

**ADMINISTRATION
BACKGROUND INVESTIGATION
VOL. I, CH. 8**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

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SUBJECT: BACKGROUND INVESTIGATIONS POLICE OFFICERS, TELECOMMUNICATORS, CIVILIAN STAFF						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS O. RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions The previous version of this police dated 4/30/2000 (v1c8) is repealed and void.				
PROSECUTOR'S OFFICE:						
REFERENCE: California POST Background Investigator's Manual, NJSA Title 40 & 4A, NJ AG Drug Screening Guideline						

PURPOSE:

This policy is to be used as a guideline for Investigations into the backgrounds of new applicants for positions of Police Officer, Telecommunicators and Civilian Staff in the Borough of Fort Lee Police Department.

POLICY:

This policy covers the investigative responsibilities when conducting a background investigation for new civilian employees and sworn personnel by the Background Investigation Unit (BIU). Background investigations (BI) may be one of the most important investigations a law enforcement agency may conduct. No sworn personnel shall be appointed to a probationary status until a detailed background investigation is conducted and reviewed by the Chief of Police then approved by the Appointing Authority. No telecommunications personnel shall be appointed to a probationary status until a detailed background check is conducted and reviewed by the Chief of Police then approved by the Appointing Authority. No civilian personnel shall be appointed to a probationary status or transferred into the police department until a detailed background check is conducted and reviewed by the Chief of Police then approved by the Appointing Authority. Background investigations are an integral part of the

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selection process that provides the agency with knowledge about an individual that written and oral examinations do not provide.

In order to maintain a safe workplace and provide professional police services to the community, the Fort Lee Police Department will not recommend the hiring of any applicant(s) with criminal records, including expunged records, which would negatively impact on the department's ability or individual's ability to completely serve in the capacity for which they are applying.

All qualifications, credentials and any prerequisites for a position will be verified before an applicant is appointed to a working test period (probation).

Law Enforcement applicants shall complete a Medical Examination prior to being appointed.
Law Enforcement applicants shall complete a Psychological Screening by a qualified professional prior to being appointed.

The Main Application (police) is valid only for the current BI process which concludes with the start date of the next police academy class.

Each applicant in the current BI process must complete the BI process as instructed to meet Police Training Commission and Police Academy requirements. If an applicant previously completed any portion of a Fort Lee BI process, the previous BI file will become part of the current BI file. However this does not relieve the applicant from completing the current process as instructed. If an applicant is currently serving in another jurisdiction they must complete the entire BI process as instructed with the exception of the Academy PT Pre-Assessment. If the applicant is on a DOP "Rice List" (Laid-Off Officers) they must complete the entire BI process as instructed, possibly with the exception of the Academy PT Pre-Assessment. If the applicant is a graduate of a Police Academy Alternate Route Program they must complete the entire BI process as instructed with the exception of the Academy PT Pre-Assessment. If a former Fort Lee Police Officer is seeking re-employment from a Special Re-employment List (due to a lay-off) or a Re-employment List (due to retirement / resignation) they may be required to complete various phases of the Background Investigation Process depending on the length of separation, as designated by the Chief of Police.

The law enforcement background investigation will be conducted in two phases, the Character Phase which is before a Conditional Offer of Employment is made, and the Medical Phase which commences after the Conditional Offer of Employment is made. Applicants must have satisfactorily completed the Character Phase before proceeding into the Medical Phase.

The appointment process is regulated by NJ statutes and NJ Department of Personnel Regulations. Background Investigations are to be conducted in a professional manner and in compliance with state and federal employment law. In compliance with NJSA 2C:40A-1 (Employer Requiring Lie Detector Test) polygraph examinations may not be conducted as part of a Background Investigation or Background Check.

Probationary period of employment will be established by NJSA Title 4A.

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The Appendixes and BIU documents (Forms) may be modified by the BIU Supervisor with the approval of the Chief. Questions seeking information should be relevant to the applicant's ability to completely and effectively perform all aspects of the position being sought.

No employee outside the BIU is to accept any paperwork from or on behalf of an applicant unless specifically directed by the BIU Supervisor or the Chief of Police.

All documents in the BI file become the sole possession of the Fort Lee Police Department.

The department accepts the private and personal information from the applicant as part of the background investigation with the understanding that the confidential information will be protected according to their expectations under N.J.S.A. 47:1A-1.

Background investigations are confidential.

Information is not to be shared with employees beyond the BIU, the Administrative Division Commander and the empanelled Oral Board, except as directed by the Chief of Police.

By signing the Background Investigation Process & Application, the applicant acknowledges and provides their permission that information and copies of forms may be released to the Appointing Authority, its agents, and NJ DOP, and any Administrative or Judicial Court as required.

If requested in writing, documents may be released to another governmental agency as part of their official investigation.

Non-medical documents may be released to another law enforcement agency when requested by the applicant through that agency's signed Release / Waiver. New Jersey State Police records are not releasable per Governor's Executive Order #48.

Medical Records are not releasable to third parties.

Under Executive Order #26 no documents may be released to the public during an active background investigation / check process. Resumes of successful applicants are releasable after the selection process has been completed. Resumes of unsuccessful applicants are releasable only with their written consent after the selection process has been completed.

DEFINITIONS:

Background Investigation Unit (BIU)- a group of background investigators assigned the task of conducting investigations of police officer applicants.

Background Check- a background check will consist of a verification of qualifying credentials, a review of any criminal record and a verification of at least three personal references.

Background Investigation- a background investigation will consist of the background check plus an in-depth investigation where personal background information is confirmed and additional information about an applicant's qualifications are developed.

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Civilian Staff- is a non-sworn position within the Fort Lee Police Department assigned to various positions assigned to handle the tasks as specified in the NJ DOP Job Description for their job title as established by the borough.

Developed references- A developed reference is a reference that is not provided by the applicant but developed by the investigator.

Investigator- an officer who is assigned to the Background Investigation Unit.

Telecommunicator- is a civilian position within the Fort Lee Police Department assigned to the Communications Center to handle the tasks as specified in the NJ DOP Telecommunicator Job Description.

Time Line Report- A report created by the BIU Supervisor providing the Chief of Police with the starting dates of the next police academy and the projected dates for various stages of the background investigation process.

I. LAW ENFORCEMENT PHASE ONE: Character

- A. The initial stage of a background investigation is to commence after a Certification List of Eligibles is requested and received by the borough from NJ Department of Personnel (DOP). The List of Eligibles is normally the result of written examinations conducted by DOP; however Special Re-Employment Lists may be created by DOP if requested by the borough.
- B. Background Investigation Unit Assignment
 - 1. The Chief of Police or his designee shall assign existing background investigators or officers who have received training in background investigations to the Background Investigation Unit (BIU) in preparation for the hiring process.
 - 2. The Background Investigation Unit (BIU) is within the Training Bureau which is in the Administrative Division.
 - 3. The Background Investigation Unit (BIU) can be staffed on either a full-time or part-time basis by investigators as needed based upon the case load at that particular time. If investigators are assigned on a part-time basis then the BIU Supervisor must coordinate work schedules with the investigators immediate supervisor.
 - 4. No investigator shall be assigned to the BIU if their immediate relative (husband, wife, son, daughter, father, mother, step-child, niece or nephew) is an applicant in the current background investigation process.
- C. Applicant Investigation Case Load

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1. Each background investigator will normally be involved with each applicant investigation, as assigned by the BIU Supervisor.
2. A minimum of two background investigators should be present during an interview and work on each applicant investigation.
3. The BIU Supervisor shall monitor the status of each applicant investigation through periodic BIU meetings and shall advise the Administrative Bureau Commander and the Chief, as directed.

D. The Background Investigation Topic Areas include but are not limited to:

- (1) Application Process
- (2) Driver's License Check
- (3) Criminal History Check
- (4) Domestic Violence Registry Check
- (5) Employment History Check and Verification
- (6) Reference Checks
- (7) Writing Essays
- (8) Various Interviews / Oral Board Interview
- (9) Drug Screening
- (10) Psychological Screening
- (11) Medical Examination
- (12) Academy Physical Fitness Screening

E. Background Investigation Process

1. According to DOP procedures after receiving the DOP Notification Card, the applicant must notify the Appointing Authority (Borough Hall) in writing of their intention in seeking a position as a police officer. The Appointing Authority should provide the department with a copy of the List of Eligibles.
2. The BIU will begin preparing for the background investigation process by:

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- a. Setting up the Excel Applicant Master Name Index. Each applicant will be assigned a number based on the year and month of the academy start date followed by their placement number on the current certification.
 - b. Setting up the Excel Applicant Interview Schedule Form.
 - c. Printing the required number of applications and forms.
 - d. The BIU Supervisor should send an email out to all department employees announcing the activation of the confidential BI process and that BI paperwork is not to be accepted by anyone outside the BIU.
3. The Appointing Authority faxes the applicant's letter of Intent to the BIU in a timely manner.
4. The BIU will then contact the applicant(s) and schedule them individually for the Initial Interview. The Interview Notice (Form 2) will normally be sent via email.
5. **Initial Interview:** The BIU will conduct the Initial Interview during which the following topics will be explained:
 - a. Obtain an updated Letter of Intent (Form 1)
 - b. Obtain the completed Initial Application (Form 3)
 - c. Provide the applicant with the Notice of Background Investigation Process (Form 4) describing the steps of the background investigation and the BIU Contact Phone List. The applicant should be advised that the BIU will contact them throughout the process and advised in writing when the process is completed.
 - d. Obtain a signed & dated Release / Waiver Form (Form 5) which will be witnessed by a member of the BIU. The Release / Waiver will allow the BIU to follow-up on any information provide by the applicant by obtaining documents regarding the applicant.
 - e. If it is learned that the applicant has an Expunged Criminal Record, then the BIU should prepare the Consent Order for Expunged Records (Form 5e) with the required information for the applicant to sign. The BIU Supervisor will advise the Chief and contact the Borough Attorney.
 - f. Collect & photocopy personal paperwork as requested in the Interview Notice. Documents should be time-stamped indicating the date received. The accuracy of the information contained in these documents and qualifying credentials should be confirmed during the investigation.

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- g. Provide the applicant with a written copy of their rights under the Fair Credit Reporting Act.
- h. Issue the Main Application (Form 7). Applicant that are or were sworn officers with a Law Enforcement Agency are provide with a Supplemental Application (Form 7 LEO) dealing with law enforcement related questions.
- i. Provide the NJ DOP Job Description for Municipal Police Officer.
- j. Provide and discuss the Willingness Questionnaire (Form 7w) with the applicant before they sign the form.
- k. The applicant will be fingerprinted for Criminal Justice Employment. The fingerprints are automatically submitted to the New Jersey State Police and Federal Bureau of Investigation for a criminal history check.
- l. A digital photograph will be obtained for identification purposes and added to the jacket. (The applicant will attach a passport size photograph to the last page of the Main Application for identification purposes.)
- m. A regional check is conducted on the applicant's driver's license number and name.
- n. The applicant is checked for vehicle registration history.
- o. Computer records checks will be run on the applicant (Department, DV Registry, Criminal Checks)
- p. A public records history search should be conducted.
- q. An internet search should be conducted including a general search, web profile(s) and searches of newspaper(s).
- r. If the applicant served in the armed forces then a completed Military Records Request Form (Form 180) will be required to in order to obtain the authorized the release of his service records to the BIU.
 - (1) The BIU should prepare and sent a letter to the Veterans Administration obtaining the applicant's military record.
 - (2) Military Units / Instillations should be contacted during the Phase I Character portion of the investigation.
 - (3) The Military Police Unit where the applicant was stationed or served should be contacted during the Phase I Character portion of the investigation.

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- (4) Veteran's Affairs Hospitals should be contacted ONLY as part of Phase II Medical portion of the investigation.

6. **Investigation:** After the Initial Interview the applicant's file is then in the Investigation portion of the process.

- a. The applicant has until 1500 hours on the 5th business day to return to HQ to complete application by having it Notarized in the presence of a BIU member, as instructed during the Initial Interview and on Form 7.
 - (1) The Main Application should be reviewed for completeness.
 - (2) The information contained in the Main Application and during any interview should be verified.
 - (3) The applicant should be scheduled for a Supplemental Interview (Form 11) to provide additional information or explain any discrepancy.
 - (4) The applicant should be provided with the Supplemental Application Form (Form 7a) to provide the requested information.
- b. References- All listed references are to be contacted, interviewed and provided with Reference Questionnaire (Form 10). The form can be sent via US Mail or Email. Returned forms are to be reviewed and added to the file. A minimum of two (2) secondary references should be developed, contacted and interviewed during this process. References may be interviewed via the telephone if necessary. If the reference form is not returned, then the information obtained during the interview needs to be documented in a report.
- c. Written Biography- Applicants will be scheduled for an interview. During this time they will be provided with the Biography (Form 7b) & Hiring Questions (Form 7e) to both be complete within 90 minutes. The forms will be reviewed for information and added to the file.
- d. Local / County Police Dept. & Local Court Checks- towns surrounding Fort Lee and locations where the applicant lived should be contacted in writing (Form 8 or Form 8c) to determine if the applicant had ANY contacts with the law enforcement agency or local court. Additional checks may be conducted with jurisdictions where the applicant attended school, frequented, vacationed or had additional family residences.
- e. Physical Residence- Verification of the applicant's residency must be made to ensure compliance with the Borough's Residency Preference Ordinance.

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- f. Home Interview- An unannounced home interview should be conducted to verify the applicant's residency and living conditions within the structure. Family members / roommates may be interviewed at the same time if present.
- g. Neighborhood check- Investigators should interview the four (4) neighbors regarding the applicant. (The closest 4 neighbors were to be listed by the applicant in their Main Application). At least two (2) neighborhood references should be developed. The Reference Questionnaire (Form 10) may be used for these references. Developed information is to be included in the Summary Report.
- h. Education / School History- Information contained in the Main Application and the Official Transcript should be confirmed with the school (Guidance, Discipline, Coaches, Bursar, Security, Local PD, Student Housing, etc.).
- i. Employment History- All employers, where ever possible, are to be contacted interviewed and provided with Employment Reference Form (Form 9). This should be conducted face-to face. If needed, the contact may be completed via US Mail, Email and the telephone. Returned forms are to be reviewed and added to the file.
- j. Previous Applications with Other Law Enforcement Agencies- if the applicant applied with other agencies then the investigators should contact that agency to determine the status of the application; the phase(s) completed. If possible, copies of documents / applications should be obtained pursuant to the applicant's signed release waiver.
- k. Credit History Report- The applicant will be required to obtain and provide to the BIU a printed copy of their full credit report from the three reporting agencies. The report will be reviewed for information. Any discrepancies will be discussed with the applicant and they will be provided with their Rights under the Fair Credit Reporting Act before the information is used in a hiring decision.
- l. Oral Board Interview- The applicant will be interviewed by the Oral Board as empanelled by the Chief of Police. The Oral Board chairman will be the BIU Supervisor. The Oral Board will normally consist of commanders / supervisors from Administration Division, Detective Bureau, Patrol Division and Internal Affairs.
 - (1) The BIU Supervisor will brief the Oral Board with a summary of background information prior to the interview.

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- (2) The applicant will be individually scheduled to appear before the Oral Board and sent an Interview Notice (Form 11o).
 - (3) The Applicant Oral Board Interview Form will be used by each board member to document their observations and comments.
7. The BIU Supervisor will report the findings of the Oral Board to the Chief of Police. The Chief of Police will then instruct the BIU Supervisor to issue Conditional Offers of Employment (COE) to specific applicants who have successfully completed Phase I of the process, in preparation for the Phase II-Medical Phase of the hiring process.
 - a. The COE SHALL not be issued to any applicant that has not successfully completed the entire Phase I of the process.

II. LAW ENFORCEMENT PHASE TWO: Medical

- A. The medical Phase shall commence with the issuance of the Conditional Offer of Employment [COE] (Form 13).
- B. The applicant will be personally issued the Medical Phase Application (Form 14). The applicant has until 1500 hours on the 5th business day to return the completed application as instructed on Form 14.
- C. Drug Screening- The Fort Lee Police Department will subject all applicants to an unannounced drug screening in accordance with the NJ Attorney General's Drug Screening Guideline and related instructions
 1. The applicant will be provided with an Interview Notice (Form 11d) directing them to appear at HQ on a specific date and time.
 2. The applicant will be provided with the appropriate forms as designated by the AG Guideline.
 3. The applicant's sample will be collected in compliance with the AG Guideline.
 4. The sample will be handled as evidence with an Evidence Report being generated.
 5. The state's Law Enforcement Drug Testing Form will be completed and the sample will be submitted to the NJ Medical Examiner's Office (Newark) by a member of the BIU.
 6. The results of the Drug Screening will be received by the BIU Supervisor.
 7. The Chief of Police is to be immediately notified of any positive screenings.
 8. If appropriate, an investigation may be initiated to establish the root cause for the positive lab results. The facts from the investigation are to be verbally reported to

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the Chief of Police. If the positive screening was the result of a lawfully prescribed medication for the date of the screening then a written report may be submitted to the NJ Medical Examiner's Office requesting a Medical Review of the case.

9. In no case will a second sample from an applicant be submitted to the NJ Medical Examiner's Office for an additional screening.

D. Psychological Screening

1. The applicant will be provided with an Interview Notice (Form 6) directing them to appear at the designated psychologist's office on a specific date and time for psychological screening /examination.
2. All applicants during the same cycle will be examined by the same service provider except under extenuating circumstances with the specific approval of the Chief of Police.
3. The examination shall be conducted and assessed by a qualified professional prior to appointment to probationary status.

E. Medical Screening

1. At the beginning of the BI process the BIU Supervisor should contact the academy's designated medical service provider to tentatively schedule a group of applicants for the Medical Screening. As the process continues the BI supervisor should notify the staff of any changes in the number of applicants being scheduled.
2. The applicant will be provided with an Interview Notice (Form 11m) directing them to appear at the designated medical facility on a specific date and time for the first day of Medical Screening.
3. The second day will be scheduled by the facility's staff. The date should be obtained by the BIU Supervisor.
4. Upon completion of the second day of the medical screening the applicants are to return the paperwork to the BIU.

F. Academy Pre-Assessment Screening

1. The applicant will be provided with an Interview Notice (Form 11p) directing them to appear at the Bergen County Law & Public Safety Institute, or other designated PTC approved academy, on a specific date and time to complete the screening for the academy.

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2. The BIU Supervisor will obtain the results from the academy staff and advise the Chief of Police.
- G. Status Report- The BIU Supervisor will prepare a Status Report for the Chief of Police listing the names of the applicants that have successfully completed the background investigation process.
- H. Appointment Procedure
 - a. The Chief of Police may direct the BIU Supervisor to schedule the applicants for the following:
 1. Chief's Interview (Form 11c)
 2. Swearing In Ceremony (Form 11s)
 - (a) The BIU Supervisor will obtain information from the applicant and prepare a brief biography for the Chief of Police.
 - (b) The BIU Supervisor will ensure that the badge to be used during the ceremony is obtained from the Administrative Division Commander.
 - (c) The BIU Supervisor should provide direction to the applicant and their family regarding the ceremony.
 - (d) The BIU Supervisor should coordinate the completion of The Oath of Office with the Borough Clerk.
 - (e) The Training Bureau supervisor will coordinate the trainee completion of employment paperwork with various Borough Hall offices during the Orientation Training.

III LAW ENFORCEMENT BACKGROUND INVESTIGATION DOCUMENTATION

- A. The confidential BI file will consist of a four-part file folder.
 1. Tab 1 will contain of BI the Summary Report, Applications, Notice Forms and email correspondence.
 2. Tab 2 will contain of the BI Case Jacket Checklist
 3. Tab 3 will contain of paperwork provided by the applicant.
 4. Tab 4 will contain paperwork developed by the BIU during the investigation.
- B. The investigators will update the Case Jacket Checklist as portions of the process are completed.
- C. The BIU Supervisor will update the Applicant Master Name Index as each applicant is proceeds through the various scheduled steps of the process.
- D. The BIU Supervisor will update the Applicant Interview Schedule as the applicant proceeds through the various steps of the process.

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- E. The BIU Supervisor will periodically brief the Administrative Division Commander and the Chief of Police on the status of applicants in the BI process.
- F. No information regarding a specific applicant is to be shared with any employee outside of the BIU or the empanelled Oral Board unless specifically directed by the Chief of Police.
- G. No employee outside the BIU is to accept any paperwork from or on behalf of an applicant unless specifically directed by the BIU Supervisor or the Chief of Police.
- H. Summary Reports
 - 1. Failure to Respond Report
 - a. Fail to Respond to Certification Notice- The BIU Supervisor shall prepare a report documenting the names of applicants whose name appeared on the Certification of Eligibles who failed to respond to the DOP Notification Card within the required time as established by the DOP. The BIU Supervisor should coordinate activities regarding the deadline date with Borough Hall. The BIU Supervisor should confirm the list of names that responded and the list that did not respond.
 - b. The report will be submitted, reviewed and co-signed by the Administrative Division Commander.
 - 2. Applicant Summary Report
 - a. The BIU Supervisor shall prepare a report for each interviewed applicant documenting the investigation process including observations made and information obtained. The report shall contain the recommended Applicant Classification(s) according to the DOP Guide.
 - b. The report will be submitted, reviewed and co-signed by the Administrative Division Commander.
 - 3. Summary reports shall be provided to the Chief of Police for review and recommendation to the Appointing Authority.
 - 4. After approval from the Chief of Police, the Summary Report is to be added to the BI file.
 - 5. Notice forms and related sent emails, including applicant responses, are to be printed up and added to the BI file.

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6. The confidential BI file shall remain in the locked BIU file cabinet within the Training Bureau's custody. If the applicant is hired the BI file is to be forwarded to the Office of the Chief to be secured in the department's Confidential Employee Personnel Files.
 - a. The confidential BI files shall be classified as Official Use Only and retained of a minimum of five (5) years. After which time the BI file may be purged in the appropriate manner per the NJ Division Archives.
 - b. Non-medical documents may be released to another governmental or law enforcement agency when requested by the agency in writing or by the applicant through that agency's signed Release / Waiver.
 - (1) The signed Release / Waiver form is to be added to the applicant BI file.
 - (2) It should be noted on the form which documents were reviewed / released to the agency.
 - (3) The BIU member assisting the other agency is to write their name on the copy of the submitted Release / Waiver Form.
 - (4) If as part of an official investigation a governmental agency submits a written request for access to a BI file and there is not signed release then the BIU Supervisor is to after receiving authorization from the Chief, is to prepare a report explaining the justifications for the review of the BI file and note documents reviewed / released. The report will be submitted to the Chief with a copy added to the BI file.
 - c. Confidential Background Investigation file are not to be released to the public as they are accepted with the expectation that the information is to be protected under N.J.S.A 47:1A1.
7. The BIU Supervisor should keep a copy of original and the completed Certification of Eligibles in a separate marked folder in the BIU cabinet.
8. The BIU Supervisor should keep each prepared Time-Line Report in a separate marked folder regardless if the BI process is conducted for that academy class.
9. The BIU Supervisor shall provide copies of the required Summary Reports to the Appointing Authority as attachments when completing the DOP Certification of Eligibles. If necessary, additional documents can be provided as proofs and attached to the Certification of Eligibles.

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10. An Applicant Closure Notice (Form 12) should be mailed to each applicant that is not selected or disqualified from the BI process. NJ DOP will send the applicant their specific classification and information regarding the appeal process.
 - a. Upon receiving a Notice of an Applicant's Classification Appeal, from DOP, the BIU Supervisor will notify the Chief, Administrative Division Commander then contact the Borough Attorney.
 - b. The required proof documents are to be copied from the file by the BIU, reviewed with the Borough Attorney.
 - c. Once approved, a cover letter will be written by the BIU Supervisor listing the documents being submitted to DOP and provided to the applicant.
 - d. The packets of documents are to be sent out as directed by NJ DOP (1 copy to DOP and the other to the Applicant) via Certified / Return Receipt mail.

IV PUBLIC SAFETY TELECOMMUNICATIONS BACKGROUND CHECKS

- A. The initial stage of a Telecommunicator Background Check is to commence after:
 1. A Certification List of Eligibles is requested and received by the borough from NJ Department of Personnel (DOP) for the competitive position of Telecommunicator Operator. The List of Eligibles is normally the result of written examinations conducted by DOP.
 2. In emergent situations, the process may be announced by the Borough indicating the manner in which interested parties may apply for the non-competitive position of Telecommunicator Trainee.
- B. The background check process should be conducted by the BIU in cooperation with the Communications Supervisor.
 1. The following sections apply to conducting a Telecommunicator Background Check:
 - a. Background Investigation Unit Assignment
 - 1) The Chief of Police or his designee shall assign existing background investigators or officers who have received training in background investigations to the Background Investigation Unit (BIU) in preparation for the hiring process.

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- 2) The Background Investigation Unit (BIU) is within the Training Bureau which is in the Administrative Division.
- 3) The Background Investigation Unit (BIU) can be staffed on either a full-time or part-time basis by investigators as needed based upon the case load at that particular time. If investigators are assigned on a part-time basis then the BIU Supervisor must coordinate work schedules with the investigators immediate supervisor.
- 4) No investigator shall be assigned to the BIU if their immediate relative (husband, wife, son, daughter, father, mother, step-child, niece or nephew) is an applicant in the current background investigation process.

b. Applicant Investigation Case Load

- 1) A minimum of two background investigators should be present during an interview and work on each applicant investigation. The Communications Supervisor should be the lead interviewer during interviews of Telecommunicator applicants.
- 2) The Communications Supervisor and BIU Supervisor shall monitor the status of each applicant investigation through periodic BIU meetings and shall advise the Administrative Bureau Commander and the Chief, as directed.

C. The background check topic areas include, but are not limited to:

1. Application Process
2. Driver's License Check, if possessed
3. Criminal History Check
4. Domestic Violence Registry Check
5. Employment History Check and Verification
6. Reference Checks
7. Various Interviews

D. Letters of Intent / Applications / Resumes

1. Letters of Intent received in response to a DOP Notification should be faxed to the Communications Supervisor in a timely manner.

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2. In an emergent hiring situation the Communications Supervisor may receive resumes or a completed Borough of Fort Lee Application from the applicant or Borough Hall.
 3. An existing borough employee applying to become a Telecommunicator will be required to complete the entire Telecommunicator Background Check process.
- E. The Communications Supervisor should then contact the applicant(s) and schedule them individually for the Initial Interview. The Interview Notice (Form T2) will normally be sent via email.
- F. **Initial Interview:** The Communications Supervisor and a member of the BIU will conduct the Initial Interview during which the following topics will be explained:
1. Obtain an updated Letter of Intent (Form T1)
 2. Obtain the completed Initial Application (Form T3), if a resume or Borough of Fort Lee Application (Form T7) has not already been completed.
 3. Provide the applicant with the Notice of Background Check Process (Form T4) describing the steps of the background check and the Communications Supervisor / BIU Contact Phone List. The applicant should be advised that they will be contacted throughout the process and advised in writing when the process is completed.
 4. Obtain a signed & dated Release / Waiver Form (Form T5) which will be witnessed by a member of the BIU. The Release / Waive will allow the BIU to follow-up on any information provide by the applicant.
 5. Collect & photocopy personal paperwork as requested in the Interview Notice. Documents should be time-stamped indicating the date received. The accuracy of the information contained in these documents and qualifying credentials should be confirmed during the investigation.
 6. Issue the Borough of Fort Lee Application if not previously completed. (Form T7).
 7. Provide the NJ DOP Job Description for Telecommunicator Trainee.
 8. Provide and discuss the Willingness Questionnaire (Form T7w) with the applicant before they sign the form.
 9. The applicant will be fingerprinted for Criminal Justice Employment. The fingerprints are automatically submitted to the New Jersey State Police and Federal Bureau of Investigation for a criminal history check.
 10. If a driver's license is possessed by the applicant, then conduct a regional check should be conducted on the applicant's driver's license number and name.

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11. Computer records checks will be run on the applicant (Department, DV Registry, Criminal Checks)
12. A public records history search should be conducted.
13. An internet search should be conducted including a general search, web profile(s) and searches of newspaper.
14. If the applicant served in the armed forces then a completed Military Records Request Form (Form 180) will be required to in order to obtain the authorized the release of his service records to the BIU.
 - a. The BIU should prepare and sent a letter to the Veterans Administration obtaining the applicant's military record.
 - b. Military Units / Instillations may be contacted during the background check.
 - c. The Military Police Unit where the applicant was stationed or served may be contacted during the background check.
15. Background Check: After the Initial Interview the applicant's file is then in the Investigation portion of the process.
 - a. References- All listed references are to be contacted, interviewed and provided with Reference Questionnaire (Form T10). The form can be sent via US Mail or Email. Returned forms are to be reviewed and added to the file. A minimum of two (2) secondary references should be developed, contacted and interviewed during this process. References may be interviewed via the telephone if necessary. If the reference form is not returned, then the information obtained during the interview needs to documented in a report.
 - b. Education / School History- Information contained in the Application and the Official Transcript may be confirmed with the school (Guidance, Discipline, Coaches, Bursar, Security, Local PD, Student Housing, etc.).
 - c. Employment History- All employers, where ever possible, are to be contacted interviewed and provided with Employment Reference Form (Form T9). This may be conducted face-to face. If needed the contact may be completed via US Mail, Email and the telephone. Returned forms are to be reviewed and added to the file.
 - d. The investigators will update the Telecommunicator Background Check Case Jacket Checklist as portions of the process are completed.

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- e. The Communications Supervisor and the BIU Supervisor will periodically brief the Administrative Division Commander and the Chief of Police on the status of applicants in the background check process.
 - f. No information regarding a specific applicant is to be shared with any employee outside of the BIU or unless specifically directed by the Chief of Police.
 - g. No employee outside the BIU or Communications Supervisor is to accept any paperwork from or on behalf of an applicant unless specifically directed by the Communications Supervisor, BIU Supervisor or the Chief of Police.
 - h. Status Report- The Communications Supervisor will prepare a Status Report for the Chief of Police listing the names of the applicants that have successfully completed the background check process.
16. Applicant Summary Report / Background Check File
- a. Applicant Summary Report
 - 1. The Communications Supervisor shall prepare a report documenting the investigation process including observations made and information obtained. Information from the BIU Supervisor and members will be included in the report. The report shall contain the recommended Applicant Classification(s) according to the DOP Guide. The
 - 2. The report will be submitted, reviewed and co-signed by the Administrative Division Commander.
 - b. Summary reports shall be provided to the Chief of Police for review and recommendation to the Appointing Authority.
 - c. After approval from the Chief of Police, the Summary Report is to be added to the background check file.
 - d. Notice forms and related sent emails, including applicant responses, are to be printed up and added to the background check file.
 - e. The confidential background check file shall remain in the locked BIU file cabinet within the Training Bureau's custody. If the applicant is hired the BI file is to be forwarded to the Office of the Chief to be secured in the department's Confidential Employee Personnel Files.
 - (1) The confidential background check files shall be classified as Official Use Only and retained of a minimum of five (5) years. After which time the B background check I file may be purged in the appropriate manner per the NJ Division Archives and Records Management.

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- f. The Communications Supervisor shall provide the BIU Supervisor with a copy of original and the completed Telecommunicators Operator Certification of Eligibles in a separate marked folder in the BIU cabinet
- g. The Communications Supervisor shall provide copies of the required Summary Reports to the Appointing Authority as attachments when completing the DOP Certification of Eligibles. If necessary, additional documents can be provided as proofs and attached to the Certification of Eligibles
- h. An Applicant Closure Notice (Form T12) should be mailed to each applicant that is not selected or disqualified from the background check process. NJ DOP will send the applicant their specific classification and information regarding the appeal process.
- i. DOP Appeal Notification
 - (1) Upon receiving a Notice of an Applicant's Classification Appeal, from DOP, the BIU Supervisor will notify the Communications Supervisor, Chief, Administrative Division Commander then contact the Borough Attorney.
 - (2) The required proof documents are to be copied from the file by the BIU, reviewed with the Communications Supervisor then the Borough Attorney.
 - (3) Once approved, a cover letter will be written by the BIU listing the documents being submitted to DOP and provided to the applicant.
 - (4) The packets of documents are to be sent out as directed by NJ DOP (1 copy to DOP and the other to the Applicant) via Certified / Return Receipt mail.

V CIVILIAN EMPLOYEES BACKGROUND CHECKS

- A. The initial stage of a civilian staff background check is to commence after:
 - 1. A Certification List of Eligibles is requested and received by the borough from NJ Department of Personnel (DOP). The List of Eligibles is normally the result of written examinations conducted by DOP.
 - 2. In emergent situations, the process may be announced by the Borough indicating the manner in which interested parties may apply.
- B. The background check process should be conducted by the BIU in cooperation with the Administrative Division Commander.

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1. The following sections apply to conducting a Civilian Background Check:
 - a. Background Investigation Unit Assignment
 - 1) The Chief of Police or his designee shall assign existing background investigators or officers who have received training in background investigations to the Background Investigation Unit (BIU) in preparation for the hiring process.
 - 2) The Background Investigation Unit (BIU) is within the Training Bureau which is in the Administrative Division.
 - 3) The Background Investigation Unit (BIU) can be staffed on either a full-time or part-time basis by investigators as needed based upon the case load at that particular time. If investigators are assigned on a part-time basis then the BIU Supervisor must coordinate work schedules with the investigators immediate supervisor.
 - 4) No investigator shall be assigned to the BIU if their immediate relative (husband, wife, son, daughter, father, mother, step-child, niece or nephew) is an applicant in the current background investigation process.
 - b. Applicant Investigation Case Load
 - 1) A minimum of two background investigators should be present during an interview and work on each applicant investigation.
 - 2) The Administrative Division Commander and BIU Supervisor shall monitor the status of each applicant investigation through periodic BIU meetings and shall advise the Chief, as directed.
- C. The background check topic areas include but are not limited to:
 1. Application Process
 2. Driver's License Check, if possessed
 3. Criminal History Check
 4. Domestic Violence Registry Check
 5. Employment History Check and Verification
 6. Reference Checks
 7. Various Interviews

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D. Letters of Intent / Applications / Resumes

4. Letters of Intent received in response to a DOP Notification should be faxed to the Administrative Division Commander in a timely manner.
5. In an emergent hiring situation the Administrative Division Commander may receive resumes or a completed Borough of Fort Lee Application from the applicant or Borough Hall.
6. An existing borough employee applying to become a civilian employee within the police department will be required to complete the entire Civilian Background Check process.

E. The Administrative Division Commander will then contact the applicant(s) and schedule them individually for the Initial Interview. The Interview Notice (Form C2) will normally be sent via email.

F. **Civilian Initial Interview:** The Administrative Division Commander and a member of the BIU will conduct the Initial Interview during which the following topics will be explained:

1. Obtain an updated Letter of Intent (Form C1)
2. Obtain the completed Initial Application, if a resume or Borough of Fort Lee Application has not been completed. (Form C3).
3. Provide the applicant with the Notice of Background Check Process (Form C4) describing the steps of the background check and the Administrative Division Commander / BIU Contact Phone List. The applicant should be advised that they will be contacted throughout the process and advised in writing when the process is completed.
4. Obtain a signed & dated Release / Waiver Form (Form C5) which will be witnessed by a member of the BIU. The Release / Waiver will allow the BIU to follow-up on any information provide by the applicant.
5. Collect & photocopy personal paperwork as requested in the Interview Notice. Documents should be time-stamped indicating the date received. The accuracy of the information contained in these documents and qualifying credentials should be confirmed during the investigation.
6. Issue the Borough of Fort Lee Application if not previously completed. (Form C7).
7. Provide the NJ DOP Job Description for civilian position being sought.
8. Provide and discuss the Willingness Questionnaire (Form C7w) with the applicant before they sign the form.

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9. The applicant will be fingerprinted for Criminal Justice Employment. The fingerprints are automatically submitted to the New Jersey State Police and Federal Bureau of Investigation for a criminal history check.
10. If a driver's license is possessed by the applicant, then a regional check should be conducted on the applicant's driver's license number and name.
11. Computer records checks will be run on the applicant (Department, DV Registry, Criminal Checks)
12. A public records history search should be conducted.
13. An internet search should be conducted including a general search, web profile(s) and searches of newspaper.
14. If the applicant served in the armed forces then a completed Military Records Request Form (Form 180) will be required in order to obtain the authorized release of his service records to the BIU.
 - a. The BIU should prepare and send a letter to the Veterans Administration obtaining the applicant's military record.
 - b. Military Units / Installations may be contacted during the background check.
 - c. The Military Police Unit where the applicant was stationed or served may be contacted during the background check.
15. Civilian Background Check: After the Initial Interview the applicant's file is then in the Investigation portion of the process.
 - a. References- All listed references are to be contacted, interviewed and provided with Reference Questionnaire (Form T10). The form can be sent via US Mail or Email. Returned forms are to be reviewed and added to the file. A minimum of two (2) secondary references should be developed, contacted and interviewed during this process. References may be interviewed via the telephone if necessary. If the reference form is not returned then the information obtained during the interview needs to be documented in a report.
 - b. Education / School History- Information contained in the Main Application and the Official Transcript may be confirmed with the school (Guidance, Discipline, Coaches, Bursar, Security, Local PD, Student Housing, etc.).
 - c. Employment History- All employers, where ever possible, are to be contacted interviewed and provided with Employment Reference Form (Form T9). This may be conducted face-to face. If needed the contact may be completed via US

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Mail, Email and the telephone. Returned forms are to be reviewed and added to the file.

- d. The investigators will update the Background Check Case Jacket Checklist as portions of the process are completed.
- e. The Administrative Division Commander and the BIU Supervisor will periodically brief the Chief of Police on the status of applicants in the background check process.
- f. No information regarding a specific applicant is to be shared with any employee outside of the BIU or unless specifically directed by the Chief of Police.
- g. No employee outside the BIU or Administrative Division Commander is to accept any paperwork from or on behalf of an applicant unless specifically directed by the Administrative Division Commander, BIU Supervisor or the Chief of Police.
- h. Status Report- The Administrative Division Commander, or their designee, will prepare a Status Report for the Chief of Police listing the names of the applicants that have successfully completed the background check process.

16. Applicant Summary Report / Background Check File

- a. Applicant Summary Report
 - (1) The Administrative Division Commander shall prepare a report documenting the investigation process including observations made and information obtained. Information from the BIU Supervisor and members will be included in the report. The report shall contain the recommended Applicant Classification(s) according to the DOP Guide. The
 - (2) The report will be submitted, reviewed and co-signed by the Operations Division Commander.
- b. Summary reports shall be provided to the Chief of Police for review and recommendation to the Appointing Authority.
- c. After approval from the Chief of Police, the Summary Report is to be added to the background check file.
- d. Notice forms and related sent emails, including applicant responses, are to be printed up and added to the background check file.
- e. The confidential background check file shall remain in the locked BIU file cabinet within the Training Bureau's custody. If the applicant is hired the BI file is to be

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forwarded to the Office of the Chief to be secured in the department's Confidential Employee Personnel Files.

- (1) The confidential background check files shall be classified as Official Use Only and retained of a minimum of five (5) years. After which time the B background check I file may be purged in the appropriate manner per the NJ Division Archives
- f. The Administrative Division Commander shall provide the BIU Supervisor with a copy of original and the completed civilian position Certification of Eligibles in a separate marked folder in the BIU cabinet
 - g. The Administrative Division Commander shall provide copies of the required Summary Reports to the Appointing Authority as attachments when completing the DOP Certification of Eligibles. If necessary, additional documents can be provided as proofs and attached to the Certification of Eligibles
 - h. An Applicant Closure Notice (Form C12) should be mailed to each applicant that is not selected or disqualified from the background check process. NJ DOP will send the applicant their specific classification and information regarding the appeal process.
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 - (5) Upon receiving a Notice of an Applicant's Classification Appeal, from DOP, the BIU Supervisor will notify the Communications Supervisor, Chief, Administrative Division Commander then contact the Borough Attorney.
 - (6) The required proof documents are to be copied from the file by the BIU, reviewed with the Administrative Division Commander then the Borough Attorney.
 - (7) Once approved, a cover letter will be written by the BIU listing the documents being submitted to DOP and provided to the applicant.
 - (8) The packets of documents are to be sent out as directed by NJ DOP (1 copy to DOP and the other to the Applicant) via Certified / Return Receipt mail.

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DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 5/3/2001	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME III
VOLUME TITLE: COMMUNITY ASSISTANCE	# PAGES: 16					CHAPTER 2
ACCREDITATION STANDARD(S):	REFERENCE: V3C2					
SUBJECT: BIAS INCIDENTS						DISTRIBUTION ALL
ISSUING AUTHORITY: CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To ensure uniformed response to Bias incidents, by using appropriate procedures outlined in this directive, for the reporting, investigating, notification of proper agencies and the treatment of victims

POLICY

Bias Incidents have occurred throughout the state and the nation. As a result, the victimized communities have been gripped by uncertainty, tension and conflict. The promulgation of these standards serve as recognition that the unique nature of suspected or confirmed Bias Incidents requires special handling from the Borough of Fort Lee Police Department. Crimes having a racial, religious, or ethnic component manifest themselves in a wide spectrum of antisocial activities. These Bias Incidents jeopardize the active and open pursuit of freedom and opportunity. Bias Incidents attack the racial, religious and ethnic heritage of our citizens, important elements of our history and our future. Closely linked to our heritage are individual values, beliefs and identities. Bias Incidents undermine these foundations of freedom.

It shall be the policy of the Borough of Fort Lee Police Department to bring the investigative and enforcement elements of the department into quick action following any and all suspected or confirmed Bias Incidents. There is to be special emphasis placed on victim assistance and community relations in order to reduce victim trauma and community tension or fear. All suspected or confirmed Bias Incidents shall be viewed as serious. Bias Incident investigations shall be conducted in a timely fashion using all appropriate resources to rapidly determine the facts and circumstances surrounding each incident.

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Careful attention should be given to identifying the motive and cause of the Bias Incident and to identifying suspects. Referrals to the County Prosecutor's Office of Victim-Witness Advocacy shall be made as appropriate.

The proper investigation of a suspected or confirmed Bias Incident in Borough of Fort Lee is the responsibility of the Borough of Fort Lee Police Department. All department personnel must be sensitive to the feelings, needs and fears that may be present in the victims and the community at large as a result of a suspected or confirmed Bias Incident.

PROCEDURE:

I. ROLE AND RESPONSIBILITIES OF THE CHIEF OF POLICE

- A. Provide leadership and direction by developing a clear and concise formal Bias Incident policy and procedure and disseminating it to all department personnel.
- B. Publicly announce the agency's Bias Incident investigation policy. Explain that the public should immediately contact the police when a Bias Incident occurs.
- C. Ensure that all law enforcement officers of the agency receive appropriate training in Bias Incident response and investigation.
- D. Ensure that an appropriate initial law enforcement response is provided to all suspected or confirmed Bias Incidents and that a complete follow-up investigation is carried out, as appropriate.
- E. Ensure that security is increased in the affected area, as appropriate.
- F. Personally visit the victim of a Bias Incident, or designate an officer to do so.
- G. Ensure that the Bias Incident investigation is actively pursued to a successful conclusion or until all leads have been considered.
- H. Ensure that all relevant information regarding suspected or confirmed Bias Incidents is shared with the Bergen County Prosecutor, the Division of State Police Central Security Bureau and other appropriate law enforcement agencies within a reasonable period of time, as necessary.
- I. Ensure that victim/witness service referrals are made in a timely manner, as appropriate.
- J. Enlist the aid of religious, community, business and educational groups as well as other community leaders in an effort to moderate the impact of the Bias Incident, to reduce the potential for counter-violence and to promote good police community relations.
- K. Ensure that community relations activities and crime prevention programs are conducted, as appropriate.
- L. Maintain contact with community leaders concerning the Bias Incidents.

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- M. Conduct appropriate media relations. Prepare accurate and timely public information news releases, as appropriate.
- N. Ensure that all confirmed Bias Incidents are reported as required to the Uniform Crime Reporting System using Division of State Police Uniform Crime Reporting procedures and report forms.
- O. Ensure that victims and other concerned parties are informed of the final disposition of the incident.

II. DEFINITION OF BIAS INCIDENT AND RELATED CRIMINAL VIOLATIONS:

- A. For New Jersey law enforcement purposes, a bias incident is defined as any suspected or confirmed offense or unlawful act which occurs to a person, private property, or public property on the basis of race, color, religion, gender (except matters involving a violation of N.J.S.A. 2C:14-2 OR 2C:14-3) handicap, sexual orientation or ethnicity. An offense is bias-based if the motive for the commission of the offense or unlawful act pertains to race, color, religion, gender, handicap, sexual orientation or ethnicity. For the purpose of this definition, the term, "handicap" shall be construed consistently with N.J.S.A. 10:5-5(q).

SPECIAL NOTE: For bias incident offense reporting "Handicapped" means suffering from physical disability, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect or illness including epilepsy, and which shall include but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or from any mental, psychological or developmental disability. Handicapped shall also mean suffering from AIDS or HIV infection." **Bias incident offenses might include:**

- 1. Murder
- 2. Manslaughter
- 3. Rape
- 4. Robbery
- 5. Aggravated Assault
- 6. Burglary
- 7. Larceny - Theft
- 8. Simple Assault
- 9. Fear of Bodily Violence (N.J.S.A. 2C:33 -10)
- 10. Arson

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11. Criminal Mischief
12. Damage to Property; Threat of Violence (N.J.S.A. 2C:33-11)
13. Weapons Offense
14. Sex Offenses (except Rape)
15. Terroristic Threats
16. Disorderly Conduct
17. Harassment
18. Desecration of Venerated Objects

Criminal statutes that specifically address Bias Incidents are:

1. N.J.S.A. 2C:14-1e - Simple Assault become a fourth degree crime if committed with purpose to intimidate an individual or group because of race, color, religion, gender, handicap, sexual orientation or ethnicity.
2. N.J.S.A. 2C:33-4d - Harassment becomes a fourth degree crime if committed with purpose to intimidate because of race, color, religion, gender, handicap, sexual orientation or ethnicity.
3. N.J.S.A. 2C:44-3e - Authorizes an extended term of imprisonment if defendant in committing the crime acted with purpose to intimidate because of race, color, religion, gender, handicap, sexual orientation or ethnicity.

Note: Two Bias Incidents statutes have been held unconstitutional by the New Jersey Supreme Court. They are:

- a. N.J.S.A. 2C:33-10 - Threats of Violence
- b. N.J.S.A. 2C:33-11 - Desecration

While Bias Incidents can no longer be prosecuted under these statutes, other existing statutes may address the offense committed, for example: Criminal Trespass (N.J.S.A. 2C:18-3), Criminal Mischief (N.J.S.A. 2C:17-3), Terroristic Threats (N.J.S.A. 2C:14-3), Simple Assault (N.J.S.A. 2C:14-1a 3) and Harassment (N.J.S.A. 2C:33-4d).

- B. Some suspected Bias Incidents may not clearly fit the described definition. In those cases a common sense approach to the incident must be used. If an incident appears to be bias based, it should be investigated as such. Verification of motive and intent can be made during the ensuing investigation.

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- C. All personnel must recognize that a single Bias Incident may initially appear as less serious when viewed in the large context of all crime. None the less, any suspected or confirmed Bias Incident is serious by its nature. What may appear to be a minor incident can easily escalate into a larger order maintenance problem or public safety concern.

III. GUIDELINES FOR CONFIRMING A BIAS INCIDENT:

To assist personnel in confirming a suspected Bias Incident is actually bias motivated, the following criteria shall be applied. These criteria are not all inclusive. Common sense judgment must also be applied in the final determination.

A. Motive

1. The absence of an apparent motive for the Bias Incident.
2. Display of any bias symbols, words, graffiti or other types of evidence.
3. A common sense review of the facts and circumstances surrounding the incident. Consider the totality of the circumstances.
4. How the victim feels about the incident.
5. Statements made by the suspect.
6. Statements made by the witness.
7. Prior history of similar incidents in the same area affecting the same victim group.

B. When the above criteria are applied, it may be helpful to ask the following questions.

1. Is the victim from a racial, religious, or ethnic group and the suspect from another?
2. Did the incident occur solely because of a racial, religious, or ethnic difference between the victim and suspect or for other reasons?
 - a. Was the incident motivated on the basis of sexual orientation?
3. Is the victim the racial, religious, or ethnic group member in the neighborhood or one of the few?
4. Did the victim recently move into the area?
5. Is the victim acquainted with neighbors and/or associated with local community groups?

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6. What was the trademark (M.O. of the actor). Is it similar to other documented Bias Incidents?
7. Has the victim experienced past or repeated incidents of a similar nature?
8. Is there a connection between the date of the incident and holidays, school activities or other special public discussions or events?
9. Has there been prior or recent media coverage of similar incidents?
10. Is there an ongoing neighborhood problem that may have contributed to the event (Could the act be retribution for some conflict with neighbors or area juveniles?)
11. Does the method of operation signify a "copy cat" syndrome of other incidents?
12. Is an organized hate group indicated in the incident?
13. Were the real intentions of the actor to commit a Bias Incident or were there other motives?
14. Does the actor have a true understanding of the impact of the Bias Incident on the victim?
15. Was the victim put in fear due to the incident?
16. Did the victim feel threatened due to the incident?

If after applying these criteria and asking the appropriate questions, a suspected Bias Incident cannot be definitely determined to be any other type of incident or is a borderline case, it should be confirmed as a Bias Incident for continuing investigation purposes.

IV. OPERATIONS DIVISION RESPONSIBILITIES

A. Division Commander

1. Will ensure that all personnel in his division are fully familiar with the Bias Incident Policy.
2. Will ensure that all personnel in his division are trained yearly covering all aspects of the policy.
3. Ensure that all personnel in his division follow all areas of the policy.
4. Be responsible for the community relations section of the policy.

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a. **Community Relations:**

It is the objective of community relations to bring about an improved relationship between citizens and law enforcement through planned community wide programs and open dialogue between law enforcement and the community it serves.

Bias Incidents require community relations strategies which integrate the goals and objectives of law enforcement with community needs and concerns.

A great understanding and cooperation between law enforcement and citizens of the community must be developed in order to prevent Bias Incidents from occurring. Careful consideration shall be given to developing the specific functions and responsibilities of the police community relations effort.

Officers involved in community relations activities must have knowledge of the composition of the community. Community relations officers must maintain contact with community groups in an effort to understand the needs and interests in various segments of the community.

An agency initiated community relations program should be designed to offer an opportunity for law enforcement and other public and private agencies and individuals in the community to discover their common goals, interests, problems, ambitions and responsibilities and to work together towards the solution of community problems.

b. **Elements of Police Community Relations:**

- (1. Conduct in-service Bias Incident Police Community Relations training for agency personnel.
- (2. Publicly announce the agency's Bias Incident Investigation Policy. Explain that the public should immediately contact the police when the Bias Incident occurs.
- (3. Meet with residents and neighborhood groups in areas where suspected or confirmed Bias Incidents have occurred (or may potentially occur).
- (4. Maintain liaison with community leaders, civil groups and social services agencies, religious and professional organizations and public, private and parochial schools.
- (5. Organize police community relations programs which reflect the needs of the community.
- (6. Assist in developing cooperative programs which involve the law enforcement agency with other community wide organizations.

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- (7. Conduct Bias Incident awareness and education programs in the school system and throughout the community, as appropriate.
- (8. Coordinate police community relations activities with crime prevention programs.

B. Patrol Operations:

1. Initial response to a Bias Incident may generate fear and concern among victims and the community. These incidents have the potential of recurring, escalating and possibly causing counter-violence. Therefore, Bias Incidents require a thorough and comprehensive effort on the part of the first officers answering the call.

2. Responding Officer:

When the initial responding officer arrives on the scene and determines that the situation may involve a Bias Incident, he will:

- a. Apprehend the actor (if applicable)
- b. Provide assistance to the victim
- c. Protect the crime scene in preparation for the gathering of evidence.
- d. Request that a law enforcement supervisor respond to the scene.
- e. Conduct a standard preliminary investigation.
- f. Obtain the names and addresses of all persons who witnessed or who are acquainted with the circumstances of the incident. All such persons should be questioned in detail.
- g. Prepare an investigation report. Document the basic facts and circumstances surrounding the incident to include the following:
 - (1. Name, address, telephone number and information regarding the victim and witnesses
 - (2. Where the incident occurred
 - (3. Person and/or property targeted
 - (4. How targeted
 - (5. Means of attack
 - (6. Time of incident
 - (7. Method of operation-trademark or unusual characteristics of incident

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- (8. Any and all other relevant information provided by the victim and witnesses
- h. Refer the victim and witness to the Bergen County Prosecutor's Office of Victim – Witness Advocacy, as appropriate.
- 3. Law Enforcement Supervisor:
Upon arriving at the scene of a suspected or confirmed Bias Incident, he will:
 - a. Supervise the preliminary response and investigation and insure that the Bias Incident Officer is notified.
 - b. Confer with the initial responding officer.
 - c. Assist in the stabilization of the victim as required.
 - d. Ensure that the crime scene is properly protected and preserved.
 - e. Take steps to ensure that the incident does not happen.
 - f. Determine if additional personnel is required to provide complete public safety services.
 - g. Arrange for an immediate increase of patrols throughout the affected area, as appropriate.
 - h. If the potential exists for further acts of violence or damage to property, arrange for officers to be assigned to the location of the incident in a fixed post position.
 - i. Attempt to verify if the occurrence is a confirmed Bias Incident following the guidelines for confirming Bias Incidents contained in these standards. Verification assistance should be provided by other levels of command and/or additional investigative personnel, as required.
 - j. Request that investigative personnel respond to the scene if a Bias Incident is suspected or confirmed.
 - k. Notify headquarters and other level of command regarding the facts and circumstances surrounding the incident.
 - l. Request that the next level of command respond to scene, as appropriate.
 - m. Provide headquarters with updated, factual information regarding the incident.
 - n. Ensure that the Chief is notified of the incident.

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- o. Ensure that the necessary basic information is obtained in order to sustain a follow-up investigation.
- p. Ensure that all initial response reports are properly completed as soon as possible.
- q. Hold a general critique of all personnel involved to ensure all possible efforts have been exhausted in the initial response and add to report.

4. Notification

- a. To facilitate inter-agency cooperation, the Office of Bias Crime and Community Relations in the Division of Criminal Justice shall be notified:
- b. All suspected or confirmed Bias incidents, as soon as possible.
- c. Within 24 hours of knowledge of such incident.

(1). immediately for the following:

- (a) Homicide
- (b) Rape
- (c) Aggravated Assault
- (d) Arson
- (e) Law enforcement officer as alleged perpetrator.
- (f) Organized hate group as the suspected perpetrator.
- (g) Potential to generate large scale unrest.

(4) Notification required shall be by telephone or facsimile machine.

Weekdays: 9:00 A.M.-5:00 P.M. 609-984-1936

Fax: 609-292-5943.

All other times, Duty Pager: 908-633-2128

609-293-7243

- b. Bergen County Prosecutor's Office, immediate notification, for the above listed crimes, normal business hours: (see Vol. 7 Tab 3) After hours: (see Vol. 7 Tab 3). All Police Reports and the Supplementary Bias Incident Report shall be delivered or faxed to the Office as soon as practicable.
- c. Central Security Bureau
New Jersey State Police
Normal business hours: 609-530-5710
After hours: 609-882-2000

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V. INVESTIGATIVE DIVISION RESPONSIBILITIES

A. Division Commander:

1. Will ensure that each reported case of a Bias Incident is properly followed up and completed.
2. Will oversee all cases and forward reports to the Chief's Office in a timely fashion.

B. Investigation of cases will include all of the following:

1. Follow-up investigation:

- a. Investigative personnel shall respond to the scene of a suspected or confirmed Bias Incident as directed by supervisory personnel.

When the investigator arrives on the scene and determines that the situation may be a Bias Incident, he will:

- (1. Assume control of the Bias Incident follow-up investigation.
- (2. Ensure that the scene of the Bias Incident is properly protected and preserved.
- (3. Conduct a thorough and comprehensive follow-up criminal investigation. Continue Bias Incident verification procedure following the guidelines for confirming Bias Incidents contained in these Standards, as necessary.
- (4. Ensure that the scene of the Bias Incident is properly documented and searched, and evidence is gathered for analysis as required. Ensure the documentation of the crime scene as appropriate.
- (5. Interview all victims and witnesses.
- (6. Canvass the community to identify other victims and witnesses. Conduct additional interviews as necessary.
- (7. Determine the primary elements of the incident and obtain information to complete the data elements of the Uniform Crime Report supplementary Bias Incident offense report. Primary elements of the investigation include:

Persons Targeted - This includes the name, address, telephone number, personal background and other details of the victim.

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Object Targeted - This includes details on the type of premises, building or institution against which the offense was committed (private premises, public property or property primarily used for religious, educational, residential, memorial, charitable, or cemetery purposes, or for assembly by persons of a particular race, color, creed or religion gender or handicap).

How Targeted - This includes the way in which the person or property was attacked or damaged.

Means of Attack - This includes the instrument, tool, device, or method by which the person or property was attacked or damaged.

Time and Date: - This includes both the time and date reported and the actual time and date the offense was committed.

Trademark - This includes the M.O. or individual identifying characteristics of the Bias Incident which may serve to distinguish the offense from others committed in much the same fashion. This element is helpful in connecting a suspect with past incidents.

- (8). Conduct surveillance and other appropriate investigative activities in order to obtain additional evidence and to identify suspects.
- (9). Contact other appropriate law enforcement agencies for assistance, as required. Notify the Bergen County Prosecutor's Office within a reasonable period of time not to exceed 24 hours. (See VI of this policy)
- (10). Work closely with the County Prosecutor to ensure that legally sufficient cases are presented for prosecution.
- (11). Assist the victim/witness in obtaining appropriate support services. (See APPENDIX A)
- (12). Prepare standard investigative reports documenting the bias incident investigation, as appropriate.
- (13). Ensure that all confirmed Bias Incidents are reported to the Uniform Crime Reporting System using Division of State Police Uniform Crime Reporting procedures and report forms.
- (14). Assist with community relations activities and crime prevention programs, as appropriate.

Investigators should ensure that all physical remains of the incident are removed after crime scene processing is completed. If the remains cannot be physically carried away (example: paint on walls), the investigator should attempt to notify

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building or property owners regarding the need for complete removal as soon as possible after the crime scene has been fully processed.

Community leaders and organizations are important resources during any Bias Incident Investigation. These resources can help to broaden the investigator's understanding of the incident. They can also help to convince uncooperative victims and witnesses to cooperate with investigators and encourage more victims to report Bias Incidents.

Investigators shall be sensitive to the safety concerns of victims and witnesses, and arrange for appropriate security measures to be implemented to protect persons and property.

- (15. The Division of State Police Central Security Bureau has established the following notification procedure to be followed when:

A Bias Incident occurs and an organized hate group is suspected of being responsible.

A Bias Incident has potential to generate large scale unrest.

To assist local and county law enforcement authorities with the investigation of any Bias Incident upon request.

During normal working hours, the supervisors of the Central Security Bureau can be reached at telephone number (609)-530-5710.

After normal working hours, holidays, and weekends, contact Division of State Police Headquarters at (609)-883-2000 and request that a Supervisor of the Central Security Bureau be contacted.

- (16. When the Borough of Fort Lee Police Department is confronted with suspected or confirmed violations of New Jersey's Law Against Discrimination the Division of Civil Rights shall be contacted by the investigator assigned to the incident.

VI. OFFICE OF BIAS CRIME AND COMMUNITY RELATIONS

- A. The Office of Bias Crime and Community Relations in the Division of Criminal Justice shall be the office for the statewide investigation and monitoring of bias incidents, and all law enforcement agencies shall give them full cooperation.

1. Whenever assistance is needed by local and county law enforcement authorities regarding bias incidents, the Office of Bias Crime and Community Relations shall be contacted. That office will then coordinate appropriate additional resources with the requesting agency.

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B. Notification Procedures

1. To facilitate inter-agency cooperation, the Office of Bias Crime and Community Relations, (**OBCCR**) in the Division of Criminal Justice shall be notified of all suspected or confirmed bias incidents as soon as possible, but in no event later than 24 hours after a law enforcement agency gains knowledge of such incidents. This requirement shall be in addition to notification of the Bergen county prosecutor's office within the same time period.
2. Notwithstanding the above, the **OBCCR**, shall be notified immediately of all suspected or confirmed bias incidents
 - a. That involve homicide, rape, aggravated assault or arson,
 - b. That involve a law enforcement officer as the alleged perpetrator,
 - c. That involve an organized hate group as the suspected perpetrator, and
 - d. That involve the potential to generate large scale unrest.

This requirement shall be in addition to notification of the county prosecutor's office and the Central Security Bureau of the New Jersey State Police.

3. Notification shall be by telephone or facsimile machine (weekdays 9 a.m. to 5 p.m.: (609) 984-1936, (609) 292-5943 (facsimile); all other times: (908) 633-2128 (duty pager).

VII. CRIME PREVENTION PROGRAMS

The Borough of Fort Lee Crime Prevention Unit shall establish specific crime prevention policies and programs which serve to prevent and suppress Bias Incidents. These policies and programs may be integrated into existing crime prevention programs.

A crime prevention program should be pro-active. While it is recognized that all Bias Incidents cannot be anticipated or prevented, crime prevention services shall be provided for each suspected or confirmed Bias Incident, as appropriate.

VIII. SUPPLEMENTARY BIAS INCIDENT REPORT

- A. Report form to be used – State Form UCR-BI no.1 (available in computer system).

1. Officer's will be provided with copies of original report form to be completed in the field if the computers are down and they can not be accessed.
2. The person responsible for UCR will type all completed field reports for submission to the State.

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B. When Report Must Be Completed and Submitted to State UCR

1. On all calls department responds to that are impacted by the incidents of Bias list under purpose of the report.
2. Report must be submitted for each victim.

C. How to Fill Out Report

1. See State report UCR-BI no1 for complete instructions

D. Report Flow

1. Officer hand writes in field
2. Officer types report when completed at the scene
3. Report is then ready to forward to Chief
4. Chief will review and forward to agencies outlined
5. One copy will be filed with the investigation report. The gold copy will be filed in the Bias report file.

E. Other Indications on Report

1. When a box is marked for "OTHER" an explanation **MUST** appear under "REMARKS"

ELEMENTS OF BIAS INCIDENT

CRIME PREVENTION PROGRAMS

- A. **Bias Incident Prevention, Education and Awareness** - to include programs which provide an understanding of the nature and causes of Bias Incidents and the resulting impact on the victims and the community.
- B. **Crime Analysis** - To include the recognition of Bias Incident crime patterns.
- C. **Neighborhood Watch** - To include identifying the purpose and principles of crime awareness and timely reporting of suspect activity to the police. Presented through lectures with handout literature and informational displays.
- D. **Residential Security** - To include discussion of physical security measures and the conducting of on-site residential security surveys. (with handout literature and information displays).

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- E. **Commercial, Institutional and School Security** - To include discussion of physical security measures and the conduct of on-site commercial, institutional and school security surveys. (With handout literature and information displays).
- F. **Environmental Design Techniques** - To include target hardening and lighting considerations for existing buildings and new construction.
- G. **Criminal Mischief Prevention** - To include discussion of vandalism prevention through security measures and juvenile/adult education.
- H. **Personal Protection Procedures** - To include crime avoidance and confrontation response procedures.
- I. **Crime Prevention for Senior Citizens** - To include identifying crimes to which older persons are particularly vulnerable and discussion of crime prevention measures for senior citizens.

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DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 06-12-2002	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IV
VOLUME TITLE: AUTHORITY	# PAGES: 9					CHAPTER 16-3
ACCREDITATION STANDARD(S):	REFERENCE: V4C16-3					
SUBJECT: BICYCLE UNIT						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS R. TESSARO						EVALUATION DATE:
ATTORNEY GENERAL:	Special Instructions					
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To promote the concept of Community Policing. A concept which advocates police and community partnership in solving our policing problems and needs. This is accomplished by an increased police presence, increased crime detection, suppression, apprehension and police response. This greater police-citizen interaction, creating trust and rapport with the community.

To inform members of the department of the various aspects which make up the Bicycle Unit, and to ensure uniformity of operation and procedures on a department wide basis including guidelines for the qualification, operation and deployment of police bicycles.

POLICY:

The Fort Lee Police Department will deploy bicycle patrols to compliment traditional patrol units, effectively increasing visibility, mobility and range of designated patrols.

The primary purpose of the Fort Lee Police Department Bicycle Unit is to deliver proactive community policing services to the borough by providing high visibility patrol, diligent enforcement of laws and local ordinances, while working together with the resident and local businesses for the specific purpose of preventing crime, reducing the fear of crime, and enhancing the quality of life.

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PROCEDURES:

I Qualifications

- A. Police officer should be assigned for bicycle duty at the discretion of the Chief of Police and should:
1. Volunteer to be in the program
 2. Be physically fit
 3. Be highly motivated
 4. Be community relations oriented
 5. Must complete an approved police bicycle training course
 6. Posses the qualities and meet the requirements of the position.
 7. Have excellent and demonstrate public relation skills and professional appearance.
 8. Attend an approved bicycle training class as soon as practical after assignment to the unit. Officers that have yet to attend the approved class should attend an in-house class taught by current bicycle officer(s). Bicycle officers are authorized to operate the bicycles and related equipment after receiving the above described training.

II. Duties / General Responsibilities

- A. Generally, the duties of members assigned to police bicycle patrol when deployed should include, but not be limited to the following:
1. Routine patrol of one or more designated posts.
 2. Parking and or traffic enforcement or direction.
 3. Quality of life offense detection and enforcement.
 4. Responding to dispatched emergency calls for service.
 5. Any other duties directed by the Tour Commander with the Administrative Division Commander's, or the highest ranking on duty supervisor. Consideration should be given to unit member's previous commitments and activities. During an emergency the highest-ranking supervisor may utilize unit members as needed.
- B. The following duties should be assigned to members of the Bicycle Unit by the Community Policing Supervisor:

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1. Ordering, issuing and maintaining an inventory of the units equipment.
2. Scheduling maintenance, repairs and adjustments to the bicycles.
3. Coordinate community relations / special events and activities as requested.
4. Notify their immediate supervisor of any damage to the unit's equipment.

III. DEPLOYMENT

- A. Bicycle patrols should be deployed when a Bicycle Unit member is working.
- B. Tour Commander shall deploy members of the bicycle as a supplement to patrol, anytime there is enough member to deploy.
- C. Tour Commanders should ensure that bicycles are not deployed during extreme weather or temperature conditions, or when officer safety is questionable, particularly if the temperature is below 35 degrees or above 90 degrees.
- D. If a situation arises during a tour of duty, or if inclement weather necessitates re-assigning a bicycle unit officer to a motorized vehicle then the officer may wear their bicycle uniform for the remainder of the tour.
- E. In the event that weather conditions change during a shift and no longer allow the safe operation of the bicycle, the officer should return the bicycle to HQ and notify the Tour Commander and Com-Cen.
- F. Bicycles shall not be used by officers who have not been assigned to the bicycle unit without the approval of the Chief of Police.
- G. Bicycle officers patrol in a highly visible manner in the areas of the Borough where there are large numbers of people. This includes pedestrian and bicycle pathways, apartment complexes and shopping centers. These areas should be patrolled for high visibility and detection of criminal activity not normally discovered by conventional patrol.
- H. Bicycle officers are expected to make a high number of citizen contacts, and are not restricted in the use of the bicycle. During inclement weather, officer may use discretion in the operation of the bicycle.
- I. Authorization for use in various situations: Due to the unobtrusive nature of bicycle patrol, officer assigned to the unit may be used in special operations such as stake-outs or activities requiring plain clothes while operating a bicycle.
- J. Officers are available to speak at public and private functions for the purpose of promoting bicycle safety and the concept of community policing.

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- K. At the request of outside agencies, and with the approval of the Chief of Police, bicycle officers and their assigned equipment may be sent to assist agencies during special functions.

IV. COMMUNICATIONS

- A. Bicycle unit officers should use their assigned portable with either a hand microphone or radio headset.
- B. Radio contact with Com-Cen should be made advising them when a Bicycle officer is on-duty.
- C. Com-Cen should be advised when they are on bicycle patrol and their assignment if any.

V. UNIFORMS

- A. Police cyclists must wear a department issued ANSI & SNELL approved helmet whenever operating a police bicycle in uniform.
- B. Bicycle Unit uniforms as specified below shall be authorized for Bicycle Unit members when assigned to the Community Policing Unit and shall not supplant the Uniform Policy (Vol. X Ch. X) for Patrol Division assignments.
- C. It will be the responsibility of each Bicycle Unit officer to properly maintain their uniform and bicycle.
- D. Uniformity within the unit should be maintained. The uniform of the day should be determined by the supervisor of the unit or in their absence, the senior member of the unit.
- E. Issued Uniform- Each Officer assigned to the unit will be issued the following uniform:
 - 1. Yellow Polo style uniform shirts (2)
 - 2.
 - 3. Pairs Olympic Hollywood Black shorts (2)
 - 4. Pair Olympic black cycling pants (1)
 - 5. Olympic New York zip long sleeve yellow jacket (1)
 - 6. Pair padded cycling shorts (2)
 - 7. Pair mountain bike shoes (1)
 - 8. Pair of cycling gloves (1)

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9. A white Police bicycle helmet

10. A nylon utility gun belt.

F. Summer Uniform

1. The approved yellow short sleeve polo shirt is to be worn. The shirt shall have a department patch on the left sleeve and an American flag on the right sleeve with the officer's embroidered name above the left breast.

2. The approved black shorts

G. Winter Uniform

1. A black department may be worn under the approved summer shirt.

2. Olympic New York, zip long sleeve yellow jacket will be worn.

3. Black cycling pants.

H. Operational Uniform:

1. Black polo shirt with single left side pocket

a. Silk semen patch on each sleeve (white)

b. Bike Team logo above pocket, 1.5" badge with bike (gray /white)

c. Police on back (6" white block letters)

d. Embroidered last name on right (1" white block letters)

2. Black shorts - mountain bike style (Brand - Olympic Hollywood shorts)

3. White socks only

4. Short cut black boot

5. Nylon web Sear or leather Sear

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6. Bike helmet (ANSI or Snell approved) (white) purchased by Department on Equipment Maintenance Contract
7. Eye protection:
 - a. Sunglasses with UV protection, shatter resistant
 - b. Clew glasses, shatter resistant
9. Assigned mic radios with
 - a. Sound tube car piece
10. Bike gloves (black or blue) - purchased by Department on Equipment Maintenance Contract
11. Cold weather
 - a. Pants: Suplex or Gortex fabric (black) Cycling pants
 - b. Jacket: Suplex or Gortex Fabric (black) Olympic New York zip sleeve jacket with POLICE silk screened on back - in 6" white letters and the Bike Team logo on front left. Last name embroidered in 1 " letters in white on the front right.

VI. EQUIPMENT

A. The following equipment shall be kept in or on the police bicycle:

1. Battery pack battery
2. Headlights
3. Flashing tail lights
4. Rear carry rack and bag
5. Water bottle and carrier
6. Tools and equipment for minor repairs

B. **Bicycles:**

The department selected the mountain bicycle because it is recognized that it has a durable lightweight frame and strong wheels that can withstand rigorous use as encountered in law enforcement.

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Full suspension mountain bikes, or front suspension mountain bikes, approved by the Community Policing Supervisor.

Structural alterations or removal of standard equipment shall not be made to the bicycle unless specifically authorized by the Administrative Division Commander. Personal adjustments should be made to increase the officer's level of comfort and safety.

C. Bikes: Accessories and Markings

1. Will be black, white, blue or silver in color with reflective decals on the three main tubes. "FORT LEE" will on the top tube and "POLICE" on the down tube.
2. Red and blue lighting devices for front of bike
3. Police markings on cross bar
4. Rear black saddle bag on rack
5. Front headlight
6. An audible warning device may be installed and utilized.

VII. MAINTENANCE

- A. The police cyclist will be responsible for basic maintenance of the police bicycles, inspections, battery charging and reporting deficiencies.
- B. Police cyclist will be required, when necessary to transport bicycles requiring additional maintenance to the designated service shop.
- C. Police cyclist will be responsible for department property assigned to them.

VII. SUPERVISION

- A. The Bicycle Unit will be assigned to the Administrative Division and function as part of the Community Policing Unit, and will be under the direction of the Community Policing Supervisor.
- B. The Bicycle Unit will generally be scheduled during the day shift on a Monday – Friday / Tuesday – Saturday schedule, but should be flexible and adjust their schedule as needed for special assignments.
- C. Police cyclists will report any deficiencies, maintenance problems or recommendations to the designated supervisor.

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VIII. WEATHER CONDITIONS

- A. During foul weather conditions, officers will have the option to work on bikes or in a vehicle.
- B. The unit should concentrate efforts in business, school and park areas, and other areas identified as needing special attention, using Community Policing tactics to eliminate, reduce and/or manage crime and related social issues.
- C. The unit's patrol area is not limited to these areas, but should direct their efforts to specific area as needed.

IX. VACANCIES / SELECTION PROCESS:

- A. When a vacancy occurs on the Bike Team, the Community Policing Division Commander is responsible to coordinate the application and testing process to fill the vacancy.
- B. The application process will follow Department Policy pertaining to request for division transfer. (Officers whose applications are approved may be scheduled for an interview by a panel consisting of the Community Policing Division Command). The interview board **will** recommend to the Chief of Police, via the Operations Captain, those candidates selected by the board. The Chief of Police will have the final review.
- C. The Division Commander may exercise his/her authority to assign personnel from within the Division. This process is by direct appointment, and does not require the above described transfer process.
- D. Officers requesting voluntary removal from the Team must provide as much advanced notice as possible, normally a minimum of one month, to allow for recruitment and other training needs as appropriate.

X. TRAINING:

- A. Each Officer selected for the Bike Team will be required to successfully complete a basic Police Bicycle Officer Course that follows the guidelines established by the Law Enforcement Bicycle Association (LEBA), or the International Police Mountain Bike Association(IPMBA). Upon completion of the course, members should train periodically on bicycle tactics involving shooting take down techniques, turning drills, and other appropriate topics.

XI. MAINTENANCE:

- A. Unit officers should perform a daily check of the unit equipment to be utilized. Any deficiency should be brought to the unit supervisors attention. The bicycles should be kept in a clean condition.
- B. The Fort Lee Police Department will contract with a local bike shops for maintenance, service and sales. Bike Officers will advise their supervisors of maintenance and repairs of bikes prior to being serviced.

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- C. The bike shop will bill the Fort Lee Police Department directly, and provide the officer with a receipt upon completion of work. The work order or receipt will be signed by the officer and immediately turned into the Administration Division for payment.
- D. Any bicycle involved in an accident, or an incident where the integrity is in question, should be taken out of service and inspected to determine if further inspection or repair is required before returning the bicycle back into service.

XII. BICYCLE OPERATION:

- A. Bike Officers are responsible to comply with the laws applicable to the proper use of a bicycle and any exceptions for Law Enforcement officers.

**TRAFFIC
BOROUGH CAMERA SYSTEM
VOL, IX. CH, 30.**

DEPARTMENT RULES AND REGULATIONS/POLICIES AND PROCEDURES

BOROUGH OF FORT LEE POLICE DEPARTMENT	EFFECTIVE DATE: 08-11-2004	REVISION DATE:	PAGE #:	SECTION:	APPROVED	VOLUME IX
VOLUME TITLE: TRAFFIC	# PAGES: 3					CHAPTER 30
ACCREDITATION STANDARD(S):	REFERENCE: V#C#					
SUBJECT: BOROUGH CAMERA SYSTEM						DISTRIBUTION ALL
ISSUING AUTHORITY: _____ CHIEF THOMAS RIPOLI						EVALUATION DATE:
ATTORNEY GENERAL:		Special Instructions				
PROSECUTOR'S OFFICE:						
REFERENCE:						

PURPOSE:

To establish procedures in the use, maintenance, monitoring and retrieval of images from the camera system, which has been installed throughout the borough.

POLICY:

Personnel of the Fort Lee Police Department will follow the below procedures in the use, maintenance, monitoring and retrieval of images from the camera system, which has been installed throughout the borough.

Any misuse of the system will be documented for a follow up investigation and disciplinary action.

PROCEDURES:

I. MONITORS AND CONTROLS

A. Monitors for viewing the camera system throughout the borough are located in 5 locations within headquarters, each location has a control keyboard/joystick for switching cameras and controlling their operation.

1. Five monitors at the desk
2. One in communications

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3. Three in traffic
4. One in the Chief's office
5. One in the control room
 - a. Control room has two additional controls for Digital Video Recorders, a photo processing unit and DVD Burners.
 - b. Access to control room will be limited to officers that have been trained to retrieve data from the system.
- B. Officers working the desk, traffic division and dispatchers will receive training in the use of the controls available to them.
- C. Workstation at the desk will override the station in communications and traffic, traffic overrides communications, workstation in the Chief's office will override the desk, and the control room overrides them all.

II. POLICE DESK CAMERA OPERATION

- A. The workstation at the desk is to be controlled by the tour commander or desk officer.
 1. One monitor is to be kept on camera # 5, so that the tour commander will know when there is a traffic problem in the bridge area.
 - a. The position of the camera may be moved if needed for other law enforcement purposes.
 - b. The camera will return to preset position after 10 minutes.
- B. When there is a traffic problem, crime problem or special event, the tour commander will monitor the area involved if it is within camera range.
- C. Daily traffic conditions and posts will be monitored periodically.
- D. The tour commander is responsible for monitoring the use of the cameras by communications personnel.
 1. Any misuse will be stopped and documented.

III. COMMUNICATIONS CENTER CAMERA OPERATION

- A. When there are traffic problems, collisions or crimes that just occurred, the dispatchers may use the camera system to locate the problem at hand so that direction may be given to patrol units responding to the scene.

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- B. During other times, before a dispatcher moves any camera from its preset location, the tour commander must be notified.

IV. TRAFFIC BUREAU CAMERA OPERATION

- A. Traffic officers will monitor traffic using the monitors in their office during times when they are not on the road.

- 1. One monitor should be kept on camera 5 to monitor the bridge traffic.

V. CONTROL ROOM ACCESS AND OPERATION

- A. The Chief of Police will determine which officers will be trained in retrieving data from the system.

- 1. Those officers will access the control room upon request to retrieve data from the system for the following situations:

- a. Review of traffic incidents.
 - b. Review of any types of collisions or struck pedestrians.
 - c. Areas where crimes have occurred.
 - d. Requests for discovery.
 - e. Upon request of administration.

- B. Data retrieved, either on photo, DVD or other device will be marked by the officer retrieving the data.

- 1. Date, time, case number and initials will be placed on the photo, DVD or other device.

- C. Privacy controls are to be left on unless a specific request has been approved by the Chief, or his designee to turn them off.

VI. MALFUNCTIONS AND REPAIRS

- A. The malfunction of any camera or monitor will be reported by the tour commander to administration via e-mail, or directly if administrative officers are working.

- B. Tour Commander may contact ETC Corporation at 1-973-334-0800 for service of the system.