NEW JERSEY DIVISION OF CRIMINAL JUSTICE

The Law Enforcement Reporter

Fall 1998

In This Issue

Police Knowledge and Experience Only Valid if Officer Uses Them, says State's Highest Court

William J. Zaorski
Deputy Attorney General
Prosecutors and Police

While courts recognize that a police officer's knowledge and experience are important factors in determining whether criminal activity is taking place, the officer must show how that knowledge and experience were used by the officer in reaching that determination, ruled the state's highest Court in two separate opinions.

In one case, *State v. Citarella*, 154 *N.J.* 272, the State Supreme Court upheld the actions of a police officer in confronting a man on a bicycle because the officer demonstrated how he

evaluated the observed factors with his training and experience. In another case, *State v. Smith*, the Court suppressed evidence obtained by a police officer who did not show how his training and experience were utilized in concluding that criminal activity was taking place.

In *State v. Citarella*, a Fort Lee police officer in plainclothes and driving an unmarked car, saw Citarella riding a ten-speed bicycle near the George Washington Bridge. The officer recognized defendant because of his many prior contacts with him, including several arrests for drug offenses and an arrest for driving under the influence of a controlled dangerous substance while on the suspended list. The officer also knew that Citarella lived about two miles south of the bridge, the opposite direction from which he was headed. The officer had never seen Citarella with a bicycle before and knew he generally drove an older model, four-door car.

When the officer approached Citarella, Citarella increased his speed on his bicycle, crossed the roadway and jumped off the bicycle. He then opened the rear cab of an unoccupied pick-up truck without using a key. The truck was parked in the driveway of a commercial building housing offices and a restaurant. He started to load the bicycle into the truck. The officer noted that Citarella seemed quite nervous. The officer also had never seen Citarella or any of his family members driving a pick-up truck. The officer decided that he was going to stop Citarella as a suspicious person.

Officer's Training and Experience

The officer stated that based on his seven years experience as a police officer, he learned that it was common practice for drug purchasers to drive to Fort Lee, park their cars, and travel to New York on foot or bicycle to buy drugs. He added that he also knew that bicycle thefts were common in the area.

With his police shield on a chain around his neck, the officer approached Citarella and identified himself as a police officer. After staring at the officer for several seconds, Citarella quickly mounted the bicycle and pedaled away. The officer chased him on foot for about 20 feet before he was able to grab Citarella and the bicycle. Citarella fell to the ground. The officer noted that Citarella was sweating profusely, despite the relatively mild temperature. Citarella's eyes were watery and bloodshot and his pupils were slow to react to light. Believing Citarella was under the influence of CDS, the officer arrested him. A search incident to the arrest revealed a folded dollar bill inside his left front pants pocket containing a white rock-like substance which the officer believed to be crack cocaine.

Court's Ruling

"In evaluating the facts giving rise to the officer's suspicion of criminal activity," said the State Supreme Court, "courts are to give weight to 'the officer's knowledge and experience'

as well as rational inferences that could be drawn from the facts objectively and reasonably viewed in light of the officer's expertise."

The Court held that based on the information available to the officer at the time he first stopped the defendant, an articulable and reasonable suspicion existed that justified the officer's stop of Citarella. The Court noted that when the officer first confronted Citarella, the officer had observed Citarella engaged in the following actions:

. Riding over the George Washington Bridge by bicycle.
. Riding in a hurried fashion.
. Putting his bicycle into the back of a pick-up truck which the officer believed was not owned by Citarella or a member of his family.
. Acting as if he wanted to leave the area quickly in that truck.
. Acting nervously.

The Court said that based on the officer's experience, he also knew the following:

. Bicycles were often used to transport drugs from New York City into Fort Lee.
. There had been a rash of burglaries in the area.
. Citarella had been arrested many times before for drug crimes.
. Citarella had never been seen riding a bicycle previously.
. Citarella lived two miles from the area in the opposite direction than that in which he was riding.
. Citarella's driving privileges had been suspended.

Acts Are Reasonably Consistent with Illegal Activity

"Even though defendant's actions might have speculative innocent explanation," said the Court, "they also are reasonably consistent with illegal activity." The Court concluded that the officer had the required level of suspicion to stop the defendant. The Court added that Citarella's flight from the officer "became an additional factor that heightened the level of reasonable articulable suspicion already engendered by Citarella's antecedent actions."

In 1994, the Court ruled in *State v. Valentine,* 134 *N.J.* 536, that an officer's knowledge of a suspect's criminal history involving violent crimes of weapons offenses could be a factor in combination with other factors in the officer's determination to conduct a *Terry* frisk. However, in *State v. Smith*, 155, *N.J.* 83, the Court held that the officer's knowledge alone was not sufficient to justify a conclusion that the suspect was engaged in criminal activity. In this case, a police officer had received information from a confidential informant that a man was selling drugs in the lobby of a certain apartment complex. The informant gave the officer a description of the man and said the man was taking orders from people in the lobby and then retrieving drugs from a certain apartment. The informant added that the man was using a red car parked across the street from the apartment complex and gave the officer the license

plate number of the car. The officer knew the informant and believed him to be reliable because the informant had done "one job" for the officer in the past and the information resulted in an arrest and conviction.

The officer and two other officers went to the apartment complex. They saw a man meeting the description given by the informant standing on the sidewalk about 50 feet from the lobby entrance. A red car was parked across the street from the apartment complex. The officer stopped the man, searched him and seized a pair of keys. The police ultimately gained entrance to the apartment where they found a plastic bag containing 59 vials of cocaine.

The Court ruled that the officer's "extensive experience with drug transactions did not contribute to the existence of probable cause in this case. Certain suspicious behavior may lead an experienced police officer to suspect that a person is engaged in criminal activity," said the Court. "An officer's experience may enable the officer to draw inferences that an untrained inexperienced person could not," said the Court. "However, the mere fact that an officer is experienced does not lower the quantum of evidence needed to establish probable cause. An officer's experience is only useful in establishing probable cause if the officer uses the experience to infer that a suspect is engaged in criminal activity."

The Court held that there was no suggestion that the officer "used his experience to infer that defendant was selling drugs." The only observation the officer made "was of defendant standing on the sidewalk wearing a coat and a yellow cap. His experience did not lead him to believe that such a person was engaged in criminal activity. Thus, his experience does not contribute to a finding of probable cause."

In *Smith*, the Court also held that the informant did not indicate the source or basis of his or her knowledge. "If the informant had been privy to the criminal activity," said the Court, "he or she would have been likely to know such details as the manner the drugs were packaged or where the drugs were kept in the apartment. This informant provided no such information." The Court added that the "police corroboration did not include the observation of any suspicious drug transaction or criminal activity. The police corroboration only of the suspect's description and location did not bolster the tip's reliability or add to its weight."

BASIC COURSE FOR INVESTIGATORS ENHANCED

John C. Saccenti
Law Enforcement Standards

Law enforcement officers entering the Basic Course for Investigators will find a completely updated and enhanced program. The changes are aimed at further refining the thrust of the training to better meet the needs of today's investigators.

The Basic Course for Investigators, which is conducted at the Division of Criminal Justice Training Academy, has been developed to specifically meet the training needs of county prosecutors' detectives and investigators, state investigators and others whose primary responsibility is the investigation of crimes. Successful completion of this course is mandated by the Police Training Commission for county investigators and detectives in order to receive a permanent appointment to those positions.

Course participants must master a wide variety of skills which will be critical not only to their ability to detect crime and identify the perpetrator but also to the safety of others and themselves.

The course itself includes classroom instruction in areas such as criminal law, investigative techniques, report writing, arrest, search and seizure, use of force; unarmed defense; practical exercises; physical conditioning; firearms training; defensive driving skills improvement; and first responder training. Enhancements include the expansion of existing topics and the inclusion of new topics such as motor vehicle and traffic law; civil disputes; Alcoholic Beverage Control Act violations; gang awareness; investigator safety and security; first responder training; news media relations; and vehicle operations.

The course blends a variety of instructional techniques, including classroom instruction and practical exercises, designed to maximize the potential for both successful completion of the course and a productive law enforcement career.

Trainees are required to engage in a wide variety of physical conditioning activities designed to enhance agility, flexibility, power, speed and cardiorespiratory endurance. Aerobic activities, calisthenics and running are integral to the program.

Blocks of instruction place special emphasis on the role of an investigator in the criminal justice system and the application of the law to trial case preparation.

Experienced instructors guide students through the basic techniques needed to conduct physical, electronic, and photographic surveillance. The ability to interview, take notes, write reports and execute a search warrant will be strengthened through both academic and practical exercises.

Ways of gathering information through specific resources, informants, and the New Jersey Criminal Justice Information System are applied to specific types of investigations. Experts will work with students in applying these investigative techniques to solving

homicides, narcotic offenses, sex crimes, child abuse, white collar crime and computer fraud, as well as other crime categories.

Emphasis is placed not just on the technical skills involved but also on the practical decision making which must occur, particularly when force is used. For example, through the use of simulated situations, practical exercises and the F.A.T.S. firearms training system, trainees will develop decision making skills in a variety of real life situations including critical shoot/don't shoot situations.

For further information on the Basic Course for Investigators contact the Division of Criminal Justice Academy at (609) 777-0243.

Unobligated Patrol Time - What Is It?

Donald McCann
Law Enforcement Standards

Each year at budget time, police executives around this state, and around the country, face the same dilemma: justifying the size of their police force. Facing competition from other municipal departments for limited resources, police executives find themselves defending their officers' use of time. The questions asked by competing departments are phrased in many ways, but can be reduced to one: *How many (or few) officers would you need if your agency **just** answered the calls for assistance from the citizens?* Obligated patrol time is all the time necessary for police officers to answer calls for service and perform other related duties.

It is the unobligated patrol time which is not understood or is misunderstood by those outside the police department. It is the unobligated patrol time which is questioned and under fire from competing municipal departments. Unobligated patrol time is that time which officers have between calls for assistance to conduct preventive patrol and self-directed activities. During this time the officers are free to be dispatched to calls for service.

Whether it is called unobligated time, proactive response patrol or routine patrol, the question is why is this time needed when the police are not responding to a direct call for service. Governing bodies and citizen groups sometimes look at this unobligated time as a

waste and see this as an area ripe for budget cutting through personnel reduction. Too often police executives are at a loss to defend this time and their inability to explain it raises even more questions.

How should a police executive address this issue? The police executive should try to focus the attention of the governing body on the positive aspects and benefits of unobligated patrol time. It should not be perceived as "wasted time" or "free time," but as a different and necessary form of police function. Here are some points that the police executive can make to support this perspective.

Unobligated time is necessary. Just like death and taxes, unobligated patrol time is inevitable. The first thing anyone in law enforcement learns is the unpredictability of events. While police planners can analyze data and look at trends (and all police departments should do this), there is no guarantee what the next hour will bring. Totals and averages for calls for service can be used as a basis for deployment schemes, but the police department must always be ready to handle all the calls that they receive, including the unexpected and unpredictable calls. It is not possible to predict when a specific call for police service will occur or how many resources a specific call will consume. The citizens the police serve will not be satisfied to hear that the agency did not plan on their call coming when it did; they want their problem or situation handled immediately.

Separate, don't aggregate. In conducting patrol workload studies, unobligated time is aggregated for the purpose of estimating patrol resources. Thus, a given study might show an officer has two unobligated hours out of an average eight hour shift. This unobligated time, however, is not contiguous time. While helpful for calculating future patrol resource needs, this description is misleading in two ways.

First, as stated above, law enforcement needs based on calls for service are difficult to predict. An officer who had two unobligated hours last shift may have only one-half hour unobligated time on the next shift, and may have four hours on the following shift. Therefore, it would be misleading to try to predict a specific event from a larger sample total or average.

Second, unobligated time should not be seen as a single block of time. In reality, unobligated time is scattered throughout the full shift period in small segments. A better way of visualizing the unobligated time is not the total amount per shift, but as a random sprinkling of odd numbers of minutes throughout the shift. In the example of two unobligated hours in an eight hour shift, in each *hour* a patrol officer may be obligated for 45

minutes in each shift hour and unobligated for only 15 minutes in each shift hour. During each *half hour*, that officer may be obligated for 23 minutes and unobligated for only 7 minutes. Such visualization will help governing bodies understand that the officers don't work feverishly for six hours and rest for two, but that in fact the unobligated time is broken down into many small pieces throughout the shift.

Separate patrol time from administrative time. When defending unobligated time, it is important that all parties understand what they are discussing. What may appear to the uninformed as "free time" may be other than unobligated patrol time. A complaint about officers sitting at the diner is usually not about unobligated time, but about administrative time. The officers are taking their apportioned time for a meal break -- much as the complainant does at his or her place of business. It is important to clarify the type of time that is being discussed, because each type of time has its own justification.

Police presence and deterrence. This has often been proposed as the primary justification for police patrol -- to prevent crime. We now know that visible police patrols have a limited effect on deterring crime. Many times the deterrent effect is simply a relocation effect, by moving the offenders from one site to another. But to whatever extent patrol helps prevent crime, it should be acknowledged and used accordingly. Police executives should be warned, however, not to argue that increasing police presence will cause a reduction in crime.

Police presence and citizen confidence. While police patrol falls short in deterring some types of crime, it does enhance citizen confidence and feelings of security. In general, citizens feel more secure when they see a police officer with some regularity. The experience in community policing confirms this effect. And the experience in community policing tells us that citizens who feel more secure also feel more comfortable in their interactions in the community, thus expanding the positive impact of police presence.

Detection of violations. Many of the violations that police encounter would go undetected unless they were actively patrolling. Most notable are motor vehicle violations. With very few exceptions, violations of the motor vehicle laws are detected by vigilant officers patrolling between calls for service. In some instances, the ability to conduct specific traffic enforcement activities, such as radar speed enforcement, is premised on the officer being unobligated to other activities. In addition to motor vehicle laws, police officers on patrol observe suspicious persons and activities and can check on area businesses and residences.

How much unobligated time is enough? This is probably one of the hardest questions to answer in law enforcement management. At one extreme is an unobligated time so high that each and every call for service can be handled instantaneously regardless of its nature. At the other extreme is an unobligated time so low that officers who clear one call are immediately dispatched to another call, and some calls are not answered at all. What is the proper balance between obligated time and unobligated time? Unfortunately, there is no simple answer to this question. There are many variables upon which this depends, including the size of the department, the work schedule and officer availability, the number of calls for service, the types of calls for service and their relative proportions, minimum staffing requirements imposed by safety concerns or labor contracts, and the expectations of the community.

Each law enforcement agency should conduct a detailed study of its patrol workload and resources to determine how much unobligated time it currently has. It is impossible to provide a fixed target value for all departments. However, warning flags should go up if unobligated time falls below 20% of total officer time or goes above 50% of total officer time. This does not mean that levels outside of this range are unacceptable. It does, however, mean that agencies which have results outside of the range should more closely examine their patrol deployment to determine if their current level of unobligated time is acceptable.

Directed Patrol. Unobligated patrol time should not be random patrol time. Department planners should take steps to ensure that officers can patrol in areas and at times that will maximize their ability to address specific problems. For example, officers who are unobligated may be directed to focus their patrols in an area that has experienced increased car thefts. In addition, officers should be encouraged to be proactive and become involved in problem solving activities.

Policy and supervision. Police patrol must be properly implemented and supervised. This means that the agency needs to establish a written policy on the activities that are

expected of officers on patrol. Officers should be regularly assigned to a limited geographic area of responsibility to enhance their familiarity with the area and their sense of responsibility for it. Patrol supervisors should actively supervise to ensure that their officers are getting the most out of patrol time. Officers who violate department policy and improperly use unobligated patrol time should be dealt with in accordance with the department's disciplinary process.

Is it possible for a police department to just respond to calls for service, with no unobligated time? The answer is no. Unobligated patrol time is a fact of policing. That being the case, it is the responsibility of police executives to put unobligated time to the best possible use and to defend its positive aspects when challenged.

POLICE TRAINING COMMISSION

A provision of the Police Training Act requires the Police Training Commission (PTC) to report annually to the Governor and Legislature regarding the Commission's activities. To fulfill this requirement for the reporting period January 1, 1997 to December 31, 1997, the Police Training Commission, at the June 4, 1998 meeting, approved the distribution of the 35th *Annual Activities Report.*

The following highlights some of the Commission's efforts that were identified in the *Annual Activities Report*, as well as accomplishments of the 23 PTC-certified schools, their directors and their staffs.

- During the reporting period, 4,713 officers attended 164 commission approved courses. All but 305 officers, or 6.5%, successfully completed course requirements.

- A total of 1,162 officers were enrolled in the commission's Basic Course for Police Officers (BCPO). Of these, 1,046 officers, or 90%, successfully completed their training. In all, 28 BCPO courses were conducted. For each of these courses, the average number of hours scheduled for instruction was 552 hours.

- The Commission's Methods of Instruction course was the most frequently

offered course during the reporting period, with 605 participants attending 35 courses.

- In all, 136 trainees graduated from the Basic Course for Juvenile Corrections Officers and the Basic Course for Juvenile Parole Officers.

- While more than 5,000 instructors were recertified, an additional 452 instructors were newly certified by the Police Training Commission during the report year.

COURSE REVISIONS

One of the goals of the Police Training Commission is to continually seek ways in which to upgrade training provided to law enforcement officers. In furtherance of this goal, the PTC approved revisions to several of its courses to accomplish this goal.

Training regarding sexual harassment was approved for inclusion in 13 basic courses and became mandatory in classes beginning January 1, 1998 and thereafter. At the conclusion of training, the trainee is required to:

- Define sexual harassment.
- Identify different types of sexual harassment.
- Describe the impact that sexual harassment can have on the recipient and the workplace.
- Identify approaches that help prevent sexual harassment in the workplace.
- Identify the steps to be taken when one becomes aware that sexual harassment has occurred or is occurring in the workplace.

The PTC also approved a new elective instructional unit on gang awareness for inclusion in the courses listed below effective January 1, 1998:

- Basic Course for Police Officers.
- Basic Course for Class Two Special Law Enforcement Officers.
- Basic Course for Investigators.
- Basic Course for State Corrections Officers.
- Basic Course for County Corrections Officers.
- Basic Course for Juvenile Corrections Officers.
- Basic Course for Parole Officers.
- Basic Course for Juvenile Parole Officers.

The training helps to prepare law enforcement officers to identify various types of gangs in New Jersey and the methods of communication and identification they use. Additionally, the training covers precautions law enforcement officers should take when dealing with gang members and the methods used in suppressing gang activity.

The PTC reviewed training requirements for prosecutors' detectives and investigators and approved revisions to the contents of the Modified Basic Course for Investigators (MBCI) and the Basic Course for Investigators (BCI).

The MBCI was revised to include an expanded Agency Training component and the following four one or two-day courses: (1) Criminal Procedure Update; (2) Interview and Interrogation; (3) Internal Affairs Policy and Procedures; and (4) Investigator Safety and Security. This newly reconstituted course is required for prosecutors' detectives and investigators who have not met commission training requirements by April 2, 1997 and, who prior to their current appointments as prosecutors' detectives or investigators, have successfully completed the Basic Course for Police Officers (BCPO). Those prosecutors' detectives and investigators who have not successfully completed the BCPO prior to their appointment are required to complete the BCI.

Revisions to the Basic Course for Investigators include the expansion of existing topics and the addition of new required topics. Many of the new required topics, such as vehicle operations and first responder training, were previously taught as electives.

ALTERNATE ROUTE BASIC COURSE FOR POLICE OFFICERS

In the Alternate Route Basic Course for Police Officers, civilians are permitted to attend the Basic Course for Police Officers prior to being appointed as police officers. As a result of the success of the Alternate Route Basic Course for Police Officers, the Commission agreed to continue the program until December 31, 1998. Since the program began, 402 trainees have been enrolled in the program.

POLICE TRAINING COMMISSION RULES

On June 3, 1998, in accordance with the provisions of the Administrative Procedure Act, the PTC readopted the Commission Rules, with amendments becoming effective July 6, 1998.

The Commission Rules now include a provision requiring a chief of police to certify that the trainee from that agency has received a probationary appointment and has been granted a leave of absence with pay during the period of the police training course. With respect to special law enforcement officers, the chief of police is required to certify that the local unit has complied with the provisions of *N.J.S.A.* 40A:14-146.8 *et seq.* concerning the appointment of the trainee. Additionally, the Commission Rules now contain restrictions on the enrollment of trainees who have previously been dismissed from a Commission-approved course. This restriction applies to trainees who have been dismissed following a positive drug screen and also to trainees who have been dismissed and have an appeal of that dismissal pending before the Commission.

NEW LEGISLATION

P.L. 1997, *c.* 72 was enacted which requires Human Services Police Officers to receive additional Commission-approved training. This training is to cover the handling of patients with violent criminal backgrounds and sensitivity training to prepare officers to handle abusive situations between employees and patients in psychiatric hospitals. Performance objectives have been approved for this training. Moreover, it was agreed that instructors would include mental health professionals.

P.L. 1997, *c.* 247 expands the authority of certain certified animal control officers and requires the Police Training Commission and the Commissioner of Health, in consultation with the New Jersey Certified Animal Control Officers, to approve an applicable course of study. The Department of Health and Senior Services, which has primary responsibility for developing training for animal control officers, has begun the curriculum development process.

P.L. 1997, *c.* 73 requires the Attorney General, in consultation with other groups, to establish a senior citizens crime prevention program addressing personal safety, home security, and non-violent property crimes, such as scams and swindles. Division of Criminal Justice staff developed a program in response to the legislation and has been conducting the training regionally throughout the state.

LAW ENFORCEMENT OFFICERS TRAINING AND EQUIPMENT FUND

Division of Criminal Justice staff, in conjunction with PTC members representing the

New Jersey State Policemen's Benevolent Association, Inc., the New Jersey State Lodge, Fraternal Order of Police, and the Police Academy Directors' Association, began drafting Commission Rules for administering the Law Enforcement Officers Training and Equipment Fund. The purpose of the fund, established by *P.L.* 1996, *c.* 115, is to support the development and provision of basic and in-service training courses for law enforcement officers and the purchase of training equipment. The fund will disburse money generated by assessments on persons convicted of crimes. As of June 30, 1998, approximately $100,000 has been collected. It is expected that sufficient monies will accumulate in the fund so that distribution will occur in December 1999.

ENFORCEMENT OF 65 MPH SPEED LIMIT

Effective Tuesday, May 19, 1998, the speed limit on portions of various state, federal and toll road highways in this state was temporarily increased from 55 miles per hour to 65 miles per hour. This increase was authorized by P.L. 1997, c. 415, the "Sixty-Five MPH Speed Limit Implementation Act." This new 65 MPH speed limit has been authorized for only an 18 month period, from the implementation date of the new speed limit and is effective only on highways designated by the Commission of Transportation.

Enforcement of this new speed limit is being handled primarily by the Division of State Police, as the majority of roadways effected are within their exclusive patrol jurisdiction - New Jersey Turnpike, Garden State Parkway and Atlantic City Expressway. However, there are also sections of highways along which any police officer (State Police or local police) may take enforcement action. They include, State Highways 18 and 55, and Interstate Routes 78, 80, 195, 287, and 295.

The most significant change resulting from the enactment of this statute is the doubling of fines for a specified list of motor vehicle violations, provided those violations occurred in a posted 65 MPH zone. The primary violation for which a fine must be doubled is for a speeding offense occurring in a posted 65 MPH zone where the speed was 10 miles per hour or more over the 65 MPH speed limit. There are other violations which, if committed in a 65 MPH zone, require the fine be doubled. A complete listing of those violations can be found in the statute.

In addition to the new penalties in the 65 MPH zones, this legislation also doubled the fines for a speeding violation, without regard to where it occurred, if the speed was 20 miles per hour or more over the posted[1] or statutory[2] speed limit for that road or highway. P.L. 1997, c.415, §6. That provision, unlike the 65 MPH provision, was effective immediately upon the adoption of the legislation, January 19, 1998.

If there are any questions regarding enforcement or prosecution under the "Sixty-Five MPH Speed Limit Implementation Act," please contact Deputy Attorney General Stephen Monson in the Prosecutors & Police Bureau at (609) 984-3385 or call your local county prosecutor's office.

Juvenile Curfew Violations Heard in Municipal Court

On January 19, 1998 P.L. 1997 Ch. 383 (S-1569) was approved and became effective immediately. This law amends the definition of juvenile delinquency contained in *N.J.S.A.* 2A:4A-23. A violation of a municipal juvenile curfew ordinance enacted pursuant to *N.J.S.A.* 40:48-2.52 is no longer considered juvenile delinquency. Violations of juvenile curfew ordinances are now to be heard in municipal court. The law also requires the municipal court to forward a copy of the record of conviction to the Family Part intake service in the county where the municipal court is located.

Violations of other municipal ordinances, by juveniles, still constitute juvenile delinquency and must continue to be filed with the Family Part.

---

[1] For posted speed limits on State Highways, see *N.J.A.C.* 16:28. For posted speed limits on toll authority roads, see *N.J.A.C.* 19:9-1.2, 19:8-1.2 or 19:2-2.1. For posted speed limits on county or local roads, see authorizing resolution or ordinance.

[2] Pursuant to *N.J.S.A.* 39:4-98, statutory speed limits are: 25 MPH in residential, business districts or school zones; 35 MPH in suburban residential zones, if posted; or 55 MPH in rural areas. Other statutory speed limits are found at *N.J.S.A.* 39:3-10.11, 39:3-20b, 39:3-55, 39:3-82, 39:4-14, 39:4-40, 39:4-87, 39:4-97.1, 39:4-98.2, 39:4-100, 39:4-128.1, and 39:4-128.5.

Court Cautions Police that Use of CI's Must be Reported

William J. Zaorski
Deputy Attorney General
Prosecutors and Police

A state appeals court has "strongly" disapproved of a law enforcement practice of not mentioning the existence of a confidential informant (CI) in investigative reports. "This practice must cease immediately," said the court.

"Withholding the existence of a confidential informant is not a decision for the police to make," said the Appellate Division panel in *State v. Wright,* 312 *N.J. Super.* 442. "It is a decision for the judge to make, if and when an application for a protective order is made pursuant to *R.* 3:13-3(f)1 to -2."

The court cautioned that in the "future, under circumstances similar to those present in this case, we will not hesitate to bar re-prosecution if law enforcement officers fail to disclose in their report the existence of a confidential informant."

Second Conviction Reversed

This is the second appeals court decision within a year which reversed a conviction because the police did not reveal in their investigative report that a confidential informant was involved in the transaction. An appeals court on June 4, 1997, invalidated the conviction in *State v. Cooper,* 301 *N.J. Super.* 298.

In *State v. Wright*, a law enforcement officer was assigned to purchase narcotics from Wright in an undercover investigation. Accompanied by a confidential informant, the officer went to a convenience store where the officer dialed a pager number given by the informant. According to the officer, Wright arrived at the scene and spoke directly with the confidential informant who then relayed the terms of the deal to the officer.

Pursuant to instructions from Wright, the officer and the informant drove to a parking lot. Within a short period of time, an individual on a motorcycle drove to where the officer and the informant were parked. The officer was not able to see the cyclist's face because a black helmet and visor covered his face. The informant obtained half the purchase price from the officer and gave it to the cyclist.

When the cyclist returned 15 minutes later, he told the informant he did not want to

deal directly with the undercover officer. The cyclist gave the informant a paper towel containing four plastic sandwich bags full of cocaine. The informant then gave the bags to the officer. After examining the cocaine, the officer gave the rest of the money to the informant who, in turn, gave the money to the cyclist.

The officer did not indicate in the police investigative report the existence of the confidential informant or the role played by the informant in the transaction. There was no mention of the confidential informant in any of the reports generated by the undercover investigation. The existence of the confidential informant was elicited from the officer on cross-examination by defense counsel for a co-defendant.

Police Action to Protect Confidential Informant from Reprisal

The appeals court noted that the law enforcement officers in this case "appeared to be motivated by their desire to protect the confidential informant from reprisal by defendant." If the existence of the confidential informant were noted in the police reports, defendant would be able to determine the identity of the informant. Nonetheless, the court said this was not a decision for police to make, adding, however, that dismissal of the indictment was not warranted in this case.

In *State v. Cooper*, a police officer accompanied a confidential informant who drove to an apartment complex. Three individuals approached the passenger side of the car and leaned over to speak to the undercover officer who said he wanted to make a drug purchase. In exchange for $20, one of the individuals handed the officer a glassine bag containing white powder. It was later determined that the substance was cocaine. Defendant was arrested 10 days later. None of the police reports mentioned the presence of the confidential informant at the drug buy. The trial prosecutor learned of this the day before the matter was scheduled for trial. The prosecutor immediately notified defense counsel.

The appeals court said that had defendant known of this information, he could have moved for disclosure of the confidential informant's identity and the state would have had an opportunity to invoke the privilege of *N.J.R.E.* 516. The trial judge would have been furnished with the basis for determining whether the person who accompanied the officer was truly a confidential informant.

The court said that when a person who may be a confidential informant is involved in an illicit transaction, the police must report the fact of that participation without identifying the individual. This gives the parties in an ensuing criminal prosecution a fair opportunity to

seek judicial evaluation of the facts in the light of all pertinent considerations, said the court.

Fatal Shooting by Off-Duty Police Officer of Fleeing Shoplifting Suspect Not Excessive Force, Rules Federal Court

William J. Zaorski
Deputy Attorney General
Prosecutors and Police

The federal District Court in New Jersey has ruled that it was objectively reasonable for an off-duty police officer to make a split-second determination that the man she fatally shot posed a threat of serious physical harm to others and that deadly force was necessary to apprehend the suspect.

In *Abraham v. Raso*, 997 *F. Supp.* 611 (D. N.J. 1998), Cherry Hill Police Officer Kimberly Raso was working off-duty as a security guard at a shopping center mall. She and another officer responded to a back-up assistance call from mall security concerning an alleged shoplifting incident by two men. The officers were advised on the radio that the suspects were possibly intoxicated or under the influence.

When the two off-duty police officers approached the scene, one suspect, Robert Abraham, was seated in the driver seat of his car. Abraham put the car into reverse and backed out abruptly and at a high rate of speed. He slammed his car into a parked car in the process.

Please, please don't make me do this"

Raso, standing in front of the car, ordered Abraham repeatedly to stop and to get out of the car. With her firearm pointed at the driver's window, Raso pleaded with the driver: "Please, please don't make me do this." One witness said Raso commanded Abraham to get out of the car eight to ten times. Abraham pressed his foot down on the accelerator and drove forward towards Raso. The off-duty officer jumped to her right while being hit or nearly hit by the car, said the court, noting that she alleged that she sustained leg injuries. She fired a shot which shattered the driver-side window. The bullet struck Abraham in his left arm, passed through his arm and entered his chest, fatally wounding him. His car swerved to the right and continued through the parking lot before it struck another car and rammed into a parking lot island curb.

One issue before the court was whether the off-duty officer was acting under color of law. The fact that the officer was off duty was not dispositive of the issue, said the court, explaining that this issue largely turns upon the nature of the specific acts the officer performed.

The court said that "police officers working as private security guards often will be found to be acting under color of state law where they identify themselves as police officers, wear their police uniforms, flash their badges, threaten to use power conveyed upon them by their status as police officers in order to make arrests, call in other officers, drive police cars, take actions consistent with municipal or state regulations governing police, etc."

In this case, the court found that Raso wore her police uniform, responded to a call from mall security addressed specifically to off-duty police officers working at the mall, identified herself as a police officer by virtue of being dressed in uniform and ordered Abraham repeatedly to get out of the car and to stop the car.

The federal court noted that the U.S. Supreme Court has ruled that decisions about deadly force "must embody allowance for the fact that police officers are often forced to make split second judgments--in circumstances that are tense, uncertain and rapidly evolving." The nation's highest Court has ruled that deadly force may be justified when an officer has probable cause to believe that the suspect poses an imminent threat of serious physical harm either to the officer or others.

"Under the controlling legal standards," said the court, "it was objectively reasonable for Raso to make a split-second determination that Abraham posed a threat of serious physical harm to others and that deadly force was necessary to apprehend him."

In its review of the record, the court noted that "it appeared to all who had a view of Raso and Abraham's vehicle at the relevant time, that Abraham was an out-of-control individual, driving his car towards Raso in an attempt to resist and evade arrest, in an apparent attempt to hit Raso." The court said that Abraham "had demonstrated, at the very least, a reckless disregard for anyone who would try to impede his escape."

The federal court held that Raso's use of deadly force was not excessive under New Jersey law, noting that Abraham had demonstrated that he posed an immediate threat of serious physical harm to members of the public by his reckless driving.

Planning for Community Policing

Michael Renahan
Division of Criminal Justice Academy

"We are a Community Policing Department." Have you ever heard those words being spoken by a senior law enforcement official and wondered what he means? What has been done within the agency to warrant the label, *community policing department*, or are those merely words being spoken with no organizational change in place. If a department intends to implement community policing, it must first know what the term means and how to plan for implementation.

Community policing is a term being used to describe a different way for municipal law enforcement to do its job. If your agency is a community policing agency, it is seen as a 90's police department, entering the next millennium striving for an absence of crime and disorder, while being concerned with the quality of life within the community.

While there are many definitions for *community policing*, they all center on several factors: a concern for the reduction of crime; an improvement in the quality of life; and the development of a partnership between the police and the community. Community policing also involves a significant change in the way that police officers will do their job. Some essential functions of the community policing officer, such as problem solving and intergovernmental liaison, are not considered traditional police officer tasks and may even be considered by some as " not real policing." Once a department decides to implement community policing, a process must be undertaken to plan, implement and institutionalize the program.

The **FIRST STEP** is to develop a theoretical concept of what you want to accomplish and what you expect to be achieved by community policing.

The **SECOND STEP** is to identify and select potential target areas where community policing will have the effect you are looking to achieve. Choose areas where the police, as well as the members of the community, can find ways to reduce crime and improve life quality. In some potential target areas, it may be necessary to conduct enforcement sweeps or saturation patrols prior to implementing community policing. The county prosecutor's office may be able to assist in instituting a Violent Offenders Removal Program (VORP) in a target area. The main objective is to begin in an area where the police, the elected officials and the residents can experience some success.

It is important to realize that the target areas are not limited to residential areas. Areas

that may benefit from community policing also include the central business district or other areas in the community where crime reduction and quality of life are significant issues.

STEP THREE is the selection and training of personnel who will be assigned to the community policing initiative. Those officers selected for the initiative will need to be formally trained in community policing and, if possible, crime prevention. It is suggested that the individuals chosen have some street experience, are capable of working with various groups of people including other municipal employees, are capable of working with minimal direct supervision, and have a desire to do the job. These individuals will be working in a different type of policing environment and should be able to deal with peer pressure (that is, the image of not doing "real police work").

Educate personnel at all levels of your agency in what you plan on doing. Make sure that those who may have a territorial responsibility or who have a traditional view of policing are made aware of what is expected in order for your vision of community policing to effective. Ensure that the department's civilian component (dispatchers/records) is aware of the initiative and also its role in supporting community policing.

STEP FOUR is to conduct an in-depth analysis of the target area. The specific items of information needed are:

(1) *Area demographics and geographics.* This information can be obtained from the municipal planning department's census data, tax office, public works and housing departments.

(2) *Significant businesses and organizations ("power bases") in the target area.* You want to ensure that all points of view are known and that you have identified those groups which should participate during the information gathering phase of the project. It will be helpful to identify the social service and governmental agencies that have a responsibility in the selected area.

(3) *Crime analysis and crime hazards.* It will be extremely helpful to know what offenses have been reported, as well as what types of calls for service have occurred in the target area over the past two years.

STEP FIVE is to survey the residents of the target area to identify what they feel are the policing and quality of life issues. It is critical that you know what expectations they have and what other issues exist that affect their quality of life. Do not be surprised if they think the police are doing a good job, but are less complementary about other municipal agencies. Social science or criminal justice departments of colleges or universities within or near your jurisdiction may be willing to assist you in the polling. Once the survey data has been compiled and analyzed you need to be prepared to address the issues and concerns identified.

STEP SIX is to design a strategy to implement your initial concept, while incorporating ideas and modifications developed from your survey and analysis of the target area. The strategy should include your community policing goals, objectives, and responsibilities, as well as a timetable for implementing your community policing initiative. Additionally, an evaluation component should be designed so that you can monitor the initiative and, when needed, modify your strategy. You should consider involving the individuals assigned to community policing and their supervisors in this step.

STEP SEVEN is the implementation of the strategy. Implement the strategy exactly as planned. Give it time to work, allow for minor mistakes to be made, and look for the 75% solution rather than the 100%. Nurture the initiative. Keep an eye out for the blockers (the naysayers). Don't let them do business in ways that will disrupt your strategy.

STEP EIGHT is evaluate and refine the initiative. Be prepared to make minor adjustments, but not radical changes. Use your timetable as a basis to gauge your progress. Change that which you think needs to be changed, including personnel and supervisors. Adjust your timetable if necessary.

STEP NINE is to institutionalize the initiative. Once you are comfortable with the community policing activities within the target area, institutionalize those efforts within that specific target area. Continue to evaluate the activities and determine what lessons learned from the area can be applied to other areas within your jurisdiction.

In summary, the success of any community policing initiative will depend upon the individuals assigned, the command influence from the chief executive and senior staff, and the involvement from the community. It is not necessary to mandate an immediate and complete change from the traditional policing concept to the community policing concept. Change can take place in steps.

Reasonable Force Can Be Used to Enter Premises under No-Knock Warrant

William J. Zaorski
Deputy Attorney General
Prosecutors and Police

In executing a no-knock search warrant, police may destroy property, such as breaking a window, if they have reasonable suspicion that the entry may be dangerous to the search team, ruled the nation's highest Court. However, the U.S. Supreme Court cautioned in United States v. Ramirez, 118 *S.Ct.* 992 (1998) that the execution of a no-knock search warrant is "governed by the general touchstone of reasonableness that applies to all Fourth Amendment analysis." Excessive or unnecessary property destruction during a search may violate the Amendment," said the Court, "even though the entry itself is lawful and the fruits of the search not subject to suppression."

In the case before the Court, officers obtained a no-knock search warrant to enter Ramirez's home to arrest a dangerous escaped prisoner they believed was in the home. A reliable confidential informant had informed them that he had seen a person he believed to be the fugitive in the Ramirez home. A federal agent later saw a man resembling the fugitive outside that home.

The agents assembled outside the Ramirez home during the early morning hours. They announced over a loud speaker system they had a search warrant. Simultaneously, they broke a single window in the in the garage of the Ramirez homeand pointed a gun through the opening, hoping to dissuade the occupants from rushing to weapons the agents believed were stashed in the home.

The Ramirez family was awakened by the noise. Fearful that his house was being burglarized, Ramirez grabbed a pistol and fired a round into the garage ceiling. When the agents shouted "police," he surrendered and was taken into custody. He admitted firing the weapon and that he owned another gun in the house. Since he was a convicted felon, he was charged with being a felon in possession of firearms.

This is the third opinion the U.S. Supreme Court has rendered in the past four years regarding no-knock search warrants. In 1995, the Court held that there were no Fourth Amendment requirements that police had to knock in all cases before entering premises with a search warrant. However, in some cases a no-knock entry might be unreasonable, said the Court in *Wilson v. Arkansas*, 115 *S. Ct.* 1914, adding that this issue could be decided by the trial courts.

In 1997, the Court held in *Richard v. Wisconsin,* 117 *S.Ct.* 1416, that to justify a no-knock entry, police must have reasonable suspicion that knocking and announcing their presence, under the particular circumstances, would be dangerous or futile, or that it would inhibit the effective investigation of the crime by allowing the destruction of evidence.

The Court said that neither of these cases addressed the question whether the lawfulness of a no-knock entry depended on whether property was damaged in the course of the entry. "It is obvious from their holdings, however, that it does not," ruled the Court.

Reviewing the circumstances of the Ramirez case, the Court held that there was no Fourth Amendment violation by the agents. The agents had reliable information from a confidential informant that the fugitive might be inside the Ramirez home. The fugitive was an escaped prisoner with a violent past who reportedly had access to a large supply of weapons, and had vowed he would "not do federal time." In addition, police "certainly had a 'reasonable suspicion' that knocking and announcing their presence might be dangerous to themselves or to others," said the Court.

The nation's highest Court said the police action in breaking the window to discourage occupants inside the house from rushing to weapons "was clearly reasonable" and concluded that there was no Fourth Amendment violation.

Cooper Institute Establishes Law Enforcement Fitness Standards

Jim Gover
Law Enforcement Standards

In April 1998, The Cooper Institute for Aerobics Research in Dallas, Texas, concluded a physical task study of ten police agencies and established six physical fitness standards applicable to police departments across the country. Law enforcement officers from ten police departments, which included federal, state, county, and municipal agencies, were tested by exercise physiologists at Cooper Institute and a list of physical activity occupational requirements was established for different job classifications. In New Jersey, the Cooper Institute is one organization among several which was cited in the development of the current physical conditioning training program used in police academies throughout the state. Physical conditioning requirements in basic police training programs are based upon the broad standard of participation in a program of aerobic conditioning and strength training conducted throughout basic police training in the academy.

The six physical fitness standards established by Cooper Institute represent physical activities performed by municipal police officers across the country on a regular basis. The standards are predictive of an individual's ability to perform essential physical tasks on a regular basis. This is important to police agencies because the standards are considered job related and scientifically valid when administered properly. The standards identified are intended to apply to applicants, recruits, and veteran police officers. The following fitness tests are recommended by Cooper Institute and include a pass/fail threshold:

Test	***Fitness Component***	***Absolute Standard***
1. 1 ½ mile run	Cardiorespiratory endurance	16 min. 28 sec.
2. 300-yard run	Speed	71 seconds
3. Pushups, 60 seconds	Strength	25 pushups
4. Situps, 60 seconds	Strength	29 situps
5. Vertical Jump	Power	16 inches
6. Bench Press	Strength	64% of body weight

This test battery is recommended for departments which have a mandatory fitness program requiring compliance by applicants, recruits, and sworn officers. The absolute standards were established in validation studies conducted by Cooper Institute in four municipal police departments. In accordance with the Civil Rights Act and the American with Disabilities Act of 1990, the absolute standards apply without regard to gender or age and adhere to the concept of *same job equals same standards*. Before a municipal police agency adopts these standards or any other standards, it is recommended that a physical conditioning program be established with careful research, planning, and administration by a trained staff.

Domestic Violence Victims Believe Restraining Orders Protect Them Against Repeated Incidents of Abuse, Reports a Federal Study

William J. Zaorski
Deputy Attorney General
Prosecutors and Police

A federal study has revealed that in the majority of cases researched, domestic violence victims believe that restraining orders protect them against repeated incidents of physical and psychological abuse. The court orders also were valuable in helping them regain a sense of well-being, noted the report.

"A protection order alone, however, was not as likely to be effective against abusers with a history of violent offenses," cautioned the report. "Women in these cases were more likely to report a greater number of problems with violations of the protection order. The researchers noted that criminal prosecution of these individuals may be required to curb such behavior."

A research preview of the federal study, *Civil Protection Orders: Victims' View on Effectiveness*, released by the National Institute of Justice, noted that data sources for the study included telephone interviews with 285 women petitioners for protection orders about one month after they received either a temporary or permanent order, follow-up interviews with 177 of the same women six months later, the civil case records of these women, and the criminal history records of men named in the orders.

Lives Improved as Result of Protection Order

About 72% of the study participants reported in the initial interview that their lives had improved after they obtained a domestic violence protection order. During follow-up interviews, the proportion reporting life improvement increased to 85%, more than 90% reported feeling better about themselves, and 80% felt safer.

The study also noted that 75% of the participants in the initial interviews and 65% in the follow-up interviews reported no continuing problems as a result of their obtaining the protection order. However, the study said there had been increases in certain areas between the initial interview and the follow-up calls:

- Calls from the abuser to the participant at home or work -- increased from 16% to 17%.
- Stalking the victim -- increased from 4% to 7%.
- Repeated physical abuse -- increased from 3% to 8%.
- Repeated psychological abuse -- increased from 4% to 13%.

The "victim's views on the effectiveness of protection orders vary with how accessible the courts are for victims and how well established the links are between public and private services and support resources for victims," noted the report, adding: "In addition, violations of the protection order increase and reported effectiveness decrease as the criminal record of the abuser becomes more serious."

Strong Correlation Between Severity and Duration of Abuse

The research preview noted that the "study confirmed previous research showing a strong correlation between the severity and duration of abuse -- the longer women experience abuse, the more intense the behavior is likely to become and the more likely women are to be severely injured by their abusers." The researchers suggested:

- Safety planning is of paramount importance at the earliest point of contact with the victim.
- The criminal record of the abuser should be considered in fashioning the protection order.

A key finding of the study was that before they received a domestic violence protection order, the study participants experienced abuse ranging from intimidation to injury with a weapon. About 37% of the women had been threatened or injured with a weapon; more than 50% had been beaten or choked; and 99% had been intimidated through threats, stalking, and harassment. More than 40% experienced severe physical abuse at least every few months.

Nearly 25% had suffered abusive behavior for more than five years.

Among the men named in the protection orders filed by the participants, 65% had an arrest history. Many of these men appeared to be career criminals, noted the researches, adding that more than half had four or more arrests. Of the 129 abusers with any history of violent crime, 43% had three or more prior arrests for violent crimes other than domestic violence.

The study also reviewed the use of services by participants before and after obtaining a protection order. The most frequently used service (46%) was assistance from friends and relatives. Next were private community services (32%) such as battered women's shelters and victim advocacy services provided by universities and private agencies.

The researchers believed that more could be done to ensure that victims are provided with user-friendly information about available services as well as information regarding protection orders and their enforcement through the contempt process. Judges and police should make this a priority when dealing with domestic violence victims, they stated.

NEW JERSEY ASSAULT FIREARMS STATISTICS 1997

The 1997 *Attorney General's Report Concerning Assault Firearms* indicates that during the most recent report year, November 1996 through October 1997, a total of 66 offenses involving assault firearms were reported.

These offenses, reported to law enforcement agencies throughout New Jersey, included: 1 murder offense; 13 robberies; 10 aggravated assaults; 41 unlawful possession of assault firearms offenses; and 1 unlawful sale of assault firearms offenses.

Legislative Developments

Dale K. Perry
Legislation Section

New Laws
1998 -1999 Session

Bill No.	*Cite*	*Description*
S-232(2R)	*P.L.* 1998, *c.* 16 *N.J.S.A.* 52:3-12 Effective 5/6/98	Requires State House flag to be flown at half-staff for law enforcement officers, firefighters, paramedics and EMTs who have died in the line of duty.
A-725 and A-1018 (ACS)	*P.L.* 1998, *c.* 17 *N.J.S.A.* 2C:12-10 Effective 5/6/98	Denies good time and work credits to inmates who violate a restraining order or commit the offense of harassment or stalking.
A-1301 (2R)	*P.L.* 1998, *c.* 19 *N.J.S.A.* 9:6-8.99 - 9:6-8.106 Effective 5/8/98	Establishes four regional diagnostic and treatment centers for child abuse.
S-3 (2R)	*P.L.* 1998, *c.* 21 Effective, various dates	The Automobile Insurance Reform Act, (creates the Office of Insurance Fraud Prosecutor).
A-1848	*P.L.* 1998, *c.* 26 *N.J.S.A.* 2C:39-4.1 Effective 6/24/98	Provides that possession of a firearm or any other weapon while in the course of committing, attempting to commit, or conspiring to commit a drug distribution offense is a crime of the second degree. The sentence must be served consecutively to that imposed on the drug offense.

Pending Legislation

Offenses/Crimes	
A-1961 (Watson-Coleman)	Increases penalties for domestic violence-related crimes and offenses if committed in the presence of a child.
A-1969 (Gill)	Doubles fines for certain motor vehicle offenses committed in or within 1,000 feet of a school zone.
A-1977 (Smith, Corodemus)	Upgrades criminal trespass under certain circumstances.
A-1985 (Blee, LeFevre)	Establishes use of laser sighting devices against law enforcement officers as a crime of the third degree.
S-1210 (Kyrillos, Matheussen)	Makes certain displays of police badges, insignias and uniforms a fourth degrees crime.
Stalking	
A-1962 (Watson-Coleman)	Upgrades the crime of stalking when the victim is 16 years old or less.
A-2246 (Azzolina, Thompson)	Amends stalking law with respect to situations where the stalking victim is a child or a developmentally disabled adult.
Weapons	
S-1044 (Adler, Codey)	Disqualifies a person adjudicated delinquent as a juvenile from obtaining a handgun purchase permit or a firearms purchase identification card in some cases.
A-2253 (Holzpapfel, Barnes)	Authorizes police, in some instances, to search the home of a student who brings a gun to school.
A-2171 (Cohen)	Upgrades the crime of money laundering to a crime of the first degree; classifies conspiracy to commit money

laundering as a crime of the first degree.

A-2172
(Cohen)

Amends *N.J.S.A.* 2C:41-1a(1), which defines racketeering activity, to include money laundering, leader of a narcotics trafficking network and leader of an auto theft network; makes money laundering a racketeering activity that makes racketeering a first degree crime.

A-2173
(Cohen)

Creates an obligation on the part of financial institutions to file reports of currency transactions.

A-2174
(Cohen)

Makes it a crime of the third degree for any person to knowingly cash a check for consideration without first having obtained a license to do so.

A-2175
(Cohen)

Mandates revocation of a license to engage in the check cashing business if the licensee is convicted of violating the state money laundering laws.

Police

S-1217
(Turner)

Requires new police officers to receive First Responder -D training.

S-1218
(Turner)

Requires municipal police forces to have cardiac defibrillators; establishes minimum number of units for each municipality.

A-2182
(Zecker)

Permits certain Class Two special law enforcement officer to carry firearms while traveling between home and work and in some other instances.