



ALLEN PASCUAL
Commissioner

**TOWNSHIP OF NORTH BERGEN
DEPARTMENT OF PUBLIC SAFETY
POLICE DEPARTMENT**

LAW & PUBLIC SAFETY BUILDING
4233 KENNEDY BOULEVARD
NORTH BERGEN, NJ 07047



PETER FASILIS
Chief of Police

EFFECTIVE DATE: Immediately		DIRECTIVE: General Order 13-12	
SUBJECT: NJSA 40A:14-146.10. Special Law Enforcement Officers		SECTION:	
REFERENCES:			
ACCREDITATION STANDARD: N.J.S.A.C.O.P. 2.6.1.			
DISTRIBUTION: Police Desk All Divisions via Power DMS General Order Manual		NUMBER OF PAGES: 6	
ISSUING AUTHORITY: Peter Fasilis Chief of Police		ISSUE DATE: May 1, 2013	REVISION DATE: February 6, 2022

I. PURPOSE:

- A.** The goal of this General Order is to establish a policy and standard operating procedures for Class II Special Law Enforcement Officers (herein referred to as **SLEO II**). **NJSA 40A:14-146.10** authorizes that a local municipality may, as it deems necessary, appoint SLEO II sufficient to perform the duties and responsibilities permitted by local ordinances and within the conditions and limitations established by law.
- B.** The Appropriate Authority of the Township of North Bergen has authorized the appointment of SLEO II officers. Officers selected as SLEO II shall be subject to a background check that is deemed satisfactory by the Chief of Police. SLEO II shall **not** be utilized or employed by the North Bergen Police Department unless they are Police Training Commission certified, will be attending an authorized SLEO II PTC Certification Course, or possess a waiver of certification due to their status as a retired law enforcement officer.

- C. SLEO II officers shall primarily be assigned to the Municipal Court, Patrol Division, or School Resource Officers where they will perform limited functions, including, but not limited to, traffic control assignments, prisoner watches, walking posts, fire watches, transports.
- D. SLEO II may be assigned to other police-related functions at the direction of the Chief of Police or his designee.

II. POLICY:

- A. **40A:14-146.10** authorizes SLEO II to exercise full powers and duties similar to those of permanent, regularly appointed full-time police officers. The use of a firearm by an SLEO II is authorized only after the officer has been fully certified as successfully completing training as prescribed by the Police Training Commission.
- B. Every SLEO II shall be furnished with a uniform that shall include, but not be limited to, an appropriate badge which shall bear an identification number or name tag, and North Bergen Police Department shoulder patches that also include a SLEO II designation that indicates the officer's status as a special law enforcement officer.
- C. SLEO II shall comply with the rules and regulations applicable to the conduct and decorum of the permanent, regularly appointed police officers of the North Bergen Police Department, as well as any directives or guidelines issued by the Attorney General, County Prosecutor, or Chief of Police. This inclusion extends to being eligible for random or reasonable suspicion-based drug testing and fitness for duty examinations should they be deemed necessary.
- D. SLEO II are assigned under the command of the Chief of Police as required by law and shall report to supervisors in the Administrative Division and/or Patrol Division, depending on their assignment. Nothing in this policy shall allow a SLEO II to disregard lawful orders from a ranking supervisor assigned to other divisions or units of the North Bergen Police Department.
- E. SLEO II are part-time employees and are paid at an hourly rate established by township ordinance. SLEO II are not eligible for pensions, health benefits, paid sick leave, paid vacation or leave time, accrual of compensation time, or overtime pay. SLEO II may only work a maximum of 30 hours per week, on a schedule to be determined by the commander of the Administrative Division.

SLEO II are authorized to work off-duty police related employment (commonly referred to as police details), at the sole discretion of the Chief of Police or his designee. SLEO II working outside employment shall notify the Chief of Police in writing as to the nature and extent of said employment. Any outside related employment which includes a security function shall not be related to their employment with the North Bergen Police Department. Furthermore, since SLEO II do not have police authority while off duty or

outside the jurisdiction of the Township of North Bergen, the North Bergen Police Department shall not be held liable for their actions while off duty.

III. **RESTRICTIONS:**

A. **40A:14-146.14 stipulates certain restrictions on SLEO II Officers:**

1. SLEO II may exercise full powers and duties similar to those of permanent, regularly appointed full-time police officers while **on duty only**.
2. SLEO II do **not** have any law enforcement authority **while off duty** and may only wear the department issued uniform during work hours.
3. SLEO II may only carry out their duties within the borders of the Township of North Bergen unless they are engaged in the following exceptions:
 - a. The SLEO II leaves the township while engaged in fresh pursuit of a suspect pursuant to state law.
 - b. The SLEO II may travel through another municipality to reach a noncontiguous area of the Township of North Bergen in performance of his / her assignment and duties.
 - c. The SLEO II may leave the township to transport persons to and from a correctional facility.

B. **Firearms**

1. SLEO II may **only** carry a firearm while engaged in the actual performance of the officer's official duties and when authorized by the Chief of Police.
2. The SLEO II shall satisfactorily complete the basic firearms course required by the Police Training Commission for regular police officers and annual requalification examinations as required for permanent, regularly appointed full-time North Bergen Police Department officers.
3. The SLEO II may **not** possess any personally owned firearms for the purpose of employment and must utilize a department issued weapon. The **only exception** to this provision is when the SLEO II is a retired police officer and the weapon he or she is utilizing has been approved for use by the Chief of Police.
4. The SLEO II is **not** eligible for authorization to carry a firearm while off duty as promulgated by **NJSA 2C:39-6** which authorizes full time law enforcement officers that privilege.

C. **Term of Appointment**

1. Pursuant to **40A:14-146.14** SLEO II may be appointed for a term not to exceed one year, and the appointments may be revoked by the Appropriate Authority for cause after adequate hearing, unless the term of appointment is for four months or less, in which event the appointment may be revoked without showing cause or as the result of a disciplinary hearing. The SLEO II may be reappointed by the Appropriate Authority for an additional term(s) at the recommendation of the Chief of Police.
2. Prior to the Chief of Police recommending reappointment of any SLEO II for an additional term of service, the SLEO II shall be subject to a written evaluation by a supervisor assigned to the Administrative Division and/or Patrol Division, depending on assignment.

IV. STANDARD OPERATING PROCEDURES:

A. Assignments

1. The SLEO II may be assigned to the North Bergen Municipal Court.
2. The SLEO II may be utilized for prisoner transports to a correctional facility.
3. The SLEO II may be utilized in the Patrol Division for limited functions, as directed by the Chief of Police. These functions may include the following:
 - a. Traffic Control Assignments
 - b. Walking Posts
 - c. Prisoner Watches
 - d. Prisoner Processing
 - e. Transports
 - f. Fire Watches
 - g. Any other assignment deemed appropriate by the Supervisor
4. The SLEO II may be utilized as a School Resource Officer and assigned to any of the schools within the Township of North Bergen.

B. Uniforms

1. SLEO II shall wear the prescribed uniform including the authorized SLEO II patch underneath the North Bergen Police Patch.
2. SLEO II shall at all times wear their assigned badge on their uniform.
3. SLEO II shall **not** wear their uniforms while off-duty. This includes the commute to and from work. SLEO II are required to change for duty prior to their commencement of

their shift and at the end of their work day. SLEO II may **not** wear their uniform while commuting to and from the Township of North Bergen.

C. Firearms

1. SLEO II shall sign out a duty weapon prior to the beginning of their tour of duty. Duty weapons are available both at the North Bergen Police Substation as well as Police Headquarters. Each day, at the end of their tour of duty, the SLEO II Officer shall return said weapon to the appropriate Department armory and shall make the appropriate entries in the armory log book as required.
2. All SLEO II duty weapon assignments and returns, as well as armory log verifications, must be completed by Department supervisor.
3. The only exception to this policy as established in Section IV, Part C (1) shall be during limited circumstances when the SLEO II is a retired Law Enforcement Officer who has the authority to carry a firearm off duty and possesses a personally owned weapon which has been authorized by the Chief of Police for use while on duty as an SLEO II.
 - a. SLEO II who qualify to carry firearms due to their status as a retired Law Enforcement Officer under federal and state law are reminded that they have absolutely no police powers while off duty and are required to follow all provisions of federal and state laws regarding the carrying of concealed weapons by retired Law Enforcement personnel.
4. SLEO II shall be required to qualify at a time and place as prescribed by the supervising firearms instructor of the department. The SLEO II shall satisfactorily complete annual requalification examinations as required for permanent, regularly appointed full-time North Bergen Police Officers.

D. Use of Department Vehicle

1. SLEO II may be authorized to operate or travel in a marked department police vehicle during limited circumstances, as deemed appropriate by the Chief of Police, a Division Commander, or appropriate Supervisor.

E. Chain of Command

1. SLEO II are assigned under the command of the Chief of Police as required by law and shall report to supervisors in the administrative division, and/or patrol division, depending on their assignment.
2. Nothing in this policy shall authorize a SLEO II to disregard lawful orders from a ranking supervisor assigned to other divisions or units of the North Bergen Police Department.

F. Payroll

1. SLEO II shall file a department authorized payroll form for every tour of duty they work. The payroll forms shall be forwarded to the Office of the Chief of Police without delay.
2. SLEO II shall work a **maximum** of **30 hours** per week (60 hours per pay period).
3. SLEO II are not eligible for overtime pay, accrual of compensation time.
4. SLEO II will receive biweekly pay checks in the same manner as all employees of the North Bergen Police Department.

V. **VIOLATIONS:**

- A. Any SLEO II, full time sworn police officer, or supervisor who is in violation of this General Order or Standard Operating Procedures that are established by this order may be subject to disciplinary action.
- B. SLEO II are **sworn police officers** and therefore are subject to progressive disciplinary action for violations of:
 1. Federal or State Law
 2. Municipal Ordinances
 3. Attorney General Guidelines
 4. Directives Issues by the County Prosecutor
 5. Directives, Orders, Policies, or Procedures issued by the Chief of Police
 6. North Bergen Police Department Rules and Regulations
 7. Any lawful verbal order issued by a supervisor.
- C. SLEO II Officers who are subject to disciplinary action shall be investigated by the Internal Affairs Division of the North Bergen Police Department.



Peter Fasilis
Chief of Police