. This corroboration may be obtained directly (through interviews, eyewitness information, private citizen sources, etc.); or indirectly through related surveillance activities, prior investigations, field interviews, etc.) All corroboration to source information should be strictly documented as part of the investigation or case file. This is a particular necessity when basing search warrant applications or arrest warrants in part on confidential source information.
3. The need for corroboration and independent verification is greatest when utilizing a source for the first time; however, despite even a proven track record of accurate information and reliable performance, all source information must be scrutinized on every case, and corroboration is critical.

4. Sources who do not prove to be accurate, truthful and reliable should not be utilized. The Fort Lee Police Department shall be prepared to provide an accurate and documented track record on any source that another agency may inquire about and wish to utilize.

D. Evaluation of Confidential Sources

1. No confidential source may be used to provide information on a continuing basis unless [REDACTED] has determined the suitability of all confidential sources. In determining such suitability, they shall weigh and consider the following factors:
 - a. The nature of the matter under investigation and importance of the information or assistance being furnished;
 - b. The nature of past and contemporaneous criminal activity of which the confidential source may be suspected;
 - c. The motivation of the confidential source, including any consideration sought for his/her cooperation;
 - d. The confidential source's reliability and truthfulness, or the availability of a means to verify information which he/she provides;
 - e. The record of conformance by the confidential source to the Fort Lee Police Department instruction and control in past operations;
 - f. How closely the department will be able to monitor and control the confidential source's activities insofar as he/she is acting on behalf of the Fort Lee Police Department;
 - g. The risk that use of a confidential source in a particular investigation may intrude upon privileged communications.

E. Confidential Source Contact

1. Initial and subsequent contacts should be made with two officers, if operationally feasible. Supervisory authority will be required, either verbally or in writing, prior to the utilization of a confidential source as a source of information.
2. The officer/detective should attempt to substantiate any information obtained from a confidential source through independent means.
3. Officers/Detectives exercising control of a confidential source shall meet or otherwise deal with the source in an official capacity only. Officers/Detectives shall not fraternize socially with the source.
4. Contact with a confidential source shall be made during the officer's/detective's on-duty working hours, whenever possible. Under no circumstances will an officer/detective meet with a confidential source while off-duty without prior supervisory approval. Should the officer's/detective's supervisor not be available, the officer/detective shall contact the next higher authority. In the event approval cannot be obtained, the officer/detective

shall not meet with the confidential source until approval is received. If approval is received, the officer/detective shall notify the supervisor of the time and location of the meeting and the confidential source's, source number.

5. Officers/Detectives shall not provide the confidential source with the officer's/detective's home phone number or address or any other contact phone number, or address not affiliated with the department. The only acceptable means by which a confidential source may contact an officer/detective is by the officer's/detective's department issued cell phone or by calling the Police Department directly.
6. An officer/detective must take the utmost care to avoid interfering with or impeding any criminal investigation or arrest of a confidential source. No officer/detective shall reveal to a confidential source any information relating to an investigation of the confidential source. An officer/detective shall not confirm or deny the existence of any investigation of the confidential source, unless authorized to do so by the Bergen County Prosecutor or designee; nor shall an officer/detective agree to a request from a confidential source to determine whether the confidential source is the subject of any investigation.
7. Prohibited Transactions and Relationships
 - a. An officer/detective shall not:
 - 1) Exchange gifts with a confidential source;
 - 2) Engage in any business or financial transactions with a confidential source except as authorized by this directive; or
 - 3) Socialize with a confidential source except to the extent necessary and appropriate for operational reasons.
8. Officers/Detectives shall deal with confidential sources very carefully, particularly those of a different gender or those whose sexual preference may make an investigation more susceptible to compromise through alleged irregularities.

F. Required Instruction to Confidential Sources

1. An officer/detective shall not make any unauthorized promises relative to a confidential sources relocation, personal protection or prospective benefits of any kind, type or nature. Consideration shall be authorized and granted after consultation and approval by the Bergen County Prosecutor or designee.
2. Each confidential source shall be required to review and sign the Confidential Source Agreement. The confidential sources do not
 - a. Possess law enforcement powers;
 - b. Have the authority to possess a firearm.

G. Juvenile Sources

1. The use of juveniles as confidential sources is not recommended; however, in special circumstances if may necessary to further an investigation. In the event that a juvenile is utilized as a confidential source, all members of the Fort Lee Police Department will adhere to the guidelines regulating the use of juveniles, which is established by the Office of the New Jersey Attorney General.
2. Special precautions must be taken when the confidential source is a juvenile. Juveniles shall only be used when:
 - a. There is no practicable alternative that will enable the Fort Lee Police Department to end an illegal activity that is endangering the community; and
 - b. The use as sources, is in accordance with state laws pertaining to juveniles; and
 - c. Written approval from the Detective Division Commander or designee and Bergen County Prosecutor is received; and
 - d. Parental consent is received by signing the Confidential Source Agreement.
3. The requirements of using a juvenile source shall be defined below:
 - a. A "juvenile" is an individual under the age of 18 years. In most circumstances, juveniles under the age of 16 should not be used as sources. However, in some circumstances, the use of a younger juvenile may be necessary, such as where illegal activity is occurring regularly among a group of juveniles under the age of 16. Under no circumstances shall a juvenile under the age of 12 be used as a juvenile source.
 - b. Personnel shall not recruit juvenile sources that are participating in alcohol or substance abuse treatment or counseling programs at the time they are recruited.
 - c. Personnel shall not use juveniles who have a history of treatment for mental illness, suicide attempts, or are taking medication that increases the danger to the juvenile of acting as a confidential source.
 - d. Personnel shall conduct a thorough background check for each juvenile before using the juvenile as a confidential source. The background check shall include an interview with a parent or legal guardian and shall determine whether the juvenile meets the requirements set forth in Requirements for Juvenile Sources.
 - e. The written consent of both the juvenile and a parent or legal guardian must be obtained before using juvenile sources. The Signed Confidential Source Agreement shall be used for this purpose. A parent or legal guardian must be afforded the opportunity

to discuss the matter with a juvenile before seeking the juvenile's written consent. No personnel shall make any promise or offer, regarding prosecutorial considerations for any offense with which a parent or guardian may be charged, to obtain a parent or guardian's consent to the use of the juvenile as a confidential source.

- f. Prior to using a juvenile source to purchase a controlled dangerous substance, or otherwise actively aid in the investigation of an offense, an officer/detective shall obtain written authorization from the Bergen County Prosecutor or designee.
- g. Limitations on Use of Juvenile Sources
 - 1) Entrapment - Juvenile sources shall not encourage or counsel juveniles or adults to purchase or use alcoholic beverages or any controlled dangerous substance;
 - 2) Confidentiality of Treatment Records - Federal regulations and State policies concerning the confidentiality of treatment and substance abuse counseling program records and information will be respected. No law enforcement activity will be permitted in any way to interfere with, intrude upon or in any way compromise a trust relationship with any patient;
 - 3) Treatment - Juvenile sources shall not discourage others from seeking drug or alcohol abuse treatment or counseling, or from reporting his or her alcohol or substance abuse problem or dependency;
 - 4) Preservation of Teacher Trust Relationships - No juvenile source will engage in any activity or conversation that would require any teacher or school official to violate or compromise a trust relationship with any student;
 - 5) Use and Distribution Prohibition - No juvenile source will ingest or inhale (other than passive inhalation) any controlled dangerous substance, nor will any juvenile source be permitted to distribute or dispense any controlled dangerous substance;
 - 6) Firearms - No law enforcement officer shall knowingly permit a juvenile source to possess, purchase, sell or otherwise transfer a firearm;
 - 7) Potentially Violent Confrontations - It is understood that drug trafficking activities are inherently dangerous. However, no law enforcement officer shall use a juvenile source to purchase a controlled dangerous substance in circumstances where it is known that the target of the investigation has a history of violence;
 - 8) Familiarizing Juvenile Sources with other Offenders - While the use of juvenile sources may be necessary in some circumstances, law enforcement officers should be mindful of

the welfare of the juvenile source. Personnel should avoid introducing the juvenile to offenders or conduct, which might immerse the juvenile more deeply in a criminal or delinquent culture;

- 9) Operations on School Property - If the juvenile source is to be used to gather information, or purchase contraband, on school property, the school building principal and the local superintendent will be consulted unless there are compelling reasons not to consult with either of these officials. The Fort Lee Police Department will advise the building principal and the local superintendent of the nature of the proposed operation and will, to the extent possible, explain the reasons why the operation is necessary and appropriate. This explanation should include a description of the suspected illegal activities occurring within the school environment which justify the operation. However, personnel will not disclose any information received in confidence, whether from a source or otherwise, which would violate the law or court rules governing the disclosure of grand jury information or information derived from electronic surveillance. All law enforcement operations taking place on school property shall also comply with the requirements of the ***State Model Agreement between Education and Law Enforcement Officials***.

H. Termination of Relationship with a Confidential Source

1. At any time the Fort Lee Police Department learns an approved confidential source is no longer suitable to provide information or operational assistance, his/her relationship with the department shall be promptly terminated.
2. The Fort Lee Police Department shall maintain records of confidential source termination, including a memorandum, prepared by the handling officer/detective citing reasons for the termination and the date thereof.
3. The memoranda shall be provided to the Detective Division Commander or designee who shall place the document in the confidential source file.

I. Notifying Appropriate Authorities of Unauthorized Criminal Activity by a Confidential Source

1. Information received about any crime committed by a Fort Lee Police Department confidential source shall be reported by an officer/detective [REDACTED] in written memorandum form.
2. Unauthorized criminal activity by a confidential source in connection with a Fort Lee Police Department assignment.
 - a. A confidential source, while carrying out a department assignment, bears a special relationship to the department. His/her participation in any unauthorized activity in connection with the assignment, (an activity which may hinder the source's ability to provide reliable testimony as the State's witness) shall result in a review by the

Detective Division Commander to determine the future relationship with him/her. Whenever an officer/detective learns that a confidential source has participated in an unauthorized activity in connection with a Fort Lee Police Department assignment, he/she shall immediately notify [REDACTED]. If the activity is criminal in nature, the Detective Division Commander or designee shall notify the Chief of Police who will notify the Bergen County Prosecutor's Office who will make a determination whether to notify the appropriate federal or local law enforcement or prosecutorial authorities of any violation of law, and shall make a determination whether continued use of the confidential source is justified. Where notification to federal or local authorities is determined to be inadvisable, or where any request or recommendation is made to federal or local authorities to delay or forego enforcement action, the Bergen County Prosecutor or his/her designee shall promptly notify the Chief of Police or designee of:

- 1) the facts and circumstances concerning the confidential source's violation of law;
- 2) what notification or request has been made to federal or local law enforcement or prosecutorial authorities, and the supporting reasons;
- 3) what use will be made of any information gathered through the violation of law;
- 4) whether continued use will be made of the confidential source.

3. Criminal activity by a confidential source unrelated to any Fort Lee Police Department assignment

- a. A confidential source while carrying out a department assignment, who is in a position to have useful knowledge of criminal activities often is himself/herself involved in a criminal livelihood. It is recognized that in the course of using a confidential source, the Fort Lee Police Department may receive limited information concerning a variety of criminal activities by the confidential source. In regard to less serious participation in criminal activities unconnected to a Fort Lee Police Department assignment, it may be necessary to forego any further investigative or enforcement action in order to retain the source of information. However, whenever an officer/detective learns of the commission of a crime by a confidential source, he/she shall immediately notify [REDACTED] who shall ensure the immediate notification of the Chief of Police through the chain of command. The Chief of Police or designee shall notify the Bergen County Prosecutor's Office to determine whether to notify appropriate federal or local law enforcement or prosecutorial authorities of any violation of law and shall make a determination whether continued use of the confidential source is justified. In circumstances where notification to federal or local authorities is determined to be inadvisable, or where any request or recommendation is made to federal or local authorities to delay or forego enforcement action, the

Bergen County Prosecutor or his/her designee shall promptly notify the Chief of Police or designee of:

- 1) the facts and circumstances concerning the confidential source's violation of law;
- 2) what notification or request, if any, has been made to federal or local law enforcement or prosecutorial authorities, and the supporting reasons;
- 3) what use will be made of any information gathered through the violation of law;
- 4) whether continued use will be made of the confidential source.

IV. CONFIDENTIAL FUNDS ACCOUNT

A. The following shall be authorized expenditures from the Confidential Funds Account:

1. CONFIDENTIAL SOURCES - Payment of money from the Confidential Funds Account may be made to confidential source for undercover operations performed by them or for the receipt of confidential information from such confidential sources.
2. INTELLIGENCE SOURCES - Payment of money from the Confidential Funds Account may be used to contact and develop sources of intelligence review information. Individuals who are not criminal participants, such as bartenders, waitresses and a variety of other citizens often have access to valuable intelligence information. It may be necessary to expend money in order to contact and develop such sources. These expenditures may include, for example, the cost of food, beverages or other miscellaneous expenses.
3. EVIDENTIARY ITEMS - Payment of money from the Confidential Funds Account may be used to purchase evidentiary items that are necessary in the development of a criminal investigation. Such expenditures may include, for example, payments for the purchase of narcotics, stolen property or other contraband.
4. COVERT OPERATIONS - Payment of money from the Confidential Funds Account may be used to defray expenses incurred during a covert operation. Such operations may include, for example, undercover activities, "sting" operations, flash and front money, or source security efforts.
5. SURVEILLANCE ACTIVITY - Payment of money from the Confidential Funds Account may be used to defray expenses incurred during approved surveillance activities.

B. Criteria for Paying Confidential Sources

1. The criteria for paying sources shall be in accordance with Section IV., A., 1.-2. of this directive with the written or verbal approval of [REDACTED]

2. Under no circumstances shall any payments to a confidential source be contingent upon the conviction or punishment of any individual.
3. The payment of any monies to a confidential source shall be witnessed by at least two officers/detectives. All financial records/documentation shall be maintained in the confidential source's file and confidential funds file.

C. Procedure for Request of Confidential Funds

1. The person requesting funds will use the prescribed confidential funds forms.
2. The confidential funds request will be presented first to their supervisor for approval, after which it will be submitted for payment by the requesting individual to the Confidential Funds Account Manager.
3. Upon payment of monies requested, the Confidential Funds Account Manager will retain a copy of the confidential funds request.
4. All officers/detectives receiving confidential fund monies shall prepare a written expense report accounting for all monies withdrawn from the fund, as soon as practical. The report should include:
 - a. Item or informant control number on which the monies were expended;
 - b. Date and place of the expenditure;
 - c. Copies of receipts;
 - d. Type of investigation;
 - e. Case number, where applicable; and
 - f. Photocopy of bills used.
5. The written expense report with all supporting documents and receipts shall be submitted to the appropriate supervisor for review and approval.
6. For all funds expended, the officer issuing payment shall ensure that an appropriate receipt is obtained, unless such an action would jeopardize a transaction or operation.

D. Accounting of Confidential Funds Account

1. The Confidential Funds shall account for cash received, maintained, and disbursed. A Confidential Funds ledger shall identify:
 - a. The initial balance;
 - b. Credits or deposits (cash received/return of funds) by the Confidential Funds Account Manager;
 - c. Debits (cash disbursed) by the Confidential Funds Account Manager;

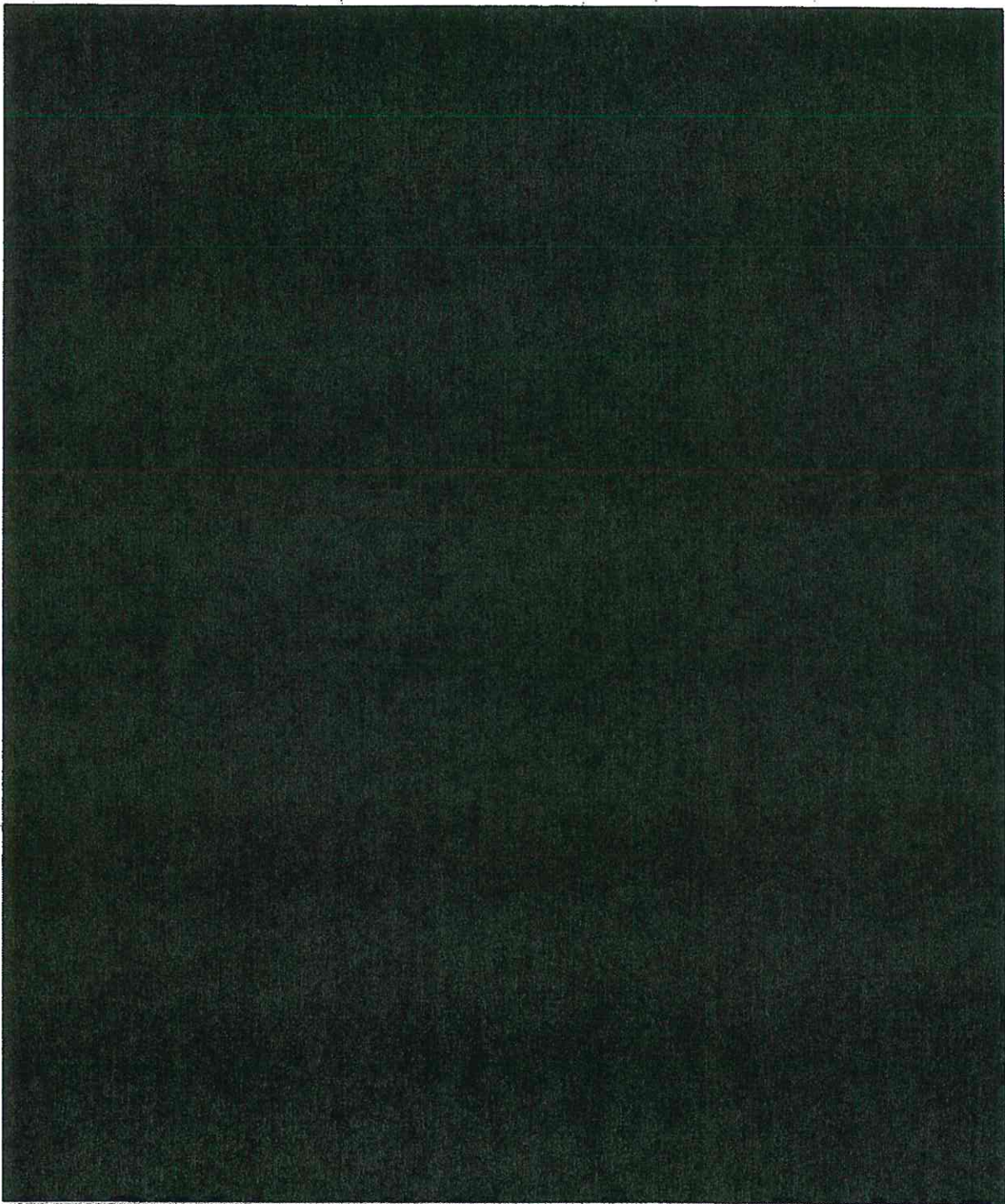
- d. Cash balance on hand;
 - e. Date of transaction;
- 2. All unexpended funds shall be returned to the Confidential Fund Manager by the officer/detective as soon as practical. The Confidential Fund Manager shall issue the officer/detective a ledger if needed, acknowledging that such funds were re-deposited as unexpended. Confidential Funds shall not be stored or maintained by anyone unless prior approval is granted by the Confidential Funds Account Manager. This does not include temporary possession prior to use. The Confidential Funds shall be secured at all times.
 - 3. The Confidential Funds Account filing system which shall contain:
 - a. Receipts for cash received;
 - b. Receipts or documentation for cash disbursements;
 - c. Authorization for disbursement from the confidential funds account require the approval of the Detective Supervisor in charge of the investigation, or a supervisor in their Chain of Command. The Chief of Police or designee shall approve and sign request for funds that exceeds \$250.00. All requests must be signed and approved before funds are disbursed;
 - d. Records, documentation, or invoice for all expenditures;
 - 4. No expenditure of funds is authorized before approval from the Confidential Funds Account Manager;
 - 5. All confidential funds forms must be completed and approved before funds will be disbursed.
- E. Disbursement and Replenishment of Confidential Funds
- 1. The Confidential Funds Account Manager shall be responsible for the disbursing and accepting of funds relative to the Confidential Funds system.
 - 2. Request for replenishment of the fund will be made to the Chief of Police or designee, when needed.
- F. Accounting of Confidential Funds
- 1. The Chief of Police or designee shall direct a third party within the department to conduct a quarterly review of the Confidential Funds activities.
 - a. The Chief of Police or his designee may conduct a quarterly review of the confidential fund to ensure that all funds and documentation of credits and debits from the fund are accounted for.
 - 2. The Confidential Funds may be subject to external audits by the Bergen County Prosecutor's Office.

**INTER-AGENCY PROCEDURES
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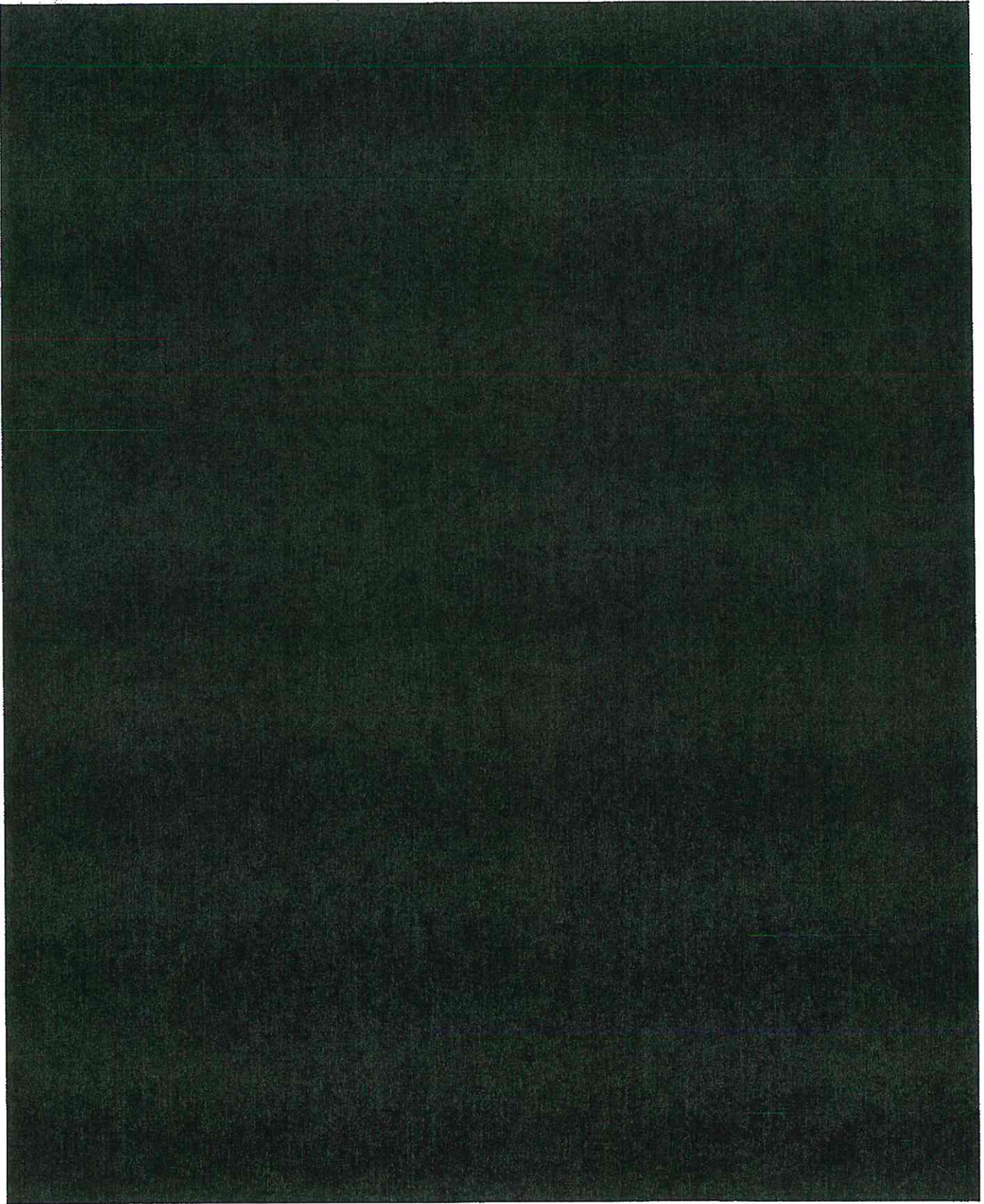
DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

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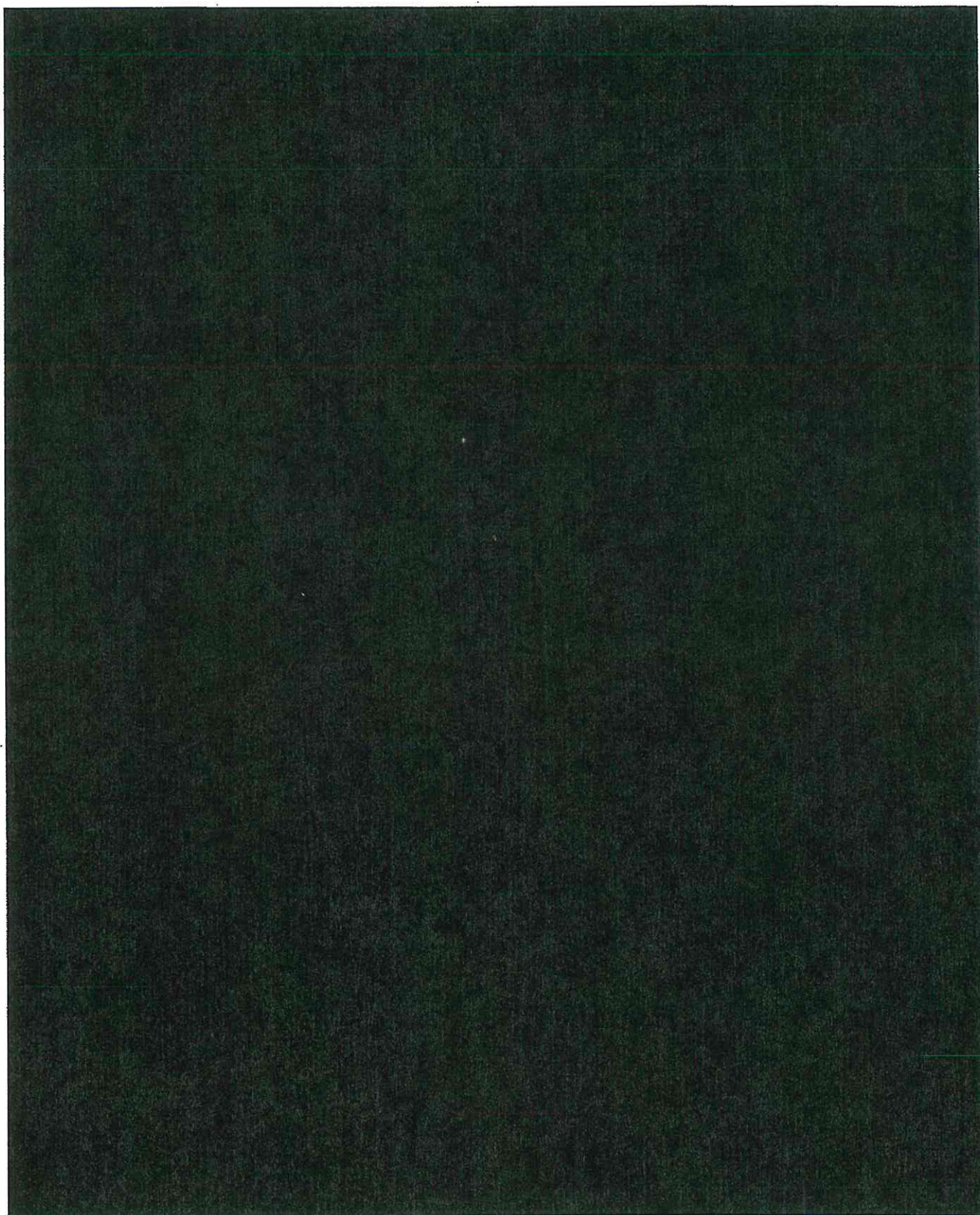
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