

10/22/98 sc att.	Lt. Colonel R. D. Dunlop Executive Officer Capt. Cartwright .	Colonel C.A. Williams Superintendent via Lt. Colonel M.A. Fedorko Deputy Superintendent.	ATTORNEY GENERAL REFERRALS RE THE INCIDENT INVOLVING THE ESSEX COUNTY PROSECUTOR
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Attached are AG referrals re correspondence from _____,
New Jersey, and David Herron, NAACP, Montclair Branch, regarding the above
incident

Forwarded for your information.

TO _____

From NTM 10/9/98

OFFICE OF THE GOVERNOR
Trenton, New Jersey

- For Your Information
- For Your Approval
- For Your Signature
- For Your Attention
- For Your Files
- For Your Comment and Return
- For Your Handling

✓
Peter Bernier
May 17, Dec. 14, 2001

The Governor's 8/8/98 response
to David Herron is attached
as background information.

STATE HOUSE

CN 001

PHONE: (609) 292-6000

FAX : (609) 292-3454

* REFERRAL SLIP *

REFERRED TO DEPT : Department of Law and Public Safety
ATTENTION == Peter Verniero
DATE REFERRED : 10/15/98
PLEASE RETURN BY == 10/29/98
COPIES TO ==
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DOCUMENT LOCATOR NO : 000326843
ISSUE ADDRESSED == Governor's Reading File (GRF)
CONSTITUENT NAME :
ADDRESS :
:
:

G.O.C.R. RESPONSIBLE == Katherine Lyons
G.O.C.R. COMMENTS == Governor wants to see response
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INSTRUCTIONS: Please return this referral slip with a copy of the response sent and the original correspondence.

NOTE:
Please mark the envelope which contains the referral to the attention of the OCR staff person indicated next to the 'G.O.C.R. RESPONSIBLE' entry or simply FAX back to us.

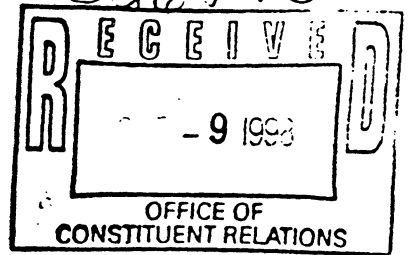
COMMENTS:

K-
GRF

READ BY CTW

From: <feedback@state.nj.us>
To: State House.State House (OCR)
Date: 10/8/98 11:36am
Subject: RACIAL PROFILING

326843



Internet E-mail to the Governor

** FROM **

Name: Mr. n -NAACP-MONTCLAIR BRANCH
Address:
City:
State:
Zip: (
Country: USA
Phone:
E-mail:

** AFFILIATION **

Group: (N.A.A.C.P.)NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
Relationship: CHAIRPERSON-MONTCLAIR BRANCH EDUCATION COMMITTEE

** MESSAGE **

SUBJECT: RACIAL PROFILING

GOVERNOR CHRISTINE TODD WHITMAN
CN 001
TRENTON, NEW JERSEY 08650

October 8, 1998

THE HONORABLE CHRISTINE TODD WHITMAN:

Dear Governor Whitman:

Once again, we are witness to profile stops of African American motorists, by state police, while state police officials continue to deny that the practice exists.

The profile stopping of Essex County Prosecutor Pat Hurts' car recently was yet another example of a practice that will not and must not be allowed to continue.

More disturbing was the manner and treatment used towarded Prosecutor Hurt. Law enforcement officers as well as government officials, yourself included, are often observed traveling at excessive speeds, while on official business.

The NAACP is deeply concerned about this particular incident, and we will be monitoring this as well as other incidents of alledged profile stops.

126076

GC 003346

Furthermore we are outraged at the treatment Prosecutor Hurt received, and the Troopers behavior was inexcusable at best, and racist at worse. As you are well aware, Prosecutor Hurt is the most visible and outspoken prosecutor in the state, having appeared repeatedly on TV and in newspapers addressing crime issues within Essex County. Our Prosecutor has also allowed her picture to appear on billboards in an effort to gain additional attention and community support around crime and quality of life issues. All law enforcement officers within New Jersey should know who our County Prosecutors are.

My Dear Governor, New Jersey has a serious race problem.

The NAACP discussed the Hurt incident at our regional conference recently, and we will be aggressively increasing our monitoring of profile stops as well as other police practices.

Our goal, is the elimination of practices that are racist and unconstitutional as we bring national attention to a national problem.

Yours truly,

Mr.
NAACP MONTCLAIR BRANCH
EDUCATION CHAIRPERSON
29 ELMWOOD AVENUE
MONTCLAIR, NEW JERSEY 07042



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 080
TRENTON, NJ 08625-0080
(609) 292-4925

CHRISTINE TODD WHITMAN
Governor

PETER VERNIERO
Attorney General

October 28, 1998

Ms.
16 Race Street
Nutley, New Jersey 07110

Dear .

Your correspondence to Governor Whitman has been referred to me for response. You indicate your concerns with the behavior of Prosecutor Hurt regarding a motor vehicle stop on the Garden State Parkway.

The driver has pled guilty to the motor vehicle charges, but the State Police have not yet concluded their internal investigation regarding the interactions between the trooper and Ms. Hurt. Once the remaining facts are disclosed, I will review the incident in its entirety and take whatever additional action may be appropriate or necessary.

Thank you for sharing your views on this subject with us.

Sincerely,

Peter Verniero
Attorney General

amc

126078

GC 003348



**Office of the Attorney General
Citizens' Services**

Date: 10-27-1998

Received Date : 10-27-1998
Correspondence Date : 10-23-1998
Subject : Correspondence Assigned To First Assistant
Name : Ms.
Affiliation :
Assigned to : Dave Hesse
Office of the Attorney General
Due Date : 11-10-1998
Issue : Concerns the actions of Prosecutor Patricia Hurt
Comment : c: AG Verniero, Colonel Williams, Director Zoubek
Response-Type : Respond on behalf of Governor
Response Date :

Forward with all drafts, response copies, and original correspondence to:

Regina M. Garb
Citizens' Services
Office of The Attorney General
Richard J. Hughes Justice Complex
8th Floor, West Wing, CN-080
Trenton, NJ 08625

Essex County prosecu

... on the ...
 ... Essex County ...
 ... as a passen- ...
 ...'s investiga- ...
 ... the back seat were ...
 ... along for the



Paul Mulshine

driver had just made a run down the Parkway that was straight out of the "Dukes of Hazzard."

Ebner ordered all the occupants to put their hands where he could see them. He asked the driver for her license. According to the State Police, Rosa at first refused to hand it over. Instead, the passenger presented him with a badge.

Ebner at first refused to take it. This, according to Hurt's attorney, Peter Harvey, was evidence of racism. "I can only imagine what his assumptions were," he said in comments in The Star-Ledger. "But he probably didn't know Essex County had a black woman prosecutor."

Maybe not. Or maybe he just didn't know that Essex County had a prosecutor who liked to flout the law and risk the lives of three teenagers for cheap thrills.

In any case, once Ebner got his hands on Rosa's driver's license, he let her off easy, with a \$77 ticket for careless driving. Try duplicating her stunt driving and see if you don't spend the night in the Ocean County Jail.

That should have been the end of it, but Hurt filed charges against the trooper.

Through her lawyer, she made numerous allegations about the officer's conduct, all of which boil down to a charge that the trooper did not give her the respect due her office.

Her lawyer officials are regarding speed As it happens that almost perform Court's Colletter was

If there's a will at some hiding behind come out a why a person law can also it gets better dinner.

preme Court in 1991. Stop and drunken influence to recommending advisory Commission special note office to skirt stated, "The led to the way to an em he was not, ar ences to his ju pression that preference." Sound far subject. Flash emergencies.

OFFICE OF CONSTITUENT RELATIONS (OCR)

STATE HOUSE

CN 001

PHONE: (609) 292-6000

FAX : (609) 292-3454

* REFERRAL SLIP *

REFERRED TO DEPT : Department of Law and Public Safety
ATTENTION == Peter Verniero
DATE REFERRED : 10/23/98
PLEASE RETURN BY == 11/06/98
COPIES TO ==
==

DOCUMENT LOCATOR NO : 000327330
ISSUE ADDRESSED == Essex County Prosecutor Parkway stop
CONSTITUENT NAME :
ADDRESS :
:
:
:

G.O.C.R. RESPONSIBLE == Katherine Lyons
G.O.C.R. COMMENTS ==
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INSTRUCTIONS: Please return this referral slip with a copy of the response sent and the original correspondence.

NOTE:

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COMMENTS:

126081

GC 003351

327330 Oct 10, 1998

KCV

Dear Gov. Whitman:

Another example of
Perry County's administrators
attitude, they are always the
cause and getting away
with it.

REC-1245/20
FEB 4 3 70 5 25 / 1245
see

Postmark: FEF I WATSON
OCT 14 1998

~~RECEIVED~~

526090

DATE	FROM	TO	SUBJECT
10/22/98	Lt. William P. <i>W.P.D.</i> Devlin Acting Troop Commander Troop "A" via Captain Lee L. Cartwright Acting Field Operations Section Supervisor via LTC R.D. Dunlop Executive Officer via LTC M.A. Fedorko Deputy Superintendent	Colonel Carl A. Williams Superintendent	PORT NORRIS COMMUNITY MEETING HELD ON OCTOBER 3, 1998 <i>D. 10.22.98</i>

Attached is a Special Report from SFC. 6, Acting Port Norris Station
 Commander, reference a community meeting to discuss allegations of racial profiling by the Stat
 Police.

For your information.

WPD:bak
 att.

12-10

(10) TO
 Lt. William P. Devlin
 Acting Troop "A" Commander
 Buena Vista, New Jersey

(14) FROM
 SFC ...
 Acting Station Commander
 Port Norris Station

(7) SUBJECT:
COMMUNITY MEETING - SHILOH BAPTIST CHURCH - PORT NORRIS

On October 3, 1998 at 10:00AM, a community meeting was sponsored by James Dunkins, Pastor of the Shiloh Baptist Church in Port Norris, President of the N.A.A.C.P. South Jersey Cumberland County Chapter, Dr. Russell Singleton and Cumberland County Human Relations Commission representative, Sam Clark. The meeting was requested by Pastor Dunkins as a result of a newspaper article written on September 1, 1998 by the Philadelphia Inquirer accusing the State Police of racial profiling.

In addition to those mentioned above, SFC J. [redacted], Acting Station Commander of Port Norris Station, Det. [redacted] Port Norris Station and Sgt. [redacted] #3728, Community Services Unit, Division Headquarters, were present and represented the New Jersey State Police. James A. Rocco, Chief of Detectives, Cumberland County Prosecutors Office, John Jones, Prosecutor of Commercial Township, Patrolman Lance Geissel and Sam Allen, Community Service Unit of the Millville Police Department were also present. There were fifty residents from the Port Norris community who also attended the meeting.


In, an elderly black resident stood up complaining about the State Police racial profiling. During her address she verbally attacked Det. [redacted], a black trooper raised in Port Norris, calling him "a flunky", which brought strong reactions from Dr. Singleton and several audience members. Det. [redacted], sat proudly and exhibited outstanding self control and discipline. After her rambling Det. [redacted] addressed the forum stating, "I am not a flunky, but I am a proud member of the New Jersey State Police and I have worked very hard to get where I am today". Det. [redacted] delivered a very emotional speech about why he became a member of the New Jersey State Police. Det. [redacted] spoke of his parents and how they instilled their family values and respect for the law, which carried over into his life. At the conclusion of his address, Det. [redacted] received a standing ovation from the audience. Det. [redacted] delivered his speech with sincerity and respect to all present. He is a credit and asset to the New Jersey State Police and the Port Norris Station.

Several members of the forum expressed an interest concerning internal investigations and how they are handled. I explained S.O.P. (B-10), procedures in filing an internal investigation and the routing of the investigation reports. I made an emotional pledge to the residents of Port Norris that abuse does not happen in the Port Norris Station, and if it did occur, that trooper would be brought up on charges. I instruct the personnel at the Port Norris Station to respect all member of the community and treat them like you would treat your own mother.

Sgt. [redacted] Community Service Unit, Division Headquarters, addressed the forum on the upcoming community policing unit. This unit will help race relations between the police and residents by opening up more communication and community policing. I explained to the members of the meeting that the idea is to get the troopers out of their cars, whether on foot or bicycles, and to mingle with the community. The community policing personnel will attend all community meeting and functions to get the community and police working together. This was received extremely well by the residents of Port Norris.

The meeting ended with an emotional community prayer.

(8) REPORTING DATE 10-20-98	(9) [redacted]	(16) BADGE NUMBER SFC [redacted]	(17) PAGE 1 of 1 pages	(18) STATION 1122110	(19) FROM 1120272	(20) [redacted]
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DATE	FROM	TO	SUBJECT
11/17/98 hm att.	Lt. Colonel  R. D. Dunlop Executive Officer	Major K. McPartland Intelligence Services Section	REQUEST FOR BLOCK OF INSTRUCTION BY DET. F. _____ AT THE ADVANCED OPERATION PIPELINE/CONVOY INTERDICTION SCHOOL

The attached correspondence from SAC John B. Brown, III, Drug Enforcement Administration, is self-explanatory.

Please have Det. _____ contact SA Michelle Jong, and advise her that he has been authorized to comply with their request. Also, have him prepare the necessary travel package.

Forwarded for your information and compliance.

126085

GC 003355



U.S. Department of Justice
Drug Enforcement Administration

El Paso Intelligence Center
11339 SSG Sims Street
El Paso, Texas 79908-8098

November 12, 1998

Lieutenant Colonel Robert D. Dunlop
New Jersey State Police
P. O. Box 7068
West Trenton, NJ 08628-0068

Dear Lt. Col. Dunlop:

The Drug Enforcement Administration is sponsoring an Advanced OPERATION PIPELINE/CONVOY interdiction school in Sacramento, California on November 30, 1998 through December 4, 1998. This letter is a request for Trooper [redacted] to instruct at this seminar. As this seminar is an advanced course, Trooper [redacted] would bring valuable information as to concealed compartments, program development, and intelligence sharing that would be an asset to the Northern California region, which is developing a comprehensive interdiction program. Both Sergeant [redacted] and Trooper [redacted] have demonstrated and presented invaluable information to uniformed officers across this country and at our annual conference this past September in San Antonio, Texas.

The OPERATION PIPELINE/CONVOY training is an ongoing and continuous effort by the El Paso Intelligence Center to coordinate drug/money concealment detection techniques for uniformed officers. Assistance from agencies such as yours is the foundation for the program's success. Thank you for your continued support.

All travel expenses will be funded by the Drug Enforcement Administration, Washington, DC. If there are any questions regarding this request, please contact Special Agent Michelle Jong at 915-564-2490.

Sincerely,


A handwritten signature in black ink, appearing to read "John B. Brown, III".

John B. Brown, III
Special Agent in Charge

EPIC

DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION

FAX TRANSMITTAL SHEET

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TRANSMITTED TO		FAX FTS NO.	FAX COMMERCIAL NO. 609 882 5040
NAME:			
Sgt.			
ORGANIZATION:			
New Jersey State Police			
BUILDING, ROOM NO., etc.		TELEPHONE/EXTENSION	
TRANSMITTED FROM		FAX FTS NO.	FAX COMMERCIAL NO. (915)760-2492
NAME:			
S/A Bill Callahan			
ORGANIZATION:			
DOJ/DEA/EPIC/STATE & LOCAL LIAISON UNIT			
BUILDING, ROOM NO., etc.		TELEPHONE/EXTENSION (915)760-2490 OR (800)927-0468	
COMMENTS:			

Thanks for your time and assistance.

Bill

APPROVED BY (If applicable)		NAME:	
TRANSMITTED BY (Name):		DATE:	TIME:

EPIC Form 139 (Aug 95)

GC 003357

126087

SUPERINTENDENT'S ACTION MEMO

From: Colonel Carl A. Williams *CAW*

Date: *2-18-99*

Subject: *D. E. A. REQUEST FOR DET I A.M. TRUCK #3786 TO INSTRUCT AT*

To: Deputy Superintendent *JETWAY SCHOOL FYI*

Executive Officer

Section Supervisor

Assistant Section Supervisor

✓ SEC T. GILBERT FYI

Administration

Investigations

Division Staff

Records & Identification

Emergency Management

Special & Technical Services

Field Operations

P.I.U.

Intelligence Services

YOUR CALL-OFF WITH ME. WHO WILL PAY THE FREIGHT?

Submit Draft Reply By: _____

Note Comments: _____

For Your Further Action Return By: _____

For Your Information: _____

DATE	FROM	TO	SUBJECT
02/23/99 hm att.	Lt. Colonel R.D. Dunlop Executive Officer	Captain F. Madden Acting Supervisor Investigations Section	REQUEST FOR INSTRUCTOR - DET.

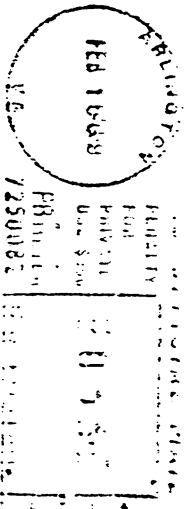
The attached correspondence from Frank Marrero, Chief, State and Local Programs, Drug Enforcement Administration, is self-explanatory.

Det. [redacted] authorized to lecture at the Jetway School in Oklahoma City, Oklahoma, from April 6 through April 9, 1999, provided all expenses will be paid by the Drug Enforcement Administration.

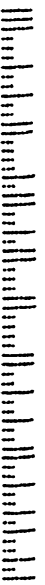
Forwarded for your information.

U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION
WASHINGTON, D.C. 20537
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

Superintendent Colonel Carl Williams
New Jersey State Police
P.O. Box 7068
West Trenton, New Jersey 08628



08628-0068





U. S. Department of Justice
Drug Enforcement Administration

Washington, D.C. 20537

FFR 16 1999

Superintendent Colonel Carl Williams
New Jersey State Police
P.O. Box 7068
West Trenton, New Jersey 08628

A handwritten signature in cursive script, appearing to read "Caw", positioned to the right of the recipient's address.

Dear Colonel Williams,

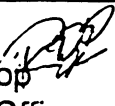
The State and Local Programs Section requests Detective [redacted] as an instructor for the Jetway School in Oklahoma City, Oklahoma. Detective Krych will be scheduled to instruct on Hotel/Motels April 6 through 9, 1999. Staff Coordinator Bill Woessner from State and Local Programs spoke with Lieutenant Edgar Hess from New Jersey State Police regarding this request. Detective [redacted] comes highly recommended to instruct Hotel/Motels, and has instructed for the International Narcotics Interdiction Association (INIA) Conference in the past.

Your assistance in this matter is greatly appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank Marrero", positioned above the typed name and title.

Frank Marrero
Chief
State and Local Programs

DATE	FROM	TO	SUBJECT
08/28/98 hm att.	Lt. Colonel  R. D. Dunlop Executive Officer	Major R. Touw Supervisor Investigations Section	REQUEST FOR DSFC JERRY LEWIS TO LECTURE AT THE OPERATION PIPELINE/CONVOY INTERDICTION SCHOOL

The attached correspondence from John B. Brown, Special Agent in Charge, U.S. Department of Justice, Drug Enforcement Administration, is self-explanatory.

Please facilitate this request if operationally feasible.



El Paso Intelligence Center
11339 SSG Sims Street
El Paso, Texas 79908-8098

August 26, 1998

Colonel Carl Williams
New Jersey State Police
P. O. Box 7068
West Trenton, NJ 08628-0068

Dear Colonel Williams:

The Drug Enforcement Administration is sponsoring an Operation Pipeline/Convoy interdiction school in Macon, Georgia on August 31 through September 4, 1998. The school is being hosted by the Georgia Peace Officer Association. This letter is a request for Detective Sgt. First Class _____ to teach at this school.

The Operation Pipeline/Convoy training is an ongoing and continuous effort by the El Paso Intelligence Center to coordinate drug/money concealment detection techniques for uniformed officers. Assistance from agencies such as yours is the foundation for the program's success. Thank you for your continued support.

All travel expenses will be funded by the Drug Enforcement Administration, Washington, DC. If there are any questions regarding this request, please contact Special Agent Michelle Jong at 915-564-2491.

Sincerely,

A handwritten signature in black ink, appearing to read "John B. Brown, III".

John B. Brown, III
Special Agent in Charge

126093

GC 003363

EPIC

DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION

FAX TRANSMITTAL SHEET

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2

TRANSMITTED TO

FAX FTS NO.

FAX COMMERCIAL NO.
609-530-0718

NAME:

COLONEL CARL WILLIAMS

ORGANIZATION:

NEW JERSEY STATE POLICE

BUILDING, ROOM NO., etc.

TELEPHONE/EXTENSION

TRANSMITTED FROM

FAX FTS NO.

FAX COMMERCIAL NO.
915-564-2492

NAME:

S/A MICHELLE JONG

ORGANIZATION:

DOJ/DEA/EPIC/STATE & LOCAL LIAISON UNIT

BUILDING, ROOM NO., etc.

TELEPHONE/EXTENSION

915-564-2490 OR 800-927-0468

COMMENTS:

COLONEL WILLIAMS: FOLLOWING IS OUR REQUEST FOR DET. SGT. 1ST CLASS
TO TEACH AT A PIPELINE SCHOOL IN MACON, GA. PLEASE CALL
IF YOU HAVE ANY QUESTIONS. THANK YOU.



APPROVED BY (If applicable)

NAME:


TRANSMITTED BY (Name):

DATE:

TIME:

126094

GC 003364

DATE	FROM	TO	SUBJECT
11/17/98 hm att.	Lt. Colonel  R. D. Dunlop Executive Officer	Major K. McPartland Intelligence Services Section	REQUEST FOR BLOCK OF INSTRUCTION BY DET. _____ AT THE ADVANCED OPERATION PIPELINE/CONVOY INTERDICTION SCHOOL

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Please have Det. _____ ti contact SA Michelle Jong, and advise her that he has been authorized to comply with their request. Also, have him prepare the necessary travel package.

Forwarded for your information and compliance.



U.S. Department of Justice
Drug Enforcement Administration

El Paso Intelligence Center
11339 SSG Sims Street
El Paso, Texas 79908-8098

November 12, 1998

Lieutenant Colonel Robert D. Dunlop
New Jersey State Police
P. O. Box 7068
West Trenton, NJ 08628-0068

Dear Lt. Col. Dunlop:

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Sincerely,

A handwritten signature in black ink, appearing to read "John B. Brown, III".

John B. Brown, III
Special Agent in Charge

TROOP 'D' ARRESTS

APRIL '98 — DEC. '98

CRIMINAL

STATION	MO	DATE DAY	YEAR	AGE	SEX	RACE	STATUTE	MUN CODE
D010	4	2	1998	26	2	2B	2C:35-10A1	1202
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D010	4	2	1998	25	2	2B	2C:35-10A1	1202
D010	4	2	1998	33	1	2B	2C:35-10A1	1204
D010	4	3	1998	29	1	1A	2C:21-21C2	1204
D010	4	5	1998	15	1	1A	2C:14-2	1225
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D010	5	5	1998	29	2	1B	2C:35-5B3	1225
D010	5	12	1998	28	1	1B	2C:39-5B	1101
D010	5	21	1998	39	1	2B	2C:39-5B	1204
D010	5	21	1998	38	2	2B	2C:35-10A4	1221
D010	6	1	1998	40	1	2B	2C:35-10	1202
D010	6	1	1998	38	2	2B	2C:35-10	1202
D010	6	1	1998	19	1	1B	2C:17-3	1204
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D010	5	27	1998	19	1	1B	2C:35-10A3	1225

STATION	DATE		AGE	SEX	RACE	STATUTE	MUN CODE
	MO	DAY YEAR					
D010	5	27 1998	20	1	1B	2C:35-10A3	1225
D010	5	28 1998	18	1	2B	2C:28-4A	1202
D010	5	28 1998	28	1	1B	2C:28-4A	1212
D010	6	3 1998	27	1	2B	2C:35-10A	1202
D010	6	3 1998	31	1	2B	2C35-10A	1202
D010	6	4 1998	28	1	1A	2C:35-10A1	1205
D010	6	11 1998	33	1	2B	2C:21-21C2	1202
D010	6	13 1998	23	1	2B	2C:29-3B	1225
D010	6	13 1998	20	1	1B	2C:35-10A4	1204
D010	6	17 1998	39	1	2B	2C:39-5F	1225
D010	6	20 1998	36	1	2B	2C:21-21C2	1205
D010	6	22 1998	18	1	1B	2C:35-10A4	1112
D010	6	23 1998	20	1	2B	2C:35-10A	1221
D010	6	23 1998	46	1	2B	2C:35-10A	1221
D010	6	23 1998	21	1	2B	2C:35-10A	1221
D010	6	23 1998	18	1	1B	2C:35-10A4	1225
D010	6	23 1998	18	1	1B	2C:3510A4	1225
D010	6	27 1998	36	1	2B	2C:35-10A3	1205
D010	6	27 1998	28	2	2B	2C:35-10A3	1205
D010	6	29 1998	28	2	1B	2C:35-10A4	1101
D010	6	29 1998	26	1	1B	2C:35-10A4	1101
D010	6	29 1998	24	1	1B	2C:35-10A4	1205
D010	7	1 1998	33	1	1B	2C:39-5B	1221
D010	7	2 1998	23	2	1B	2C:35-10A4	1202
D010	7	2 1998	22	1	1B	2C:35-10A4	1202
D010	8	26 1998	51	1	2B	2C:20-9	0709
D010	6	28 1998	32	1	2B		1205
D010	7	4 1998	36	1	1B	2C:35-10A3	1201
D010	7	4 1998	15	1	1B	2C:35-10A3	1201
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D010	7	13 1998	28	1	1B	2C:13-2A	1202
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D010	7	16 1998	22	1	1A	2C:3510A4	1225
D010	7	16 1998	18	1	1A	2C:35-10A4	1225
D010	7	19 1998	25	1	2B	2C:29-2B	1205
D010	7	21 1998	21	1	2B	2C:39-5B	1225
D010	7	21 1998	19	1	2B	2C:39-5B	1225
D010	7	23 1998	20	1	1B	2C:36-2	1202
D010	7	23 1998	20	1	1A	2C:36-2	1202
D010	7	24 1998	28	1	1A	2C:28-4A	1202
D010	7	24 1998	27	1	1B	2C:20-7	1225
D010	7	24 1998	18	1	1B	2C:35-10A4	1202
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D010	7	25 1998	29	1	2B	2C:36-2	1202
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D010	7	25 1998	19	1	2B	2C:20-7	1204

STATION	DATE			AGE	SEX	RACE	STATUTE	MUN CODE
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D010	7	25	1998	18	1	2B	2C:20-7	1204
D010	7	25	1998	18	1	2B	2C:20-7	1204
D010	7	25	1998	18	1	2B	2C:20-7	1204
D010	7	25	1998	21	1	1B	2C:29-2	1221
D010	7	25	1998	21	1	1B	2C:17-3	1202
D010	7	30	1998	27	1	2B	2C:20-7	1202
D010	7	30	1998	21	2	2B	2C:20-7	1202
D010	7	30	1998	46	1	2B	2C:20-7	1202
D010	8	2	1998	19	1	1A	2C:35-10A1	1201
D010	8	2	1998	26	1	1A	2C:35-10A1	1201
D010	8	4	1998	38	1	2B	2C:35-10A1	1221
D010	8	4	1998	30	2	2B	2C:35-10A1	1221
D010	8	6	1998	40	1	2B	2C:35-10A4	1202
D010	8	11	1998	52	1	1B	2C:12-3A	1202
D010	8	7	1998	50	1	2B	2C:20-7	1205
D010	8	12	1998	20	1	2B	2C:29-2B	1202
D010	8	12	1998	15	1	1B	2C:29-2B	1202
D010	8	18	1998	20	2	1B	2C:20-7	1201
D010	8	18	1998	28	1	1B	2C:20-7	1201
D010	8	21	1998	26	1	2B	2C:35-10A	1202
D010	8	21	1998	30	1	2B	2C:35-10A4	1225
D010	8	28	1998	45	2	2B	2C:20-7	1225
D010	8	28	1998	30	1	2B	2C:20-7	1225
D010	8	28	1998	24	1	2B	2C:20-7	1225
D010	9	7	1998	24	1	1B	2C:12-1A1	1202
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D010	9	11	1998	29	1	2B	2C:35-10A	1201
D010	9	11	1998	29	1	2B	2C:35-10A	1201
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D010	9	14	1998	22	1	2B	2C:35-10A4	1225
D010	9	14	1998	29	1	2B	2C:35-10A4	1225
D010	9	15	1998	20	1	4B	2C:35-10A4	1202
D010	9	15	1998	20	1	1B	2C:35-10A4	1202
D010	8	31	1998	33	1	2B	2C:12-1A1	1202
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D010	11	9	1998	45	1	1A	2C:35-10A	1101
D010	11	11	1998	18	1	1B	2C:28-4A	1202
D010	11	13	1998	19	1	2B	2C:35-10A1	1225
D010	11	21	1998	22	1	1B	2C:20-3A	1202
D010	11	13	1998	31	1	2B	2C:21-32	1101
D010	11	14	1998	31	1	2B	2C:35-10A3	1225
D010	11	14	1998	27	2	1B	2C:35-10A3	1225
D010	11	19	1998	34	1	2B	2C:39-5B	1221
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STATION	DATE			AGE	SEX	RACE	STATUTE	MUN CODE
	MO	DAY	YEAR					
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D010	11	19	1998	20	2	2B	2C:35-10A1	1202
D010	11	20	1998	27	1	1B	2C:35-10A3	1205
D010	11	20	1998	32	1	2B	2C:21-32D1	1202
D010	11	22	1998	32	1	2B	2C:21-32D2	1112
D010	11	22	1998	30	1	2B	2C:21-32D2	1112
D010	11	25	1998	20	1	2B	2C:39-34H	1213
D010	11	26	1998	21	1	2B	2C:39-5B	1202
D010	12	4	1998	22	1	2B	2C:39-5B	1112
D010	12	9	1998	25	1	1A	2C:28-4A	1205
D010	12	21	1998	45	1	1B	2C:20-3	1319
D010	12	16	1998	20	2	2B	2C:20-3	0714
D010	12	16	1998	18	1	1B	2C:20-3	1202
D010	12	21	1998	45	1	1B	2C:36-6	1319
D010	12	27	1998	46	1	1A	2C:35-10	1205
D010	12	31	1998	27	1	1A	2C:39-5B	1204
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D020	5	4	1998	42	1	2B	2C:39-5B	0304
D020	5	7	1998	26	2	2B	2C:35-10A4	0325
D020	5	8	1998	21	1	2B	2C:29-1A	0802
D020	5	11	1998	37	1	2B	2C:14-4A	0325
D020	5	13	1998	45	1	1A	33:1-2	0430
D020	5	13	1998	50	1	1A	33:1-2	0430
D020	5	13	1998	27	1	2B	2C:35-10A4	0338
D020	5	13	1998	28	1	2B	2C:35-10A4	0338
D020	5	15	1998	19	1	1B	2C:35-10A4	0315
D020	5	16	1998	24	1	2B	2C:35-5A1	0319
D020	5	22	1998	28	1	2B	2C:35-10A1	1707
D020	5	28	1998	23	1	1B	2C:35-10A1	0335
D020	5	28	1998	22	1	1B	2C:35-10A1	0335
D020	6	3	1998	41	2	2B	2C:35-10A1	0335
D020	6	6	1998	18	2	1B	2C:20-3A	0325
D020	6	9	1998	42	1	2B	2A:160-10	0325
D020	6	9	1998	19	1	1B	2C:35-10A4	1707
D020	6	10	1998	35	1	1B	54:40A-32	1713
D020	6	10	1998	34	1	1B	54:40A-32	1713
D020	6	10	1998	35	1	1B	54:40A-32	1713
D020	6	11	1998	24	1	1A	2C:35-10A4	0412
D020	6	19	1998	44	1	1B	2C:17-3A1	0305
D020	6	26	1998	19	1	2B	2C:20-7	0319
D020	6	26	1998	17	1	2B	2C:20-7	0319
D020	6	26	1998	17	1	2B	2C:20-3	0319
D020	6	26	1998	19	1	2B	2C:20-3	0319
D020	6	28	1998	29	1	2B	2C:35-10A1	0335
D020	8	12	1998	42	2	2B	2C:20-3	0325
D020	6	29	1998	25	1	1B	2A:160-10	0307
D020	7	2	1998	22	1	2B	2C:39-5b	0338
D020	6	30	1998	43	1	1B	2C:12-1A1	0415

STATION	DATE			AGE	SEX	RACE	STATUTE	MUN CODE
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D020	7	2	1998	27	1	1A	54:40A-32	1101
D020	7	2	1998	52	1	2B	2C:33-2A	1713
D020	7	4	1998	18	1	1A	2C:35-10A4	0319
D020	7	4	1998	19	1	1A	2C:20-7	0319
D020	7	4	1998	23	1	2B	2C:29-1B	0824
D020	7	27	1998	18	1	1B	2C:20-3A	0325
D020	7	13	1998	31	1	2B	2C:21-25	0325
D020	7	15	1998	38	1	2B	2C:29-1	1103
D020	7	15	1998	17	1	1B	2C:35-10A4	1709
D020	7	15	1998	17	1	1B	2C:35-10A1	1709
D020	7	15	1998	49	1	1B	54:40A-281	0338
D020	7	15	1998	34	1	1A	54:40A-28	0338
D020	7	18	1998	17	1	1B	2C:35-10A4	0304
D020	7	21	1998	35	1	2B	2C:35-10A3	0307
D020	7	23	1998	20	1	1B	2C:35-10A4	0325
D020	7	23	1998	22	1	1B	2C:35-10A4	0325
D020	7	24	1998	22	1	1B	2C:35-10A4	1705
D020	8	3	1998	27	1	1B	2C:20-3A	0408
D020	8	1	1998	34	1	1A	2C:29-2A	0325
D020	8	2	1998	24	1	2B	2C:36-2	0307
D020	8	2	1998	39	1	2B	2C:36-2	0307
D020	8	2	1998	51	1	2B	2C:36-2	0820
D020	8	5	1998	24	2	2B	2C:29-1	0325
D020	8	26	1998	24	1	1A	2C:35-10AU	0802
D020	8	26	1998	23	1	1A	2C:35-10A1	0319
D020	8	26	1998	20	2	1B	2C:20-7	0319
D020	8	26	1998	18	2	1B	2C:20-7	0319
D020	8	29	1998	19	1	2B	2C:35-10A4	1112
D020	8	29	1998	22	1	2B	2C:35-10A4	1112
D020	8	29	1998	21	1	2B	2C:35-10A4	1112
D020	8	31	1998	40	1	1A	2A:160-10	0319
D020	9	2	1998	22	1	1B	2C:35-10A1	0338
D020	9	3	1998	35	1	1B	2A:21-25	0307
D020	9	5	1998	25	1	2B	2C:29-1	0412
D020	9	6	1998	59	1	2B	2C:35-10A4	0338
D020	12	11	1998	47	1	2B	2C:20-3	0404
D020	9	8	1998	27	1	2B	2C:35-10A4	0325
D020	9	12	1998	27	1	2B	2C:35-10A3	0338
D020	9	14	1998	31	1	2B	2C:35-10A3	0403
D020	9	14	1998	27	2	2B	2C:35-10A3	0403
D020	9	17	1998	28	1	1A	2C:20-7	0803
D020	9	17	1998	44	1	1A	2C:20-7	0803
D020	9	17	1998	24	1	1A	2C:20-7	0803
D020	9	17	1998	26	2	1A	2C:20-7	0803
D020	9	22	1998	30	1	1A	2C:35-10A1	1103
D020	9	22	1998	18	2	2A	2C:35-10A1	1103
D020	9	22	1998	34	1	2A	2C:35-10A1	1103
D020	9	24	1998	38	1	1A	2C:20-3A	0714

STATION	DATE			AGE	SEX	RACE	STATUTE	MUN CODE
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D020	9	25	1998	38	1	1B	54:40A281	1713
D020	9	27	1998	18	1	1B	2A150-10	0307
D020	9	28	1998	24	1	1B	2C:36-2	0335
D020	9	28	1998	22	2	1B	2C:35-10A1	0335
D020	11	24	1998	38	1	2B	2C:20-3	1713
D020	9	29	1998	22	2	1B	2C:35-10A3	0319
D020	9	29	1998	22	1	2B	2C:35-10A3	0310
D020	9	29	1998	18	1	1B	2C:36-6	0335
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D020	10	1	1998	32	1	2B	2C:35-10A1	0802
D020	10	1	1998	25	1	2B	2C:35-10A1	0823
D020	10	1	1998	29	1	2B	2C:35-10A1	0823
D020	10	1	1998	21	1	1A	2C:33-3A	0808
D020	10	2	1998	27	1	1A	2C:21-25	0335
D020	10	7	1998	27	1	2B	2A:160-10	0319
D020	10	7	1998	22	1	1B	2C:35-10A4	0325
D020	10	7	1998	25	1	1B	2C:35-10A4	0325
D020	10	14	1998	29	1	2B	2A:160-10	0315
D020	10	16	1998	25	1	1A	2C:20-7	0404
D020	10	18	1998	44	1	4B	2C:35-10A4	1713
D020	10	18	1998	37	1	4B	2C:35-10A4	1713
D020	10	23	1998	26	2	1B	2C:35-10A1	1707
D020	10	30	1998	33	1	1B	2C:20.7	0319
D020	11	1	1998	26	1	1A	2C:29-2	1221
D020	11	1	1998	26	1	1A	2C:29-2	0304
D020	11	2	1998	37	2	2B	2C:29-3	0802
D020	11	2	1998	37	1	1B	2C:29-1	0802
D020	11	14	1998	23	2	2B	2C:29-1	1103
D020	11	14	1998	22	2	1B	2C:35-10A4	0319
D020	11	15	1998	27	1	2B	2C:35-10A4	0412
D020	11	16	1998	22	1	2B	2C:39-5B	0325
D020	11	17	1998	25	1	2B	2C:35-5B2	0325
D020	11	17	1998	17	1	2B	2C:35-5B2	0325
D020	11	18	1998	35	1	2B	2C:35-10A1	0820
D020	11	18	1998	28	2	2B	2C:35-10A1	0820
D020	11	18	1998	32	1	2B	2C:35-10A1	0820
D020	11	18	1998	24	1	2B	2C:35-10A1	0803
D020	11	18	1998	29	1	2B	2C:35-10A1	0803
D020	11	18	1998	40	1	2B	2C:35-10A1	0802
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D020	11	21	1998	43	1	2B	2C:35-10A3	0802
D020	11	22	1998	31	1	2B	2C:29-1	0325
D020	11	26	1998	52	2	2B	2C:33-2A	0803
D020	11	26	1998	21	1	2B	2C:35-10A4	0824
D020	11	30	1998	22	1	2B	2C:20-7	0430

STATION	DATE		AGE	SEX	RACE	STATUTE	MUN CODE	
	MO	DAY						YEAR
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D020	12	1	1998	43	1	2A	2C:5-5A	0319
D020	12	2	1998	30	1	1A	2C:28-4B	1707
D020	12	4	1998	35	1	1B	2C:35-10A4	0338
D020	12	6	1998	47	1	1B	2C:36-2	0319
D020	12	6	1998	49	1	2B	2C:35-10A4	0325
D020	12	12	1998	47	1	2B	2C:12-1A1	0430
D020	12	14	1998	43	1	2B	2C:35-10A1	0824
D020	12	14	1998	41	1	2B	2C:35-10A1	0824
D020	12	15	1998	24	1	1B	2C:35-10a4	0824
D020	12	17	1998	39	1	2B	2C:20-4A	0325
D020	12	17	1998	19	1	2B	2C:20-7	0338
D020	12	17	1998	19	1	2B	2C:20-7	0338
D020	12	20	1998	24	1	2B	2C:35-10A4	0803
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D020	12	26	1998	33	1	2B	2C:35-10A4	0803
D020	12	27	1998	50	1	2B	2C:35-10A1	0421
D020	12	27	1998	26	1	2B	2C:35-10A1	0421
D020	12	30	1998	42	2	1B	2C:35-10A3	0325
D020	12	30	1998	40	1	1B	2C:35-10A3	0403
D020	12	31	1998	28	1	2B	2C:35-10A	0430
D020	12	31	1998	42	1	2B	2C:12-1A1	0306
D030	4	1	1998	27	1	1A	2C:20-7	2009
D030	4	1	1998	19	1	1A	2C:20-7	2009
D030	4	1	1998	24	1	2B	2C:35-5B2	0249
D030	4	6	1998	19	1	1B	2C:35-10A2	0205
D030	4	6	1998	20	1	2B	2C:35-10A2	0205
D030	4	6	1998	24	1	1B	2A:160-10	0907
D030	4	7	1998	18	1	1B	2C:35-10A3	0205
D030	4	7	1998	18	1	1B	2C:35-10A3	0205
D030	4	7	1998	19	1	1B	2C:29-2B	0212
D030	4	7	1998	19	1	1A	2C:20-7	0249
D030	4	7	1998	31	1	1A	2C:20-7	0249
D030	4	8	1998	29	1	2B	2C:21-21C2	0249
D030	4	9	1998	29	2	1A	2C:35-10A1	2004
D030	4	15	1998	35	1	2B	2C:12-1A1	0714
D030	4	10	1998	31	1	2B	2A:160-10	2004
D030	4	11	1998	36	1	1A	2C:21-25	0212
D030	4	11	1998	30	1	1A	2C:21-25	0212
D030	4	15	1998	27	1	2B	2C:35-10A1	0249
D030	4	15	1998	26	1	2B	2C:35-10A1	0249
D030	4	16	1998	23	1	1A	2C:29-2	0249
D030	4	17	1998	17	1	1A	2C:20-7A	0205
D030	4	17	1998	19	1	1A	2C:20-7A	0205
D030	4	22	1998	36	1	2B	2C:35-10A1	0249
D030	4	22	1998	23	1	2B	2C:35-10A1	0249
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D030	4	22	1998	27	1	1B	2C:35-10A1	0205

STATION	DATE			AGE	SEX	RACE	STATUTE	MUN CODE
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D030	4	25	1998	40	1	2B	2C:20-7	0909
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D030	4	28	1998	24	1	1B	2C:35-10A3	0249
D030	4	28	1998	22	1	2B	2C:35-10A1	0205
D030	4	28	1998	22	1	2B	2C:35-10A1	0205
D030	4	28	1998	21	1	1A	2C:35-10A1	0249
D030	4	28	1998	21	1	1B	2C:35-10A1	0249
D030	4	29	1998	17	1	2B	2C:35-10A1	0249
D030	4	29	1998	18	1	2B	2C:35-5B2	0249
D030	4	29	1998	21	1	2B	2C:35-10A	0205
D030	5	6	1998	31	1	2B	2C:12-1A	0714
D030	4	30	1998	17	1	2B	2C:35-10A1	0250
D030	5	3	1998	39	1	1B	2A-160-10	0249
D030	5	6	1998	39	2	1B	2C:18-3B1	0249
D030	5	6	1998	33	2	1B	2C:18-3B1	0249
D030	5	6	1998	32	1	1B	2C:35-10A1	0249
D030	5	9	1998	26	1	1B	2C:17-3	0212
D030	5	19	1998	37	2	2B	2C:20-7	0232
D230	5	21	1998	44	1	1A	2C:28-4A	0714
D230	5	21	1998	40	1	1A	2C:28-4A	2004
D030	5	26	1998	50	1	1A	2C:14-3B	0714
D030	5	27	1998	43	2	1A	2C:39-5B	0223
D030	5	27	1998	46	1	1A	2C:39-5B	0223
D030	5	28	1998	42	1	1B	2C:35-104	0249
D030	5	28	1998	46	1	1B	2C:35-10A1	0249
D030	5	30	1998	64	1	4B	2C:21-21CA	0249
D030	5	30	1998	19	1	4B	2C:21-21CA	0249
D030	5	31	1998	24	1	2B	2C:29-3.64	0907
D030	6	14	1998	39	1	1A	2C:35-10A4	0232
D030	6	16	1998	28	1	1B	2C:36-6	0205
D030	6	17	1998	19	1	1B	2C:35-10A4	0249
D030	6	17	1998	19	1	1A	2C:35-10A4	0249
D030	6	23	1998	42	1	1A	2C:35-10A1	0714
D030	6	23	1998	23	1	1A	2C:35-10A1	0714
D030	6	23	1998	48	1	1B	2C:39-5B	0260
D030	6	23	1998	47	1	1B	2C:28-4A	2004
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D030	6	11	1998	22	1	1A	2C:35-10A1	0232
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D030	6	25	1998	28	2	1B	2C:12-1A1	0909
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D030	9	10	1998	24	1	2B	2C:20-3	0714
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D030	6	28	1998	24	1	2B	2C:35-10A4	2009

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D030	6	29	1998	26	1	2B	2C:35-10A3	0714
D030	6	29	1998	26	1	2B	2C:35-10A3	0714
D030	6	29	1998	22	1	2B	2C:35-10A3	0714
D030	7	2	1998	59	1	2B	2C:39-5	0714
D030	7	3	1998	26	1	2B	2C:28-4A	2004
D030	7	5	1998	17	1	1A	2C:18-2	0906
D030	7	10	1998	23	1	2B	2C:21-25	0205
D030	7	10	1998	18	1	2B	2C:21-25	0205
D030	7	10	1998	29	1	2B	2C:21-25	0205
D030	7	11	1998	18	1	2B	2C:20-7	0260
D030	7	11	1998	18	1	2B	2C:20-7	0260
D030	7	14	1998	32	1	2B	2C:21-212	1225
D030	7	14	1998	47	1	2B	2C:21-212	1225
D030	7	15	1998	32	1	2B	2C:21-5	0714
D030	7	22	1998	20	1	2A	2C:160-10	0714
D030	7	27	1998	20	1	1A	2C:35-111	0232
D030	7	28	1998	34	2	2B	2C:28-4A	0205
D030	7	29	1998	34	1	2B	2C:35-10A3	0714
D030	7	29	1998	24	1	2B	2C:35-10A3	0714
D030	7	29	1998	27	1	2B	2C:35-10A3	0714
D030	8	1	1998	21	2	1A	2C:20-3A	2004
D030	8	2	1998	34	1	2A	2C:35-10A1	0250
D030	8	2	1998	40	1	2B	2C:35-10A1	0250
D030	8	3	1998	28	1	2B	2C:29-3.B4	1201
D030	8	4	1998	32	2	1B	2C:35-10A	0907
D030	8	4	1998	36	1	2B	2C:35-10A	0907
D030	8	4	1998	17	1	2B	2C:35-10A1	0249
D030	8	4	1998	18	1	2B	2C:35-10A1	0249
D230	8	6	1998	32	1	2B	2C:20-4A	0249
D030	8	11	1998	23	1	1B	2C:20-3A	0714
D030	8	12	1998	22	1	2B	2C:29-3B	2009
D030	8	12	1998	22	1	2B	2C:29-3B	2009
D030	8	13	1998	56	1	1B	2C:29-1	0714
D030	8	14	1998	33	1	2B	2C:35-10A	0249
D030	8	14	1998	19	2	2B	2C:35-10A	0249
D030	8	15	1998	22	1	1A	2C:35-10A1	0249
D030	8	22	1998	31	1	2B	2C:29-3B	0249
D030	8	22	1998	27	1	1B	2C:14-4A	0714
D230	8	28	1998	22	1	1A	2C:20-4	0205
D030	8	30	1998	40	2	1A	2C:12-1A	0714
D230	8	31	1998	32	1	1B	2C:20-4	2004
D030	9	2	1998	21	2	1A	2C:18-3B	0249
D030	9	2	1998	20	2	2B	2C:18-3B	0249
D030	9	2	1998	19	2	1B	2C:18-3B	0249
D030	9	2	1998	41	1	1B	2C:14-4	0249
D030	9	2	1998	26	1	2B	2C:12-1A1	2004
D030	9	3	1998	21	2	1A	2C:18-3B	0249
D030	9	4	1998	21	1	2B	2C:35-10A3	0205
D030	9	4	1998	21	1	2B	2C:35-10A3	0205

STATION	DATE			AGE	SEX	RACE	STATUTE	MUN CODE
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D230	9	8	1998	19	2	1A	2C:20-3A	0714
D030	9	9	1998	30	1	2B	2C:12-1A13	0714
D230	9	8	1998	35	1	2B	2C:20-3A	0907
D230	9	16	1998	31	1	1A	2A:160-10	0206
D030	9	14	1998	57	1	2B	2C:35-10A1	0256
D030	9	14	1998	19	1	2B	2C:35-10A1	0256
D030	9	11	1998	20	2	2B	2C:20-7A	2009
D030	9	21	1998	19	2	2B	2C:18-3B1	0249
D030	10	7	1998	39	1	2B	2C:12-1A	0714
D030	9	29	1998	24	1	1B	2C:35-5B11	0249
D030	9	29	1998	37	1	1B	2C:35-5B11	0249
D030	9	29	1998	24	1	1A	2C:35-5B11	0249
D030	9	29	1998	20	1	2A	2C:36-2	0907
D030	9	4	1998	21	1	2B	2C:35-10A3	0205
D030	9	29	1998	22	1	2A	2C:36-2	0907
D030	10	4	1998	18	1	1B	2C:35-10A4	0260
D030	10	5	1998	30	1	1A	2C:36-2	0250
D030	10	5	1998	25	1	1A	2C:36-2	0250
D030	10	7	1998	22	1	2B	2C:29-9A	0256
D030	10	11	1998	41	1	1A	2C:36-2	2004
D030	10	11	1998	28	2	1A	2C:35-10A1	2004
D030	10	12	1998	50	1	2B	2C:12-1A	0205
D030	10	20	1998	25	1	1B	2C:35-10A3	0260
D030	10	20	1998	21	1	1B	2C:35-10A3	0260
D030	10	20	1998	22	1	1A	2C:35-10A3	0260
D030	10	22	1998	36	1	1A	2C:35-10A1	0249
D030	10	22	1998	25	1	1B	2C:28-4A	0907
D030	10	23	1998	22	2	1A	2C:18-3B1	0249
D030	10	27	1998	22	1	2B	2C:20-3	0714
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D030	10	28	1998	41	2	2B	2C:35-5A1	1201
D030	10	28	1998	26	1	2B	2C:35-5A1	1201
D030	11	2	1998	19	1	2B	2C:35-10A1	0249
D030	10	28	1998	19	1	2B	2C:35-5A1	1201
D030	11	2	1998	16	1	2B	2C:35-10A1	0249
D030	11	2	1998	21	1	2B	2C:35-10A1	0249
D030	11	5	1998	34	1	2B	2A:160-21	0249
D030	11	6	1998	24	1	1B	2C:28-4A	0260
D030	11	6	1998	21	1	1A	2C:35-10A3	0249
D030	11	6	1998	21	1	1B	2C:35-10A3	0249
D030	11	9	1998	35	1	1B	2C:14-4	0714
D030	11	9	1998	35	1	1B	2C:14-4	0714
D030	11	10	1998	44	1	1B	2C:20-7	0909
D030	11	11	1998	28	1	1B	2C:35-10A4	0260
D030	11	14	1998	16	2	2B	2C:35-10A1	0250
D030	11	14	1998	18	2	2B	2C:35-10A1	0250
D030	11	14	1998	22	1	2B	2C:35-10A1	0250

STATION	DATE			AGE	SEX	RACE	STATUTE	MUN CODE
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D030	11	16	1998	47	1	2B	2C:21-25	0229
D030	11	16	1998	31	1	2B	2C:21-25	0229
D030	11	17	1998	27	1	2B	2C:35-5B	0232
D030	11	17	1998	26	1	2B	2C:35-5B	0232
D030	12	4	1998	41	1	1B	2C:12-1.A	0714
D030	11	30	1998	35	1	2B	2A:160-21	1205
D030	11	30	1998	20	1	2B	2C:35-11A3	0249
D030	11	30	1998	25	1	2B	2C:35-11A3	0249
D030	11	30	1998	29	1	2B	2C:35-11A3	0249
D230	12	6	1998	18	2	2B	2C:20-3A	0714
D030	12	1	1998	19	1	2B	2C:35-10A3	0249
D030	12	1	1998	18	1	1A	2C:35-10A3	0249
D030	12	1	1998	22	1	1A	2C:35-10A3	0249
D030	12	1	1998	26	1	1B	2C:29-1	0714
D030	12	3	1998	40	1	1A	2C:20-3	0714
D230	12	3	1998	19	1	1B	2C:20-3A	0714
D030	12	5	1998	34	1	1B	2A:160-10	2009
D030	12	7	1998	48	1	2B	2C:35-10A4	0249
D030	12	7	1998	25	1	2B	2C:35-10A4	0249
D030	12	7	1998	48	1	2B	2C:35-10A4	0249
D030	12	7	1998	25	1	2B	2C:35-10A4	0249
D030	12	9	1998	41	1	1A	2C:35-10A4	1201
D010	4	1	1998	30	2	1B	2C:29-7	1205
D010	4	6	1998	30	1	2B	2C:29-9	1204
D010	4	14	1998	43	1	2B	2C:29-9	1201
D010	4	27	1998	33	1	2B	2C:29-9	1214
D010	4	27	1998	33	1	2B	2C:29-9	1214
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D010	7	13	1998	21	1	2B	2C:29-9	1101
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D010	12	4	1998	34	1	2B	2C:29-9	1204
D010	9	18	1998	22	1	2B	2C:39-5B	1201
D010	9	20	1998	27	1	2B	2C:39-5B	1205
D010	9	21	1998	22	1	2B	2C:35-10A	1101
D010	9	21	1998	29	1	2B	2C:35-10A	1101
D020	11	16	1998	22	1	2B	2C:39-5B	0325
D010	9	25	1998	31	1	1B	2C:35-10A4	1213
D010	9	26	1998	40	2	2B	2C:12-1	1205
D010	9	26	1998	42	1	2B	2C:12-1	1205
D010	9	27	1998	34	1	2B	2C:35-10A4	1204
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D010	9	29	1998	23	1	2B	2C:35-10A	1221
D010	10	2	1998	25	1	1A	2C:20-7A	2009
D010	10	2	1998	45	1	1A	2C:20-7A	2009
D010	10	4	1998	21	1	1B	2C:14-4A	1202
D010	10	6	1998	34	1	1B	2C:29-2A	1202
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D010	10	12	1998	30	2	1B	2C:35-10A1	1202

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D010	10	15	1998	33	1	1A	2C:35-10A1	1101
D010	10	16	1998	19	1	2B	2C:35-10A1	1221
D010	10	16	1998	25	1	2B	2C:35-10A1	1221
D010	10	18	1998	18	1	2B	2C:35-10A3	1202
D010	10	9	1998	19	1	2A	2C:29-2B	1202
D010	10	20	1998	43	1	1B	2C:39-5B	1221
D010	10	22	1998	23	1	2B	2C:28-4A	1205
D010	10	22	1998	20	1	2B	2C:35-10A3	1202
D010	10	22	1998	26	1	2B	2C:35-10A3	1202
D010	10	23	1998	29	1	1B	2C:12-1A	1225
D010	10	23	1998	32	1	1B	54:40-28.1	1225
D010	10	23	1998	31	1	2B	2C:20-3A	1225
D010	10	25	1998	23	1	1B	2C:35-10	1202
D010	10	25	1998	24	1	1B	2C:35-10	1202
D010	10	27	1998	23	1	2B	2C:29-1	2009
D010	11	21	1998	21	2	1B	2C:20-3A	1101
D010	10	31	1998	36	1	2B	2C:29-1	1202
D010	11	1	1998	26	1	1A	2C:29-2B	1221
D010	11	19	1998	40	1	1B	2C:14-4B	1202
D010	11	4	1998	30	1	2B	2C:21-5	1201
D010	10	12	1998	18	2	1B	2C:12-1A1	1202
D010	10	12	1998	27	1	1B	2C:33-4A	1202
D230	12	9	1998	29	1	2B	2C:28-7A1	0714
D030	12	10	1998	22	1	2B	2C:35-10A	0205
D030	12	10	1998	24	1	2B	2C:35-10A	0205
D030	12	10	1998	18	1	2B	2C:35-10A	0205
D030	12	15	1998	19	1	2B	2C:39-5	0907
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D030	12	15	1998	19	1	2B	2C:39-5	0907
D230	12	21	1998	45	1	1B	2C:20-3A	1201
D030	12	20	1998	49	1	2B	2C:28-4	0232
D030	12	22	1998	31	1	1B	2C:17-3	0714
D030	12	30	1998	53	1	2B	2C:35-5B	0232
D030	12	30	1998	27	1	1B	2C:29-1	0205
D030	12	30	1998	26	2	1B	2C:20-7	0907
D030	12	30	1998	18	1	2B	2C:28-4	0249
D020	4	11	1998	21	1	2B	2C:29-7	0803
D020	5	9	1998	32	1	2B	2C:29-9	0338
D020	5	14	1998	24	1	2B	2C:29-2	0319
D020	6	5	1998	25	2	2B	2C:29-9	0335
D020	7	7	1998	32	1	1A	2C:29-9A	0319
D020	7	7	1998	32	1	1A	2C:29-9A	0319
D020	7	7	1998	32	1	1A	2C:29-9A	0319
D020	7	7	1998	32	1	1A	2C:29-9A	0319
D020	8	7	1998	21	1	1B	2C:29-9	0338
D020	8	10	1998	25	1	2B	2C:29-9	0307
D020	9	1	1998	38	1	2B	2C:29-9	0319

STATION	DATE		AGE	SEX	RACE	STATUTE	MUN CODE	
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D020	10	6	1998	40	1	2B	2C:29-9	0338
D020	10	8	1998	33	1	1B	2C:29-7	1707
D020	10	8	1998	33	1	1B	2C:29-7	1707
D020	11	19	1998	27	1	1A	2A:10-1C	0803
D020	11	22	1998	19	1	2B	2C:29-9	0304
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D030	4	19	1998	30	1	2B	2C:29-9	0907
D030	4	28	1998	21	1	2B	2C:29-2	0249
D030	4	30	1998	21	1	1A	2C:29-9	0714
D030	5	6	1998	20	1	2B	2C:29-9	0249
D030	5	7	1998	35	1	2B	2C:29-9	2002
D030	6	24	1998	27	1	2B	2C:29-9	2004
D030	7	4	1998	37	1	1B	2C:29-2	0714
D230	7	17	1998	37	2	1B	2C:21-1	0714
D030	7	30	1998	25	1	2B	2C:29-9	0906
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D030	10	7	1998	36	1	1A	2C:29-2	0707
D030	10	11	1998	24	1	1A	2C:29-9	2004
D030	10	17	1998	33	1	1B	2C:29-9	0907
D030	10	19	1998	28	1	2B	2C:35-10A4	2004
D030	11	11	1998	26	1	1A	2C:29-9	2009
D230	11	13	1998	35	1	1B	2C:29-9	1316
D030	11	27	1998	38	1	1B	2C:29-9	2004
D030	12	10	1998	41	1	2B	2C:29-9	2004
D010	7	21	1998	34	1	2B	2A:10-1C	1205
D010	8	19	1998	28	1	1B	2C:29-9	1202
D010	8	19	1998	28	1	1B	2C:29-9	1202
D010	8	19	1998	28	1	1B	2C:29-9	1202
D010	10	5	1998	30	2	2B	2C:29-7	1205
D010	10	20	1998	30	1	1B	2A:10-1C	1315
D010	10	20	1998	30	1	1B	2C:29-9	1315
D010	7	13	1998	25	1	2B	2C:29-9	1214
D010	6	13	1998	23	1	2B	2C:35-7	1225
D020	4	3	1998	20	1	2B	2C:29-1	0319
D020	4	3	1998	21	1	2B	2C:35-10A1	0412
D020	4	5	1998	35	2	1A	2C:20-7	0315
D020	4	5	1998	36	1	1A	2C:20-7	0315
D020	4	5	1998	26	2	2B	2C:35-10A1	0338
D020	4	5	1998	51	1	2A	2C:35-10A1	0338
D020	4	5	1998	25	1	2B	2C:29-1	0318
D020	4	6	1998	31	1	1B	2C:36-2	0325
D020	4	7	1998	22	1	1B	2C:35-10A4	0824
D020	12	17	1998	19	1	2B	2C:20-7	0338
D020	4	25	1998	34	1	1B	2C:20-3	0325
D020	4	11	1998	27	1	2B	2C:35-10A1	0319
D020	4	11	1998	25	2	2B	2C:35-10A1	0319
D020	4	11	1998	43	1	2B	2C:21-25	0803

STATION	DATE		AGE	SEX	RACE	STATUTE	MUN CODE	
	MO	DAY						YEAR
D020	6	25	1998	36	2	2B	2C:20-3A	0325
D020	4	14	1998	15	1	1B	2C:17-3	0824
D020	4	14	1998	15	1	1B	2C:17-3	0824
D020	4	16	1998	22	1	2B	2C:35-10A1	1713
D020	4	16	1998	22	1	2B	2C:35-10A1	1713
D020	4	18	1998	24	1	2B	2C:39-5B	0319
D020	4	20	1998	30	1	2B	2C:39-5B	1705
D020	4	22	1998	31	1	2B	2C:35-10A1	0338
D020	4	22	1998	20	1	2B	2C:35-10A1	0338
D020	4	22	1998	29	1	2B	2C:35-10A4	0803
D020	4	22	1998	24	1	2B	2C:35-10A4	0803
D020	4	22	1998	39	1	1B	2C:29-1A	0325
D020	4	23	1998	26	1	2A	2A:160-10	0802
D020	4	23	1998	47	1	1B	54:40A-32	0325
D020	4	24	1998	18	1	2B	2C:39-5B	0338
D020	4	24	1998	19	1	2B	2C:39-5B	0338
D020	4	26	1998	22	1	2B	2C:35-10A1	0824
D020	4	26	1998	19	1	2B	2C:35-10A1	0824
D020	4	27	1998	29	1	2B	2C:29-2B	0325
D020	4	28	1998	28	1	2B	2C:35-10A4	0338
D020	5	19	1998	37	2	1B	2C:20-3A	0325
D020	4	28	1998	40	1	2B	2C:39-3E	0325
D020	4	29	1998	29	1	2B	2C:35-10A1	0335
D020	4	29	1998	28	2	2B	2C:35-10A1	0335
D020	4	29	1998	61	1	2B	2C:35-10A1	0335
D020	4	29	1998	26	1	2B	2C:21-25	0803
D020	4	29	1998	24	1	2B	2C:21-25	0803
D020	4	29	1998	18	1	2B	2C:21-25	0803
D020	4	30	1998	45	1	4A	2C:20-8A	0412
D020	4	30	1998	45	1	4A	2C:20-8A	0412
D020	4	30	1998	35	1	1A	54:40A-32	0803
D020	4	30	1998	24	1	1A	54:40A-32	0803
D020	5	2	1998	26	1	2A	2C:35-10A1	1707
D020	5	2	1998	29	1	2A	2C:35-10A1	1707
D020	5	2	1998	29	1	2A	2C:35-10A1	1707
D010	6	17	1998	22	1	2B	2A:160-10	1205
D010	7	31	1998	19	1	4A	2C:35-10A4	1214
D010	8	16	1998	26	1	1B	2C:35-10A4	1101
D010	10	7	1998	19	2	1B	2C:20-3	1205
D010	8	21	1998	32	1	1B	2C:35-10A4	1225
D010	8	28	1998	20	1	1A	2C:20-7	1225
D010	8	31	1998	20	1	1B	2C:35-10A4	1225
D010	10	31	1998	20	1	2B	2C:20-3	1225
D010	11	4	1998	26	1	2B	2C:21-21C2	1221
D010	11	4	1998	24	1	2B	2C:21-21C2	1221
D010	12	4	1998	29	2	2B	2C:39-5B	1112
D020	6	2	1998	32	1	1A	2C:35-10A1	0824
D020	6	2	1998	42	1	2B	2C:35-10A1	0824
D020	9	23	1998	28	1	2B	2C:29-1	0338

STATION	MO	DATE DAY	YEAR	AGE	SEX	RACE	STATUTE	MUN CODE
D020	9	29	1998	19	2	1B	2C:35-10A1	0335
D020	9	29	1998	18	1	1B	2C:35-10A1	0335
D020	9	29	1998	25	1	1A	2C:36-6	0335
D030	4	1	1998	24	1	2B	2C:35-5B2	0249

TOTAL
ARRESTS: 690

RACE 1A:	111	16.09%
RACE 1B:	184	26.67%
RACE 2A:	15	2.17%
RACE 2B:	372	53.91%
RACE 3A:	0	0.00%
RACE 3B:	0	0.00%
RACE 4A:	3	0.43%
RACE 4B:	5	0.73%

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D010	260	37	1	2B	04	98	1204
D010	260	29	1	1A	04	98	1204
D010	260	44	1	2B	04	98	1201
D010	260	37	1	2B	04	98	1204
D010	260	29	1	1A	04	98	1204
D010	260	44	1	2B	04	98	1201
D010	260	29	1	1A	04	98	1204
D010	260	37	1	2B	04	98	1204
D010	260	44	1	2B	04	98	1201
D010	260	37	1	2B	04	98	1204
D010	260	29	1	1A	04	98	1204
D010	260	44	1	2B	04	98	1201
D010	260	18	1	2B	04	98	1202
D010	260	24	1	2B	04	98	1202
D010	260	18	1	2B	04	98	1202
D010	187	25	1	2B	04	98	1204
D010	187	24	1	2B	04	98	1204
D010	187	34	1	2B	04	98	1204
D010	187	39	1	1B	04	98	1221
D010	187	31	1	1B	04	98	1221
D010	187	31	1	1B	04	98	1221
D010	187	39	1	1B	04	98	1221
D010	187	34	1	2B	04	98	1204
D010	187	24	1	2B	04	98	1204
D010	187	25	1	2B	04	98	1204
D010	187	20	2	2B	04	98	1202
D010	187	21	1	2B	04	98	1202
D010	187	21	1	2B	04	98	1202
D010	187	19	1	1B	04	98	1221
D010	187	19	2	2B	04	98	1205
D010	187	31	1	1B	04	98	1221
D010	187	39	1	1B	04	98	1221
D010	187	34	1	2B	04	98	1204
D010	187	24	1	2B	04	98	1204
D010	187	25	1	2B	04	98	1204
D010	187	31	1	1B	04	98	1221
D010	187	39	1	1B	04	98	1221
D010	187	34	1	2B	04	98	1204
D010	187	24	1	2B	04	98	1204
D010	187	25	1	2B	04	98	1204
D010	187	33	1	2B	04	98	1213
D010	181	27	2	2B	04	98	1202
D010	181	25	2	2B	04	98	1202
D010	181	31	1	2B	04	98	1202
D010	187	34	1	1B	04	98	1101
D010	260	31	1	2B	04	98	1204
D010	260	33	1	2B	04	98	1214
D010	260	33	1	2B	04	98	1214
D010	260	30	2	1B	04	98	1205
D010	060	28	1	1B	04	98	1214
D010	060	28	1	1B	04	98	1214
D010	060	28	1	1B	04	98	1214
D010	060	28	1	1B	04	98	1214

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D010	020	15	1	1A	04	98	1225
D010	020	15	1	1A	04	98	1225
D010	020	15	1	1A	04	98	1225
D010	020	15	1	1A	04	98	1225
D010	150	22	1	2B	04	98	1112
D010	150	20	1	2B	04	98	1112
D010	150	51	1	1A	04	98	1101
D010	150	23	1	2B	04	98	1205
D010	150	24	1	2B	04	98	1205
D010	150	19	1	2B	04	98	1205
D010	150	19	1	2B	04	98	1205
D010	150	24	1	2B	04	98	1205
D010	150	23	1	2B	04	98	1205
D010	181	32	1	1A	04	98	1102
D010	181	25	1	2B	04	98	1202
D010	181	63	2	2B	04	98	1202
D010	181	20	2	2B	04	98	1202
D010	181	29	1	1A	04	98	1202
D010	181	29	1	2B	04	98	1202
D010	181	28	1	2B	04	98	1202
D010	181	23	1	2B	04	98	1202
D010	181	28	1	2B	04	98	1202
D010	181	27	2	2B	04	98	1202
D010	181	25	2	2B	04	98	1202
D010	181	31	1	2B	04	98	1202
D010	181	27	2	2B	04	98	1202
D010	181	31	1	2B	04	98	1202
D010	181	25	2	2B	04	98	1202
D010	181	27	2	2B	04	98	1202
D010	181	25	2	2B	04	98	1202
D010	181	31	1	2B	04	98	1202
D010	150	23	1	2B	04	98	1205
D010	150	24	1	2B	04	98	1205
D010	150	19	1	2B	04	98	1205
D010	150	23	1	2B	04	98	1205
D010	150	24	1	2B	04	98	1205
D010	150	19	1	2B	04	98	1205
D010	130	26	1	2B	04	98	1202
D010	130	26	1	2B	04	98	1202
D010	130	26	1	2B	04	98	1202
D010	130	26	1	2B	04	98	1202
D010	110	21	1	1B	04	98	1202
D010	130	18	1	2B	05	98	1202
D010	100	28	1	1B	05	98	1212
D010	150	28	1	1B	05	98	1101
D010	150	39	1	2B	05	98	1204
D010	150	26	1	1A	05	98	1201
D010	260	42	2	2B	05	98	1202
D010	187	19	1	1B	05	98	1225
D010	187	29	1	2B	05	98	1202
D010	187	20	1	1B	05	98	1225
D010	187	31	1	2B	05	98	1202
D010	186	29	2	1B	05	98	1225

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DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D010	187	16	1	2B	05	98	1202
D010	187	25	1	2B	05	98	1202
D010	187	38	2	2B	05	98	1221
D010	260	32	2	2B	05	98	1202
D010	260	23	1	1A	05	98	1214
D010	187	18	1	1B	06	98	1112
D010	187	28	1	1A	06	98	1205
D010	187	18	1	1B	06	98	1225
D010	187	18	1	1B	06	98	1225
D010	186	24	1	1B	06	98	1205
D010	186	31	1	2B	06	98	1202
D010	186	27	1	2B	06	98	1202
D010	186	39	1	2B	06	98	1202
D010	186	39	2	2B	06	98	1202
D010	186	26	1	1B	06	98	1101
D010	186	28	2	1B	06	98	1101
D010	187	20	1	1B	06	98	1204
D010	181	47	1	2B	06	98	1221
D010	181	21	1	2B	06	98	1221
D010	181	20	1	2B	06	98	1221
D010	182	36	1	2B	06	98	1205
D010	182	28	2	2B	06	98	1205
D010	260	22	1	2B	06	98	1205
D010	260	33	1	2B	06	98	1202
D010	260	23	1	3B	06	98	1225
D010	260	36	1	2B	06	98	1205
D010	260	32	1	2B	06	98	1205
D010	150	38	1	2B	06	98	1225
D010	140	19	1	1B	06	98	1204
D010	140	21	1	1B	07	98	1202
D010	130	27	1	1B	07	98	1225
D010	130	18	1	2B	07	98	1204
D010	130	19	1	2B	07	98	1204
D010	130	27	1	2B	07	98	1202
D010	130	18	1	2B	07	98	1204
D010	130	18	1	2B	07	98	1204
D010	130	21	2	2B	07	98	1202
D010	130	47	1	2B	07	98	1202
D010	150	23	2	2B	07	98	1214
D010	150	21	1	2B	07	98	1225
D010	150	19	1	2B	07	98	1225
D010	181	25	1	2B	07	98	1214
D010	260	26	1	2B	07	98	1205
D010	260	30	1	2B	07	98	1225
D010	260	21	1	2B	07	98	1101
D010	260	27	1	2B	07	98	1202
D010	260	28	1	1A	07	98	1202
D010	260	21	1	1B	07	98	1221
D010	182	17	1	1B	07	98	1201
D010	182	36	1	1B	07	98	1201
D010	182	15	1	1B	07	98	1201
D010	187	22	1	1A	07	98	1225
D010	187	18	1	1A	07	98	1225

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D010	187	18	1	1B	07	98	1202
D010	187	18	1	4A	07	98	1214
D010	187	18	1	1B	07	98	1202
D010	186	20	1	1B	07	98	1202
D010	186	22	1	1B	07	98	1202
D010	186	23	2	1B	07	98	1202
D010	186	27	1	2B	07	98	1202
D010	186	20	1	1A	07	98	1202
D010	186	29	1	2B	07	98	1202
D010	189	40	1	2B	08	98	1202
D010	186	26	1	2B	08	98	1202
D010	186	26	1	1A	08	98	1201
D010	187	20	1	1B	08	98	1225
D010	187	32	1	1B	08	98	1225
D010	187	30	1	2B	08	98	1225
D010	187	38	1	2B	08	98	1221
D010	187	30	2	2B	08	98	1221
D010	260	52	1	1B	08	98	1202
D010	130	50	1	2B	08	98	1205
D010	130	28	1	1B	08	98	1201
D010	130	20	2	1B	08	98	1201
D010	130	45	2	2B	08	98	1225
D010	130	24	1	2B	08	98	1225
D010	130	30	1	2B	08	98	1225
D010	130	20	1	1A	08	98	1225
D010	080	33	1	2B	08	98	1202
D010	060	51	1	2B	08	98	0709
D010	080	43	1	2B	09	98	1205
D010	080	40	2	2B	09	98	1205
D010	080	20	2	1B	09	98	1202
D010	080	24	1	1B	09	98	1202
D010	150	34	1	2B	09	98	1202
D010	150	22	1	2B	09	98	1201
D010	150	20	1	2B	09	98	1201
D010	150	29	1	2B	09	98	1201
D010	150	29	1	2B	09	98	1201
D010	150	18	1	2B	09	98	1201
D010	150	27	1	2B	09	98	1205
D010	260	23	1	2B	09	98	1202
D010	187	22	1	2B	09	98	1225
D010	187	29	1	2B	09	98	1225
D010	187	34	1	2B	09	98	1204
D010	187	31	1	1B	09	98	1213
D010	187	42	1	2B	09	98	1202
D010	187	20	1	1B	09	98	1202
D010	187	20	1	4B	09	98	1202
D010	186	23	1	2B	09	98	1221
D010	186	37	1	2B	09	98	1221
D010	186	29	1	2B	09	98	1101
D010	186	22	1	2B	09	98	1101
D010	186	33	1	1A	10	98	1101
D010	186	30	2	1B	10	98	1202
D010	186	38	1	1B	10	98	1221

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DEPARTMENT OF LAW AND PUBLIC SAFETY
 DIVISION OF STATE POLICE
 TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D010	187	24	1	1B	10	98	1202
D010	187	23	1	1B	10	98	1202
D010	187	18	1	2B	10	98	1202
D010	187	21	1	2B	10	98	1204
D010	187	22	1	2A	10	98	1204
D010	182	20	1	2B	10	98	1202
D010	182	26	1	2B	10	98	1202
D010	182	19	1	2B	10	98	1221
D010	182	25	1	2B	10	98	1221
D010	260	23	1	2B	10	98	1205
D010	260	34	1	1B	10	98	1202
D010	260	36	1	2B	10	98	1202
D010	260	23	1	2B	10	98	2009
D010	260	30	1	1B	10	98	1315
D010	260	30	1	1B	10	98	1315
D010	260	19	1	2A	10	98	1202
D010	260	27	1	1B	10	98	1102
D010	260	23	1	2B	10	98	2009
D010	260	32	1	1B	10	98	1225
D010	150	43	1	1B	10	98	1221
D010	170	21	1	1B	10	98	1202
D010	130	44	1	1A	10	98	2009
D010	130	25	1	1A	10	98	2009
D010	080	18	2	1B	10	98	1102
D010	080	29	1	1B	10	98	1225
D010	060	31	1	2B	10	98	1225
D010	060	20	1	2B	10	98	1225
D010	060	19	2	1B	10	98	1205
D010	060	21	2	1B	11	98	1101
D010	060	22	1	1B	11	98	1202
D010	100	24	1	2B	11	98	1221
D010	100	26	1	2B	11	98	1221
D010	150	34	1	2B	11	98	1221
D010	170	40	1	1B	11	98	1202
D010	150	20	1	2B	11	98	1213
D010	260	31	1	2B	11	98	1101
D010	260	30	1	2B	11	98	1201
D010	260	26	1	1A	11	98	1221
D010	260	30	1	2B	11	98	1112
D010	260	32	1	2B	11	98	1112
D010	260	21	1	2B	11	98	1202
D010	182	27	1	1B	11	98	1205
D010	181	20	1	2B	11	98	1225
D010	181	23	1	2B	11	98	1202
D010	181	20	2	2B	11	98	1202
D010	181	19	1	2B	11	98	1202
D010	181	22	1	2B	11	98	1202
D010	187	31	1	2B	11	98	1225
D010	187	27	2	1B	11	98	1225
D010	186	45	1	1A	11	98	1101
D010	186	45	1	1B	12	98	1319
D010	186	46	1	1A	12	98	1205
D010	260	25	1	1A	12	98	1205

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D010	260	34	1	2B	12	98	1204
D010	150	22	1	2B	12	98	1112
D010	150	28	2	2B	12	98	1112
D010	060	20	2	2B	12	98	0714
D010	060	18	1	1B	12	98	1202
D010	060	45	1	1B	12	98	1319
D020	186	31	1	1B	04	98	0325
D020	186	31	1	2B	04	98	0338
D020	186	20	1	2B	04	98	0338
D020	186	31	1	1B	04	98	0325
D020	186	31	1	2B	04	98	0338
D020	186	20	1	2B	04	98	0338
D020	186	20	1	2B	04	98	0338
D020	186	31	1	2B	04	98	0338
D020	186	31	1	1B	04	98	0325
D020	186	31	1	1B	04	98	0325
D020	186	31	1	2B	04	98	0338
D020	186	20	1	2B	04	98	0338
D020	260	39	1	1B	04	98	0325
D020	260	20	1	2B	04	98	0319
D020	260	48	1	1B	04	98	0325
D020	260	25	1	2B	04	98	0315
D020	260	26	1	2B	04	98	0803
D020	260	24	1	2B	04	98	0803
D020	260	18	1	2B	04	98	0803
D020	150	24	1	2B	04	98	0319
D020	150	40	1	2B	04	98	0325
D020	181	22	1	2B	04	98	1713
D020	181	22	1	2B	04	98	1713
D020	130	35	2	1A	04	98	0315
D020	130	36	1	1A	04	98	0315
D020	130	35	2	1A	04	98	0315
D020	130	36	1	1A	04	98	0315
D020	130	36	1	1A	04	98	0315
D020	130	35	2	1A	04	98	0315
D020	110	45	1	4A	04	98	0412
D020	110	45	1	4A	04	98	0412
D020	130	35	2	1A	04	98	0315
D020	130	36	1	1A	04	98	0315
D020	100	19	1	2B	04	98	0338
D020	110	45	1	4A	04	98	0412
D020	110	45	1	4A	04	98	0412
D020	060	34	1	1B	04	98	0325
D020	150	27	1	2B	04	98	0319
D020	150	25	2	2B	04	98	0319
D020	150	30	1	2B	04	98	1705
D020	140	15	1	1B	04	98	0824
D020	140	15	1	1B	04	98	0824
D020	140	15	1	1B	04	98	0824
D020	140	15	1	1B	04	98	0824
D020	140	15	1	1B	04	98	0824
D020	140	15	1	1B	04	98	0824
D020	140	15	1	1B	04	98	0824
D020	140	15	1	1B	04	98	0824
D020	140	15	1	1B	04	98	0824

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D020	140	15	1	1B	04	98	0824
D020	150	27	1	2B	04	98	0319
D020	150	25	2	2B	04	98	0319
D020	150	30	1	2B	04	98	1705
D020	150	30	1	2B	04	98	1705
D020	150	25	2	2B	04	98	0319
D020	150	27	1	2B	04	98	0319
D020	150	27	1	2B	04	98	0319
D020	150	25	2	2B	04	98	0319
D020	150	30	1	2B	04	98	1705
D020	181	21	1	2B	04	98	0412
D020	181	26	2	2B	04	98	0338
D020	181	46	1	2A	04	98	0338
D020	181	29	1	2B	04	98	0335
D020	181	28	2	2B	04	98	0335
D020	181	61	1	2B	04	98	0335
D020	181	18	1	2B	04	98	0824
D020	181	22	1	2B	04	98	0824
D020	181	22	1	2B	04	98	0824
D020	181	18	1	2B	04	98	0824
D020	181	61	1	2B	04	98	0335
D020	181	28	2	2B	04	98	0335
D020	181	29	1	2B	04	98	0335
D020	181	46	1	2A	04	98	0338
D020	181	26	2	2B	04	98	0338
D020	181	21	1	2B	04	98	0412
D020	181	22	1	2B	04	98	0824
D020	181	18	1	2B	04	98	0824
D020	181	61	1	2B	04	98	0335
D020	181	28	2	2B	04	98	0335
D020	181	29	1	2B	04	98	0335
D020	181	46	1	2A	04	98	0338
D020	181	26	2	2B	04	98	0338
D020	181	21	1	2B	04	98	0412
D020	181	22	1	2B	04	98	0824
D020	181	18	1	2B	04	98	0824
D020	181	61	1	2B	04	98	0335
D020	181	28	2	2B	04	98	0335
D020	181	29	1	2B	04	98	0335
D020	181	46	1	2A	04	98	0338
D020	181	26	2	2B	04	98	0338
D020	181	21	1	2B	04	98	0412
D020	181	22	1	2B	04	98	0824
D020	181	18	1	2B	04	98	0824
D020	181	61	1	2B	04	98	0335
D020	181	28	2	2B	04	98	0335
D020	181	29	1	2B	04	98	0335
D020	181	46	1	2A	04	98	0338
D020	181	26	2	2B	04	98	0338
D020	181	21	1	2B	04	98	0412
D020	260	43	1	2B	04	98	0803
D020	260	26	1	2A	04	98	0802
D020	260	40	1	2B	04	98	0325
D020	260	34	1	1A	04	98	0803
D020	260	24	1	1A	04	98	0803
D020	260	18	1	2B	04	98	0824
D020	260	21	1	2B	04	98	0803
D020	260	29	1	2B	04	98	0325
D020	260	40	1	2B	04	98	0325
D020	260	34	1	1A	04	98	0803
D020	260	24	1	1A	04	98	0803

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GC 003389

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D020	260	18	1	2B	04	98	0824
D020	260	21	1	2B	04	98	0803
D020	260	29	1	2B	04	98	0325
D020	260	43	1	2B	04	98	0803
D020	260	26	1	2A	04	98	0802
D020	260	29	1	2B	04	98	0325
D020	260	21	1	2B	04	98	0803
D020	260	18	1	2B	04	98	0824
D020	260	24	1	1A	04	98	0803
D020	260	34	1	1A	04	98	0803
D020	260	40	1	2B	04	98	0325
D020	260	26	1	2A	04	98	0802
D020	260	43	1	2B	04	98	0803
D020	260	40	1	2B	04	98	0325
D020	260	34	1	1A	04	98	0803
D020	260	24	1	1A	04	98	0803
D020	260	18	1	2B	04	98	0824
D020	260	21	1	2B	04	98	0803
D020	260	29	1	2B	04	98	0325
D020	260	43	1	2B	04	98	0803
D020	260	26	1	2A	04	98	0802
D020	187	24	1	2B	04	98	0803
D020	187	29	1	2B	04	98	0803
D020	187	28	1	2B	04	98	0338
D020	187	22	1	1B	04	98	0824
D020	187	22	1	1B	04	98	0824
D020	187	28	1	2B	04	98	0338
D020	187	29	1	2B	04	98	0803
D020	187	24	1	2B	04	98	0803
D020	187	24	1	2B	04	98	0803
D020	187	29	1	2B	04	98	0803
D020	187	28	1	2B	04	98	0338
D020	187	22	1	1B	04	98	0824
D020	187	24	1	2B	04	98	0803
D020	187	29	1	2B	04	98	0803
D020	187	28	1	2B	04	98	0338
D020	187	22	1	1B	04	98	0824
D020	187	26	2	2B	05	98	0325
D020	187	23	1	1B	05	98	0335
D020	187	22	1	1B	05	98	0335
D020	150	40	1	2B	05	98	0304
D020	150	42	1	2B	05	98	0304
D020	170	37	1	2B	05	98	0325
D020	181	26	1	2A	05	98	1707
D020	181	29	1	2A	05	98	1707
D020	181	29	1	2A	05	98	1707
D020	181	24	1	2B	05	98	0319
D020	150	28	1	2B	05	98	1707
D020	260	24	1	2B	05	98	0319
D020	260	32	1	2B	05	98	0338
D020	260	26	2	2B	05	98	0325
D020	186	27	1	2B	05	98	0338
D020	186	28	1	2B	05	98	0338

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GC 003390

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D020	186	19	1	1B	05	98	0315
D020	220	45	1	1A	05	98	0430
D020	220	50	1	1A	05	98	0430
D020	260	25	2	2B	06	98	0335
D020	260	34	1	1B	06	98	1713
D020	260	35	1	1B	06	98	1713
D020	260	35	1	1B	06	98	1713
D020	260	42	1	2B	06	98	0325
D020	186	42	1	2B	06	98	0824
D020	186	32	1	1A	06	98	0824
D020	181	41	2	2B	06	98	0335
D020	181	29	1	2B	06	98	0335
D020	060	18	2	1B	06	98	0325
D020	060	36	2	2B	06	98	0325
D020	080	43	2	1B	06	98	0415
D020	080	43	1	1B	06	98	0415
D020	130	20	1	2B	06	98	0408
D020	130	17	1	2B	06	98	0319
D020	130	19	1	2B	06	98	0319
D020	187	24	1	1A	06	98	0412
D020	189	25	1	1B	06	98	0307
D020	187	19	1	1B	06	98	1707
D020	140	45	1	1B	06	98	0305
D020	187	22	1	1B	07	98	0325
D020	187	17	1	1B	07	98	1709
D020	187	20	1	1B	07	98	0325
D020	187	18	1	1A	07	98	0319
D020	187	19	1	1A	07	98	0319
D020	187	17	1	1B	07	98	1709
D020	060	18	1	1B	07	98	0325
D020	182	35	1	2B	07	98	0307
D020	150	22	1	2B	07	98	0338
D020	186	22	1	1B	07	98	1705
D020	240	52	1	2B	07	98	1713
D020	260	34	1	1A	07	98	0338
D020	260	49	1	1B	07	98	0338
D020	260	38	1	2B	07	98	1103
D020	260	31	1	2B	07	98	0325
D020	260	27	1	1A	07	98	1101
D020	260	32	1	1A	07	98	0319
D020	260	32	1	1A	07	98	0319
D020	260	32	1	1A	07	98	0319
D020	260	32	1	1A	07	98	0319
D020	260	23	1	2B	07	98	0824
D020	260	39	1	1B	07	98	0305
D020	260	21	1	1B	08	98	0338
D020	260	25	1	2B	08	98	0307
D020	240	24	2	2B	08	98	0325
D020	260	34	1	1A	08	98	0325
D020	186	39	1	2B	08	98	0307
D020	186	24	1	2B	08	98	0307
D020	186	28	1	2B	08	98	1713
D020	186	24	1	1A	08	98	0802

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GC 003391

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D020	150	37	1	1A	08	98	1103
D020	181	23	1	1A	08	98	0319
D020	060	27	1	1B	08	98	0408
D020	130	44	1	1B	08	98	0319
D020	130	18	2	1B	08	98	0319
D020	130	20	2	1B	08	98	0319
D020	187	19	1	2B	08	98	1112
D020	187	22	1	2B	08	98	1112
D020	187	21	1	2B	08	98	1112
D020	189	35	1	1B	09	98	0307
D020	187	59	1	2B	09	98	0338
D020	187	31	1	2B	09	98	0319
D020	187	27	1	2B	09	98	0325
D020	187	27	2	2B	09	98	0403
D020	130	26	2	1A	09	98	0803
D020	130	24	1	1A	09	98	0803
D020	130	44	1	1A	09	98	0803
D020	130	28	1	1A	09	98	0803
D020	060	38	1	1A	09	98	0714
D020	182	22	1	2B	09	98	0310
D020	182	31	1	2B	09	98	0403
D020	182	22	2	1B	09	98	0319
D020	182	27	1	2B	09	98	0338
D020	186	22	1	1B	09	98	0338
D020	260	18	1	1B	09	98	0307
D020	260	38	1	1B	09	98	1713
D020	260	28	1	2B	09	98	0338
D020	260	38	1	2B	09	98	0319
D020	260	25	1	2B	09	98	0412
D020	260	22	1	2B	09	98	0310
D020	260	34	1	1A	09	98	0325
D020	186	22	2	1B	09	98	0335
D020	186	24	1	1B	09	98	0335
D020	186	34	1	2A	09	98	1103
D020	186	18	2	2A	09	98	1103
D020	186	30	1	1A	09	98	1103
D020	186	19	2	1B	09	98	0335
D020	186	18	1	1B	09	98	0335
D020	186	25	1	1A	09	98	0335
D020	186	18	1	1B	09	98	0335
D020	186	27	2	1B	10	98	1707
D020	187	37	1	4B	10	98	1713
D020	187	44	1	4B	10	98	1713
D020	260	21	1	1A	10	98	0808
D020	260	33	1	1B	10	98	1707
D020	260	29	1	2B	10	98	0315
D020	260	27	1	1A	10	98	0335
D020	260	40	1	2B	10	98	0338
D020	260	33	1	1B	10	98	1707
D020	186	29	1	2B	10	98	0823
D020	186	25	1	2B	10	98	0823
D020	181	25	2	2B	10	98	0802
D020	181	32	1	2B	10	98	0802

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GC 003392

DEPARTMENT OF LAW AND PUBLIC SAFETY
 DIVISION OF STATE POLICE
 TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D020	130	25	1	1A	10	98	0404
D020	187	22	1	1B	10	98	0325
D020	187	25	1	1B	10	98	0325
D020	260	27	1	2B	10	98	0319
D020	130	33	1	1B	10	98	0319
D020	260	23	2	2B	11	98	1103
D020	260	19	1	2B	11	98	0304
D020	130	22	1	2B	11	98	0430
D020	182	25	1	2B	11	98	0325
D020	182	17	1	2B	11	98	0325
D020	182	46	1	2B	11	98	0802
D020	182	35	1	2B	11	98	0802
D020	182	40	1	2B	11	98	0802
D020	150	44	1	2B	11	98	0802
D020	150	22	1	2B	11	98	0325
D020	260	32	1	1B	11	98	0325
D020	240	52	2	2B	11	98	0803
D020	260	31	1	2B	11	98	0325
D020	260	37	2	2B	11	98	0802
D020	260	37	1	1B	11	98	0802
D020	260	33	2	1B	11	98	0803
D020	260	26	1	1A	11	98	0304
D020	260	26	1	1A	11	98	1221
D020	260	27	1	1A	11	98	0803
D020	187	22	2	1B	11	98	0319
D020	187	27	1	2B	11	98	0412
D020	187	21	1	2B	11	98	0824
D020	187	41	1	1B	11	98	0824
D020	186	24	1	2B	11	98	0803
D020	186	29	1	2B	11	98	0803
D020	186	35	1	2B	11	98	0820
D020	186	28	2	2B	11	98	0820
D020	186	32	1	2B	11	98	0820
D020	186	47	1	1B	12	98	0319
D020	187	34	1	1B	12	98	0338
D020	187	24	1	1B	12	98	0824
D020	186	49	1	2B	12	98	0325
D020	186	50	1	2B	12	98	0421
D020	187	23	1	2B	12	98	1707
D020	187	29	2	2B	12	98	0803
D020	187	33	1	2B	12	98	0803
D020	260	29	1	1A	12	98	1707
D020	260	19	2	2B	12	98	1713
D020	260	43	1	2A	12	98	0319
D020	181	41	1	2B	12	98	0824
D020	181	43	1	2B	12	98	0824
D020	181	26	1	2B	12	98	0421
D020	182	42	2	1B	12	98	0325
D020	182	40	1	1B	12	98	0403
D020	060	47	1	2B	12	98	0404
D020	080	47	1	2B	12	98	0430
D020	080	42	1	2B	12	98	0306
D020	130	19	1	2B	12	98	0338

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D020	130	19	1	2B	12	98	0338
D030	181	22	1	2B	04	98	0205
D030	181	22	1	2B	04	98	0205
D030	181	27	1	1B	04	98	0205
D030	181	21	1	1A	04	98	0249
D030	181	21	1	1B	04	98	0249
D030	181	21	1	2B	04	98	0205
D030	181	26	1	2B	04	98	0249
D030	181	27	1	2B	04	98	0249
D030	181	36	1	2B	04	98	0249
D030	181	23	1	2B	04	98	0249
D030	181	29	2	1A	04	98	2004
D030	181	29	2	1A	04	98	2004
D030	181	23	1	2B	04	98	0249
D030	181	36	1	2B	04	98	0249
D030	181	27	1	2B	04	98	0249
D030	181	26	1	2B	04	98	0249
D030	181	21	1	2B	04	98	0205
D030	181	21	1	1B	04	98	0249
D030	181	21	1	1A	04	98	0249
D030	181	27	1	1B	04	98	0205
D030	181	22	1	2B	04	98	0205
D030	181	22	1	2B	04	98	0205
D030	181	20	1	2B	04	98	0205
D030	181	19	1	1B	04	98	0205
D030	181	17	1	2B	04	98	0249
D030	181	18	1	2B	04	98	0249
D030	181	18	1	2B	04	98	0249
D030	181	17	1	2B	04	98	0249
D030	181	19	1	1B	04	98	0205
D030	181	20	1	2B	04	98	0205
D030	181	18	1	2B	04	98	0249
D030	181	17	1	2B	04	98	0249
D030	181	19	1	1B	04	98	0205
D030	181	20	1	2B	04	98	0205
D030	181	29	2	1A	04	98	2004
D030	181	23	1	2B	04	98	0249
D030	181	36	1	2B	04	98	0249
D030	181	27	1	2B	04	98	0249
D030	181	26	1	2B	04	98	0249
D030	181	21	1	2B	04	98	0205
D030	181	21	1	1B	04	98	0249
D030	181	21	1	1A	04	98	0249
D030	181	27	1	1B	04	98	0205
D030	181	22	1	2B	04	98	0205
D030	181	22	1	2B	04	98	0205
D030	181	18	1	2B	04	98	0249
D030	181	17	1	2B	04	98	0249
D030	181	19	1	1B	04	98	0205
D030	181	20	1	2B	04	98	0205
D030	260	24	1	1B	04	98	0907
D030	186	24	1	2B	04	98	0249
D030	186	24	1	2B	04	98	0249

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D030	186	31	1	1A	04	98	0205
D030	186	18	1	1B	04	98	0205
D030	186	18	1	1B	04	98	0205
D030	186	17	1	2B	04	98	0250
D030	186	17	1	2B	04	98	0250
D030	186	18	1	1B	04	98	0205
D030	186	18	1	1B	04	98	0205
D030	186	31	1	1A	04	98	0205
D030	186	24	1	2B	04	98	0249
D030	186	24	1	2B	04	98	0249
D030	186	24	1	2B	04	98	0249
D030	186	24	1	2B	04	98	0249
D030	186	31	1	1A	04	98	0205
D030	186	18	1	1B	04	98	0205
D030	186	18	1	1B	04	98	0205
D030	186	17	1	2B	04	98	0250
D030	186	24	1	2B	04	98	0249
D030	186	24	1	2B	04	98	0249
D030	186	31	1	1A	04	98	0205
D030	186	18	1	1B	04	98	0205
D030	186	18	1	1B	04	98	0205
D030	186	17	1	2B	04	98	0250
D030	150	20	1	2B	04	98	0714
D030	150	20	1	2B	04	98	0714
D030	150	20	1	2B	04	98	0714
D030	150	20	1	2B	04	98	0714
D030	181	23	1	2B	04	98	0249
D030	181	36	1	2B	04	98	0249
D030	181	27	1	2B	04	98	0249
D030	181	26	1	2B	04	98	0249
D030	181	21	1	2B	04	98	0205
D030	181	21	1	1B	04	98	0249
D030	181	21	1	1A	04	98	0249
D030	181	27	1	1B	04	98	0205
D030	181	22	1	2B	04	98	0205
D030	181	22	1	2B	04	98	0205
D030	181	29	2	1A	04	98	2004
D030	080	34	1	2B	04	98	0714
D030	080	38	1	1A	04	98	0909
D030	080	34	1	2B	04	98	0714
D030	080	38	1	1A	04	98	0909
D030	080	38	1	1A	04	98	0909
D030	080	34	1	2B	04	98	0714
D030	080	34	1	2B	04	98	0714
D030	080	38	1	1A	04	98	0909
D030	130	31	1	1A	04	98	0249
D030	130	19	1	1A	04	98	0249
D030	130	19	1	1A	04	98	2009
D030	130	27	1	1A	04	98	2009
D030	130	27	1	1A	04	98	2009
D030	130	19	1	1A	04	98	2009
D030	130	19	1	1A	04	98	0249
D030	130	31	1	1A	04	98	0249

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D030	130	27	1	1A	04	98	2009
D030	130	19	1	1A	04	98	0205
D030	130	17	1	1A	04	98	0205
D030	130	31	1	1A	04	98	0249
D030	130	19	1	1A	04	98	0249
D030	130	19	1	1A	04	98	2009
D030	130	19	1	1A	04	98	0205
D030	130	17	1	1A	04	98	0205
D030	130	31	1	1A	04	98	0249
D030	130	19	1	1A	04	98	0249
D030	130	19	1	1A	04	98	2009
D030	130	17	1	1A	04	98	0205
D030	130	19	1	1A	04	98	0205
D030	130	19	1	1A	04	98	0205
D030	130	27	1	1A	04	98	2009
D030	260	24	1	1A	04	98	0249
D030	260	33	1	2B	04	98	0714
D030	260	19	1	1B	04	98	0212
D030	260	29	1	2B	04	98	0249
D030	260	21	1	1A	04	98	0714
D030	260	30	1	2B	04	98	0907
D030	260	30	1	1A	04	98	0212
D030	260	37	1	1A	04	98	0212
D030	260	31	1	2B	04	98	2004
D030	260	19	1	1B	04	98	0212
D030	260	29	1	2B	04	98	0249
D030	260	21	1	1A	04	98	0714
D030	260	30	1	2B	04	98	0907
D030	260	30	1	1A	04	98	0212
D030	260	37	1	1A	04	98	0212
D030	260	31	1	2B	04	98	2004
D030	260	24	1	1A	04	98	0249
D030	260	33	1	2B	04	98	0714
D030	260	31	1	2B	04	98	2004
D030	260	37	1	1A	04	98	0212
D030	260	30	1	1A	04	98	0212
D030	260	30	1	2B	04	98	0907
D030	260	21	1	1A	04	98	0714
D030	260	29	1	2B	04	98	0249
D030	260	19	1	1B	04	98	0212
D030	260	33	1	2B	04	98	0714
D030	260	24	1	1A	04	98	0249
D030	260	19	1	1B	04	98	0212
D030	260	29	1	2B	04	98	0249
D030	260	21	1	1A	04	98	0714
D030	260	30	1	2B	04	98	0907
D030	260	30	1	1A	04	98	0212
D030	260	37	1	1A	04	98	0212
D030	260	31	1	2B	04	98	2004
D030	260	24	1	1A	04	98	0249
D030	260	33	1	2B	04	98	0714
D030	260	21	1	2B	04	98	0249

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D030	260	21	1	2B	05	98	0249
D030	130	37	2	2B	05	98	0232
D030	100	44	1	1A	05	98	0714
D030	100	24	1	2B	05	98	0907
D030	100	40	1	1A	05	98	2004
D030	080	31	1	2B	05	98	0714
D030	181	32	1	1B	05	98	0249
D030	181	42	1	1B	05	98	0249
D030	181	46	1	1B	05	98	0249
D030	150	46	1	1A	05	98	0223
D030	150	43	2	1A	05	98	0223
D030	140	26	1	1B	05	98	0212
D030	170	50	1	1A	05	98	0714
D030	260	33	2	1B	05	98	0249
D030	260	39	2	1B	05	98	0249
D030	260	64	1	4B	05	98	0249
D030	260	19	1	4B	05	98	0249
D030	260	39	1	1B	05	98	0249
D030	260	36	1	2B	05	98	2002
D030	260	23	1	2B	06	98	0219
D030	260	27	1	2B	06	98	2004
D030	260	37	1	1A	06	98	0232
D030	187	19	1	1A	06	98	0249
D030	187	19	1	1B	06	98	0249
D030	187	39	1	1A	06	98	0232
D030	187	25	1	2B	06	98	2009
D030	182	17	2	1B	06	98	0249
D030	182	26	1	2B	06	98	0714
D030	182	22	1	2B	06	98	0714
D030	182	26	1	2B	06	98	0714
D030	182	21	1	1B	06	98	0249
D030	150	48	1	1B	06	98	0260
D030	181	22	1	1A	06	98	0232
D030	181	24	1	2B	06	98	2009
D030	181	17	1	1A	06	98	0232
D030	080	28	2	1B	06	98	0909
D030	080	29	1	1B	06	98	0909
D030	080	36	2	2B	06	98	0909
D030	130	51	1	1B	06	98	0714
D030	186	28	1	1B	06	98	0205
D030	186	42	1	1A	06	98	0714
D030	186	23	1	1A	06	98	0714
D030	110	38	2	1B	07	98	0714
D030	130	18	1	2B	07	98	0260
D030	130	18	1	2B	07	98	0260
D030	050	17	1	1A	07	98	0906
D030	150	59	1	2B	07	98	0714
D030	187	20	1	1A	07	98	0232
D030	187	24	1	2B	07	98	0714
D030	187	27	1	2B	07	98	0714
D030	187	34	1	2B	07	98	0714
D030	260	18	1	2B	07	98	0205
D030	260	29	1	2B	07	98	0205

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D030	260	23	1	2B	07	98	0205
D030	260	26	1	2B	07	98	2004
D030	260	20	1	2A	07	98	0714
D030	260	34	2	2B	07	98	0205
D030	260	37	1	1B	07	98	0714
D030	260	32	1	2B	07	98	0714
D030	260	25	1	2B	07	98	0906
D030	260	47	1	2B	07	98	1225
D030	260	32	1	2B	07	98	1225
D030	260	28	1	2B	08	98	1201
D030	260	31	1	2B	08	98	0249
D030	260	22	1	2B	08	98	2009
D030	260	36	1	2B	08	98	0906
D030	260	36	1	2B	08	98	0906
D030	170	27	1	1B	08	98	0714
D030	060	23	1	1B	08	98	0714
D030	060	21	2	1A	08	98	2004
D030	080	40	2	1A	08	98	0714
D030	181	33	1	2B	08	98	0249
D030	181	17	1	2B	08	98	0249
D030	181	19	2	2B	08	98	0249
D030	181	35	1	2A	08	98	0250
D030	181	40	1	2B	08	98	0250
D030	181	17	1	2B	08	98	0249
D030	186	22	1	1A	08	98	0249
D030	186	37	1	2B	08	98	0907
D030	186	33	2	1B	08	98	0907
D030	260	56	1	1B	08	98	0714
D030	260	20	2	2B	09	98	0249
D030	260	21	2	1A	09	98	0249
D030	260	19	2	1B	09	98	0249
D030	186	19	1	2B	09	98	0256
D030	186	21	1	1B	09	98	0260
D030	186	21	1	1B	09	98	0260
D030	186	27	1	1B	09	98	0260
D030	186	21	1	2B	09	98	0205
D030	186	21	1	2B	09	98	0205
D030	186	21	1	2B	09	98	0205
D030	130	20	2	2B	09	98	2009
D030	181	57	1	2B	09	98	0256
D030	080	26	1	2B	09	98	2004
D030	080	30	1	2B	09	98	0714
D030	060	19	1	2B	09	98	2004
D030	060	24	1	2B	09	98	0714
D030	170	41	1	1B	09	98	0247
D030	181	22	1	2A	09	98	0907
D030	181	20	1	2A	09	98	0907
D030	182	36	1	1B	09	98	0249
D030	182	24	1	1A	09	98	0249
D030	182	24	1	1B	09	98	0249
D030	260	19	2	2B	09	98	0249
D030	260	33	1	1A	09	98	1608
D030	260	21	2	1A	09	98	0249

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D030	260	36	1	1A	10	98	0707
D030	182	21	1	1B	10	98	0260
D030	182	25	1	1B	10	98	0260
D030	182	22	1	1A	10	98	0260
D030	260	33	1	1B	10	98	0907
D030	260	25	1	1B	10	98	0907
D030	260	22	2	1A	10	98	0249
D030	260	28	1	2B	10	98	2004
D030	260	22	1	2B	10	98	0256
D030	260	24	1	1A	10	98	2004
D030	060	23	2	1A	10	98	0714
D030	080	39	1	2B	10	98	0714
D030	080	50	1	2B	10	98	0205
D030	181	27	2	1A	10	98	2004
D030	181	41	1	1A	10	98	2004
D030	181	19	1	2B	10	98	1201
D030	181	26	1	2B	10	98	1201
D030	181	41	2	2B	10	98	1201
D030	181	38	1	2B	10	98	1201
D030	110	22	1	2B	10	98	0714
D030	186	25	1	1A	10	98	0250
D030	186	36	1	1A	10	98	0249
D030	186	30	1	1A	10	98	0250
D030	187	18	1	1B	10	98	0260
D030	187	28	1	1B	11	98	0260
D030	187	21	1	1A	11	98	0249
D030	187	21	1	1B	11	98	0249
D030	186	31	1	2B	11	98	0229
D030	186	47	1	2B	11	98	0229
D030	181	25	1	2B	11	98	0249
D030	181	20	1	2B	11	98	0249
D030	181	29	1	2B	11	98	0249
D030	181	26	1	2B	11	98	0232
D030	181	27	1	2B	11	98	0232
D030	170	35	1	1B	11	98	0714
D030	170	35	1	1B	11	98	0714
D030	181	22	1	2B	11	98	0250
D030	181	18	2	2B	11	98	0250
D030	181	19	1	2B	11	98	0249
D030	181	16	1	2B	11	98	0249
D030	181	21	1	2B	11	98	0249
D030	260	21	1	2A	11	98	0906
D030	260	35	1	2B	11	98	1205
D030	260	38	1	1B	11	98	2004
D030	260	34	1	2B	11	98	0249
D030	260	26	1	1A	11	98	2009
D030	260	24	1	1B	11	98	0260
D030	130	44	1	1B	11	98	0909
D030	080	41	1	1B	12	98	0714
D030	182	63	1	2B	12	98	0232
D030	110	40	1	1B	12	98	0714
D030	130	26	2	1B	12	98	0907
D030	140	31	1	1B	12	98	0714

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS - APR 98 THRU DEC 98: NO DR-DR

STATION	UCR	AGE	SEX	RACE	MONTH	YEAR	MUN CODE
D030	150	19	1	2B	12	98	0907
D030	150	18	1	2B	12	98	0907
D030	150	19	1	2B	12	98	0907
D030	260	18	1	2B	12	98	0249
D030	260	27	1	1B	12	98	0205
D030	260	34	1	1B	12	98	2009
D030	260	41	1	2B	12	98	2004
D030	260	26	1	1B	12	98	0714
D030	260	49	1	2B	12	98	0232
D030	186	41	1	1A	12	98	1201
D030	186	22	1	1A	12	98	0249
D030	186	18	1	1A	12	98	0249
D030	186	19	1	2B	12	98	0249
D030	187	48	1	2B	12	98	0249
D030	187	25	1	2B	12	98	0249
D222	260	22	1	1A	05	98	1225
D230	110	22	1	1A	08	98	0205
D230	110	32	1	1B	08	98	2004
D230	110	32	1	2B	08	98	0249
D230	260	31	1	1A	09	98	0206
D230	060	20	2	1A	09	98	0714
D230	060	35	1	2B	09	98	0907
D230	260	35	1	1B	11	98	1316
D230	060	45	1	1B	12	98	1201
D230	060	19	1	1B	12	98	0714
D230	060	18	2	2B	12	98	0714
D230	100	29	1	2B	12	98	0714

TOTAL ARRESTS = 1,153

RACIAL BREAKDOWN

RACE 1A	=	221	=	19.16	%
RACE 1B	=	457	=	39.63	%
RACE 2A	=	11	=	0.95	%
RACE 2B	=	439	=	38.07	%
RACE 3	=	1	=	0.1	%
RACE 4	=	24	=	2.08	%

DIVISION OF STATE POLICE

TROOP 'D' ARRESTS APR 1998 THRU DEC 1998 (DR-DR ONLY)

STATION	UCR	AGE	SEX	RACE	DATE	MUN CODE
D010	260	32	1	1A	04/05/1998	1213
D010	260	26	2	1A	04/04/1998	1225
D010	260	50	1	1A	04/10/1998	1202
D010	260	51	1	1A	04/10/1998	1101
D010	260	57	1	1B	04/17/1998	1202
D010	260	34	1	1B	04/23/1998	1101
D010	260	24	1	1B	04/26/1998	2004
D010	260	36	1	1B	04/27/1998	1213
D010	260	33	1	2B	04/27/1998	1214
D010	260	29	2	1B	05/05/1998	1225
D010	260	40	1	2B	05/07/1998	1213
D010	260	25	1	1A	05/08/1998	1214
D010	260	38	1	2B	05/16/1998	1205
D010	260	32	1	1A	05/24/1998	1205
D010	260	52	1	1B	05/28/1998	1205
D010	260	46	1	2B	06/03/1998	1204
D010	260	45	1	1B	06/06/1998	1225
D010	260	33	1	2B	06/09/1998	1205
D010	260	48	1	1B	06/11/1998	1213
D010	260	20	1	1B	06/13/1998	1204
D010	260	23	1	2B	06/19/1998	1225
D010	260	28	1	2B	06/21/1998	1225
D010	260	49	1	1A	06/29/1998	1112
D010	260	32	1	1A	07/03/1998	1112
D010	260	30	1	1B	07/03/1998	1204
D010	260	59	1	1B	07/07/1998	1204
D010	260	28	1	1B	07/13/1998	1202
D010	260	45	1	2B	07/14/1998	1202
D010	260	47	1	1B	07/19/1998	1225
D010	260	40	1	2B	07/22/1998	1101
D010	260	56	1	1B	07/23/1998	1225
D010	260	28	1	1B	07/25/1998	1205
D010	260	21	1	1B	07/25/1998	1221
D010	260	21	2	1B	07/30/1998	1202
D010	260	32	1	1A	08/01/1998	1225
D010	260	30	1	2B	08/03/1998	1112
D010	260	34	1	1B	08/07/1998	1225
D010	260	26	1	1A	08/08/1998	1112
D010	260	44	1	1B	08/11/1998	1205
D010	260	37	1	2B	08/14/1998	1205
D010	260	43	1	1A	08/15/1998	1213
D010	260	24	1	4B	08/22/1998	1225
D010	260	36	1	2A	08/28/1998	1205
D010	260	24	1	1B	08/29/1998	1202
D010	260	47	1	2B	09/03/1998	1225
D010	260	23	1	1B	09/04/1998	1204
D010	260	49	1	1A	09/06/1998	1213
D010	260	43	1	2B	09/12/1998	1202

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GC 003401

STATION	UCR	AGE	SEX	RACE	DATE	MUN CODE
D010	260	28	1	1A	09/19/1998	1213
D010	260	44	1	1B	09/21/1998	1225
D010	260	40	1	1B	09/29/1998	1225
D010	260	38	1	1B	09/30/1998	1204
D010	260	33	1	2B	10/03/1998	1212
D010	260	38	1	2B	10/03/1998	1213
D010	260	48	1	2B	10/04/1998	1201
D010	260	38	1	1B	10/04/1998	1201
D010	260	43	1	1B	10/04/1998	1101
D010	260	59	1	4B	10/06/1998	1101
D010	260	33	1	2B	10/08/1998	1225
D010	260	38	1	1B	10/12/1998	1221
D010	260	23	2	2B	10/13/1998	1221
D010	260	35	1	4B	10/19/1998	1225
D010	260	41	1	1A	10/20/1998	1201
D010	260	25	1	1A	10/26/1998	1202
D010	260	35	1	2A	11/07/1998	1202
D010	260	19	1	1B	11/08/1998	1205
D010	260	30	1	1A	11/08/1998	1101
D010	260	22	1	1B	11/16/1998	1225
D010	260	37	1	1A	11/22/1998	1204
D010	260	51	1	1A	11/24/1998	1204
D010	260	31	1	1B	11/25/1998	1213
D010	260	36	2	2A	11/25/1998	1204
D010	260	21	1	2B	11/26/1998	1202
D010	260	27	2	2A	11/30/1998	1202
D010	260	39	1	1B	12/02/1998	1204
D010	260	32	1	1B	12/02/1998	1225
D010	260	21	2	2A	12/05/1998	1205
D010	260	37	1	1A	12/06/1998	1202
D010	260	26	1	1B	12/07/1998	1213
D010	260	32	1	2B	12/07/1998	1101
D010	260	37	1	2B	12/09/1998	1202
D010	260	46	1	1B	12/09/1998	1204
D010	260	40	2	1B	12/13/1998	1213
D010	260	27	1	1B	12/13/1998	1213
D010	260	35	1	1B	12/13/1998	1213
D010	260	57	1	1B	12/13/1998	1204
D010	260	24	2	1B	12/20/1998	1201
D010	260	62	1	2B	12/23/1998	1225
D010	260	17	1	1B	12/24/1998	1225
D010	260	34	1	1B	12/24/1998	1225
D010	260	27	1	1A	12/26/1998	1201
D020	260	43	1	1B	04/03/1998	0307
D020	260	28	1	1A	04/05/1998	0803
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STATION	BUCK	AGE	SEX	RACE	DATE	MUN CODE
D020	260	46	1	1B	05/01/1998	0802
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D020	260	38	1	1B	05/23/1998	0325
D020	260	33	1	2B	05/30/1998	0319
D020	260	53	2	1B	05/31/1998	0325
D020	260	52	1	1B	06/03/1998	1103
D020	260	38	1	2B	06/09/1998	0824
D020	260	20	1	1B	06/10/1998	0307
D020	260	26	1	1A	06/13/1998	0802
D020	260	38	2	2B	06/17/1998	0803
D020	260	46	1	1A	06/18/1998	0319
D020	260	26	1	2B	06/20/1998	0338
D020	260	63	1	2B	06/27/1998	0824
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D020	260	23	1	1B	07/15/1998	1713
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D020	260	34	1	1A	07/04/1998	1707
D020	260	32	1	1A	07/07/1998	0319
D020	260	26	1	1A	07/11/1998	0325
D020	260	36	1	1B	07/17/1998	0824
D020	260	45	2	2B	07/24/1998	0338
D020	260	29	1	2B	07/25/1998	0338
D020	260	47	1	2A	07/26/1998	0307
D020	260	25	1	1A	07/26/1998	0430
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D020	260	51	1	2B	08/02/1998	0820
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D020	260	55	2	2B	09/03/1998	0802
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STATION	UCR	AGE	SEX	RACE	DATE	MUN CODE
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D020	260	22	2	1B	11/14/1998	0319
D020	260	37	2	1B	11/17/1998	0325
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D020	260	43	1	2B	12/06/1998	0325
D020	260	38	1	2B	12/11/1998	1713
D020	260	45	2	2B	12/12/1998	0430
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D030	260	43	1	2B	04/08/1998	0249
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D030	260	22	1	1B	04/21/1998	0909
D030	260	50	1	1A	04/25/1998	0250
D030	260	58	1	1B	04/25/1998	2004
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D030	260	37	1	1B	05/21/1998	0907
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D030	260	23	1	1B	05/30/1998	0909
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STATION	UCR	AGE	SEX	RACE	DATE	MUN CODE
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D030	260	39	2	1A	07/15/1998	0906
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D030	260	33	1	4B	07/25/1998	2004
D030	260	49	1	1B	07/28/1998	0714
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D030	260	33	1	1A	07/31/1998	2009
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D030	260	38	1	1A	08/05/1998	2004
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D030	260	43	1	1B	09/03/1998	0714
D030	260	49	1	2B	09/04/1998	0906
D030	260	51	1	2B	09/07/1998	0906
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D030	260	58	2	1B	09/19/1998	0714
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D030	260	45	1	1B	09/22/1998	0249
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D030	260	25	1	1B	09/27/1998	0249
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SEX	AGE	SEX	RACE	DATE	MON CODE	
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D030	260	25	1	1B	10/16/1998	0907
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D030	260	33	1	1B	10/18/1998	0212
D030	260	24	1	1A	10/21/1998	0909
D030	260	28	1	1A	10/21/1998	0909
D030	260	46	1	4B	10/27/1998	0714
D030	260	61	1	2B	11/05/1998	0249
D030	260	43	1	1A	11/05/1998	2009
D030	260	40	1	1B	11/06/1998	1225
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D030	260	41	1	1A	11/07/1998	0260
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D030	260	28	1	1B	11/11/1998	0260
D030	260	46	1	1A	11/13/1998	0229
D030	260	39	1	1B	11/15/1998	2004
D030	260	58	1	1B	11/18/1998	0250
D030	260	26	1	1A	11/29/1998	0909
D030	260	26	1	1B	12/01/1998	0260
D030	260	22	2	1B	12/03/1998	0906
D030	260	31	1	2A	12/04/1998	2009
D030	260	21	1	1B	12/09/1998	2009
D030	260	24	1	2B	12/11/1998	0229
D030	260	26	1	1A	12/13/1998	0260
D030	260	47	1	2B	12/14/1998	0909
D030	260	49	1	1B	12/18/1998	0249
D030	260	25	1	1A	12/19/1998	0205
D030	260	42	1	2A	12/19/1998	0260
D030	260	36	1	2B	12/20/1998	0714
D030	260	24	2	1B	12/20/1998	0714
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D030	260	36	1	1B	12/31/1998	0907
D030	260	38	1	1A	12/31/1998	0909
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D229	260	45	1	2B	08/28/1998	0205
D229	260	48	1	1A	09/04/1998	0319
D229	260	46	1	1B	09/21/1998	1225
D229	260	28	1	1B	09/26/1998	1225
D229	260	43	1	2B	10/10/1998	0906
D229	260	44	1	1A	11/09/1998	1101
D229	260	46	1	1A	12/27/1998	1205

RACE 1A = 83 = 25.70%
RACE 1B = 141 = 43.65%
RACE 2A = 10 = 03.10%
RACE 2B = 77 = 23.85%
RACE 3 = 0 = 00.00%
RACE 4 = 11 = 03.41%
Unkown Race = 1

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
5/15/98 sp att.	Major J. Mattos Jr. Supervisor Division Staff Section	Lt. Col. M. A. Fedorko Deputy Superintendent	<u>AUDIT OF MOTOR VEHICLE STOPS</u>

The attached Interoffice Communication submitted by Captain Blaker is self-explanatory. As you are aware, the Internal Affairs Bureau is preparing a comprehensive proposal to deal exclusively with the auditing of motor vehicle stops. The completed recommendations should be available for your review by May 20, 1998.

I am concerned about the insinuation made by the attorney representing the Davis et al plaintiffs. In a conversation with SDAG Sally Ann Fields, the Davis plaintiffs' attorney told her that they were approached to testify in the Desoto (Gloucester County) case. They refused to testify in favor of drug defendants. However, the attorney intimated that the Davis plaintiffs will testify as to what they view as racial profiling in the State Police in the recent turnpike shooting case. If this is true, we must attempt to investigate their allegations of racial profiling in an effort to identify and take corrective actions with those who may be violating our policy.

Of equal concern is a letter written by the Davis plaintiffs' attorney to SDAG Fields wherein he attaches a Special Report submitted by Sgt. J. Smith. In the report dated January 10, 1996, Sgt. Smith complained of improper profiling on the Turnpike. He included the names of 14 minority troopers he interviewed regarding their perceptions of racial profiling at the Moorestown Station. These members should be formally interviewed and statements taken to determine what knowledge they may possess regarding racial profiling.

With your consent, I will proceed to contact SDAG Fields and inquire about setting up a meeting with the Davis plaintiffs to discuss their concerns.

For your consideration.

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
5/13/98	Capt. D.E. Blaker, EEO/AA Bureau Chief <i>DB 5/13</i>	Major Juan Mattos, Division Staff Section Supervisor	Audit of Motor Vehicle Stops

Yesterday we discussed possible ways in which to ensure that our enlisted members are complying with all state and federal laws and regulations concerning motor vehicle stops on New Jersey's roadways. It is my recollection that it was decided the Internal Affairs Bureau Inspection Unit would become more active in conducting audits similar to the Moorestown Station audit it did from May 1 through July 31, 1996 (Note that Moorestown and Cranbury stations maintain a daily statistical analysis relating to motor vehicle stops that forms the basis of a monthly report that is forwarded to the Field Operations Section—analysis was instituted on March 26, 1997 and is current to this date).

The audit program is just one factor in an attempt by Division management to ensure that our troopers do not engage in racial profiling. It is also indicative that management is cognizant of the fact that we are not perfect and that there is a possibility that a small minority of troopers may engage in racial profiling.

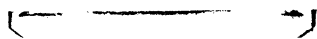
On May 12, 1998, I had a conversation with SDAG Sally Ann Fields concerning the Davis et al case. She had faxed me a copy of a letter she received from the Davis plaintiffs' attorney, attached. SDAG Fields related to me that their attorney told her that the Davis plaintiffs were approached to testify in the DeSoto (Gloucester County) case. They refused since they did not want to testify in favor of drug defendants. However, the attorney stated that all bets were off with respect to the shooting involving Troopers Hogan and Kenna since that case involves young athletes, not drug defendants. The intimation is that the Davis defendants will testify as to what they view as racial profiling in the State Police.

The Division is taking positive steps to ensure our enlisted members do not engage in profiling. We should not give others ammunition that would tend to diminish the positive steps we are taking. It is imperative that we do not appear to be attempting to stonewall the profiling issue that was brought to a head by the most recent shooting.

Statements made by spokespersons of Division that indicate that the NJSP does not engage in racial profiling are undermining our corrective efforts. Others see this as a denial that anyone in the NJSP engages in racial profiling. In my opinion, it would be

much better to acknowledge that we are not perfect. Our posture should be that it is our policy that race plays no part in a decision to stop a vehicle, but we know that policy may not be followed by everyone, and we are taking steps to identify and deal with those who violate our policy.

For your consideration.



LOWENSTEIN SANDLER PC
Attorneys at Law

DAVID L. HARRIS
Member of the Firm

Tel 973.597.2378 Fax 973.597.2379
dharris@lowenstein.com

May 12, 1998

Sally Ann Fields, S.D.A.G.
Department of Law and Public Safety
Hughes Justice Complex
25 W. Market Street
Trenton, NJ 08625

Re: Davis v. N. J. Division of State Police, et al.

Dear Sally:

I wanted to let you know the results of a recent meeting I had with my clients in connection with the above case. A few of them continue to report harassment and taunting, but all of them believe that when it comes to their individual claims, the State Police will try to divide and conquer. To prevent that from happening, all of them have voted to take an equal share of a lump sum award, and therefore, the financial aspects of the case can be handled along with the request for systemic relief.

I thought about this over the weekend, reread the Bellaran decision and concluded that although my clients may have different claims with respect to promotion, educational opportunities and discipline, all of them have been victims of the racially hostile work environment as found by Judge Cooper in the Bellaran case. Indeed, they have been and continue to be the targets of the racial hostility Bellaran observed and experienced.

Perhaps an example of one specific instance of retaliation that is of recent special interest is reflected in the attached Special Report. As you can see, the Special, dated January 10, 1996 from Sgt. Jimmy Smith to Captain Silvert, complained of improper profiling on the Turnpike. Sgt. Smith interviewed 14 minority troopers regarding their perceptions of racial profiling at the Moorestown Station. The net result of this Special was that several of the African American troopers were transferred off Turnpike duty and replaced by troopers who were all white. No investigation was conducted and, in fact, Capt. Silvert was subsequently promoted.

Accordingly, I would like the State to consider our financial demand of \$10,000,000 to resolve all of the damages of all of the troopers I represent.



Sally Ann Fields, S.D.A.G.
Page 2

May 12, 1998

I wanted to send this letter to you (and talk to you if I get the chance) before I send it to Allyn Lite. I feel, however, that I must send it to Allyn no later than tomorrow so that he will have sufficient notice of this development in our case.

Very truly yours,


David L. Harris

DLH:va
D16342
05/12/98 0518709.01

Enclosure

cc: Renee Steinhagen, Esq.
Andrea B. Schwartz, Esq.



(1) STATION	(2) CODE	(3) CASE NUMBER	(4) REFERENCE NUMBER
MOORESTOWN	0020		
(5) NAME	(6) RANK		
CAPTAIN M. SILVERT COMMANDING TROOP "D" CRANBURY, NJ	SGT. J. E. SMITH # 2892 SQUAD # 6 SUPERVISOR MOORESTOWN, NJ		

(7) SUBJECT:
IMPROPER PATROL PROCEDURES AT MOORESTOWN STATION

On October 19th, 1995 the undersigned spoke with Lt. B. Gilbert #2445, Station Commander of Moorestown Station, in regards to the concerns of several minority troopers assigned to Moorestown Station. The minority troopers feel that several Moorestown Station personnel are using improper patrol procedures when stopping motorists.

Lt. Gilbert advised the undersigned that he will not tolerate any improper patrol procedures and instructed the undersigned to talk to all the minority troopers with concerns and do a Special Report - as follows:

Interviewed Tpr. II R. Wilkins #4498, Squad I of Moorestown Station; he advised that since being assigned to Moorestown Station, he feels that there were some improper patrol procedures by one of his fellow squad members. He conveyed to the undersigned of an incident with Tpr. II John Ogg, Badge #4726 in regards to what he felt was an illegal search of a Black motorist's vehicle.

Interviewed Tpr. Mark Stephens, Badge #5014 TPU #5 of Cranbury Station; who advised that on a stop of a Black motorist for speeding, the motorist became very upset and advised that he had been just been stopped by a White trooper who searched his vehicle for no apparent reason. Tpr. Stephens later advised that he tried to find out what trooper stopped the vehicle but met with negative results. He also stated that Squad I was working at the time the motorist was stopped.

Interviewed Tpr. Victor Cooper, Badge #4955 TPU #1 of Cranbury Station, who feels there are several members of the Moorestown Station who are using improper patrol procedures. Tpr. Cooper advises that although his bases are only a perception he feels that there is racial profiling used by some troopers at the Moorestown Station.

Interviewed Tpr. II J. Dixon of Moorestown Station Squad #5. Tpr. Dixon advised that when he was a member of Squad 3 there were other squad members he feels were racially profiling motorists, but he has no facts to support his feelings.

Interviewed Tpr. II Darryl Beard Badge #4427, formerly of Moorestown Station Squad 5. Tpr. Beard has since been transferred to Troop A Red Lion Station. He advised that he had no actual findings against any personnel assigned to the Moorestown Station but feels there is racial profiling being used by several members of the Moorestown Station.

The undersigned also interviewed several other minority troopers assigned to the Moorestown Station, who wish to remain anonymous but was advised by them that they also felt there were improper patrol procedures being used at the Moorestown Station. However their concerns were only a perception and not factual.

(8) RECEIVING DATE	(9) NAME	(10) BADGE NUMBER	(11)	(12) STATION	(13) PAGES
1/10/95	Sgt. J. E. Smith #2892		PAGE 1 of 2 PAGES		

NEW JERSEY STATE POLICE

SPECIAL REPORT / CONTINUATION PAGE

(1) STATION / UNIT MOORESTOWN	(2) DATE 0020	(3) CASE NUMBER	(4) REFERENCE NUMBER
(5) TO CAPTAIN M. SILVERT COMMANDING TROOP "D" CRANBURY, NJ	(6) FROM SGT. J. E. SMITH #2892 SQUAD #8 SUPERVISOR MOORESTOWN, NJ		

(7) SUBJECT: IMPROPER PATROL PROCEDURES AT MOORESTOWN STATION

The undersigned interviewed the below listed minority troopers about the above topic:

- R. Wilkins #4498
- ✓ D. Beard #4427
- M. Stephens #5014
- ✓ V. Cooper #4955
- J. Dixon #4377
- P. Huggins #4452
- G. Moore #4721
- T. Skinner #4113
- B. Medley #4989
- ✓ H. Travis #4347
- J. Baker #4942
- B. Pressley #4225
- E. Smith #4824
- P. Bethune #4359

Respectfully submitted

(8) REPORTING DATE 1/10/96	(9) NAME Sgt. J. E. Smith #2892	(10) MADE BY	(11) PAGE 2 OF 2	(12) SOLVING	(13) OTHER
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END

[REDACTED]

Superintendent
Carl A. Williams
Headquarters
N.J. State Police
West Trenton, New Jersey
08628

Re: Complaint/ Investigation on
Trooper [REDACTED]-ID#-[REDACTED]

Dear Sir:

I would like to make a formal complaint and initiate an investigation into the conduct of one of your state troopers, a trooper [REDACTED], badge number [REDACTED], on the Garden State Parkway, on January 21, 1999 at approximately 5:00 p.m. in the evening.

The basis and gist of my complaint involved an illegal and disguised stop that was not based on any probable cause in law and fact. In addition, during the course of the sham stop not based in fact or law, an indirect search was made of my vehicle in the hope of finding contraband so as to legitimize and justify the illegal stop.

As a result of this incident, my constitutional rights as a citizen and resident of New Jersey were violated. This illegal stop and search had no legal basis in law and fact but was only an insidious stop and search based on racial profiling.

Accordingly, this is my notice of complaint and request for an investigation with possible action against this officer for violating the rights of a law abiding citizen. Moreover, if I do not hear from you within a reasonable amount of time with respect to this matter, it will be assumed that racial profiling and the illegal stop of African-Americans is an established and sanctioned state police policy used or implemented against a certain segment of the population within New Jersey.

In order to act upon my complaint and request for an investigation, you may reach me at the above listed address or contact me by telephone at [REDACTED] or voicemail at [REDACTED].

Your cooperation in this matter is greatly appreciated.

Sincerely,
[REDACTED]

01/01/99

cc:Governor Whitman
N.J. Law & Public Safety
Civil Rights Division

GC 003416

SP 126333

New Jersey State Police

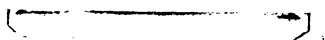
INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
02/23/99 sc	Lt. Colonel <i>[Signature]</i> R.D. Dunlop Executive Officer	Capt. R. Van Tassel Bureau Chief IAB via Major J. Mattos Supervisor Division Staff Section via Lt. Colonel M.A. Fedorko Deputy Superintendent	BELLAMY LETTER OF COMPLAINT RE. TPR. I [REDACTED]

The attached correspondence from [REDACTED], [REDACTED], [REDACTED], is self-explanatory and forwarded for your information and appropriate action.

Please prepare an appropriate response to Mr. [REDACTED] on behalf of the Superintendent. Refer to our file number 0101225 in your reply. Note that your response is due back to this office no later than March 22, 1999.

0101298A





State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE
POST OFFICE BOX 7068
WEST TRENTON NJ 08628-0068

March 9, 1999

CHRISTINE TODD WHITMAN
Governor

PETER VERNIERO
Attorney General

Superintendent
TELEPHONE: (609) 882-2000

ADDRESS REPLY TO:

Mr. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED], [REDACTED]

Dear Mr. Bellamy:

Your letter dated February 15, 1999 to Colonel Williams has been forwarded to this office for a reply. On behalf of LTC Fedorko, Acting Superintendent, thank you for bringing this matter to our attention.

In accordance with Division of State Police procedures, a fair and impartial investigation will be conducted regarding your allegation. An investigator from the Internal Affairs Bureau will be assigned to conduct the inquiry and will be contacting you in the near future. Upon conclusion of our investigation we will notify you of our findings.

If you require any additional information or have questions regarding your complaint, please contact the Internal Affairs Bureau, Division Headquarters, West Trenton, New Jersey 08628, (609) 882-2000 ext. 2731 and refer to #99-030H.

Sincerely,

Captain Roy Van Tassel Jr.
Bureau Chief
Internal Affairs Bureau

LIPS
0101298

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ISSUES

- 1) Receipt form.
- 2) Storage area, IAB storage building #2, Evidence room.
- 3) Contact person for Z.
Contact person for Justice.
- 4) Do we have to protect the original document?
- 5) Interaction with request to IAB.
- 6)

March 2, 1999

Met with Dunlop.

MRU will be the point of contact with those requesting information from the Division.

Get what was already sent to Justice by Gilbert. Need to know every document.

Dunlop mentioned tagging system used by the attorneys downtown.

Dunlop said to check with Volkman who is handling the IAB side.

Additional Questions for Dunlop:

- 1) Are you looking for MRU to handle all outside request coming into the Division. EVEN THOSE THAT ARE OF JUST A GENERAL EVERYDAY NATURE THAT HAS NOTHING TO DO WITH THE CURRENT PIKE SITUATION?

MRU is the point of contact with Justice and Zueback. This is will a one on one situation.

- 2) Are you looking for every document that goes out to be numbered?
YES

3) Are you looking for every a number applied to those documents going out with a copy of the numbered document be maintain in a file of documents that have been sent out to someone?

YES

4) What do you mean as "catagorize" or do you mean catalogued or recorded?

INDEX

I spoke with **AI S** and learned that noting has gone to Zubeck. AI gave a synopsis presentation to Z and Stone.

I spoke with **Meddis** and learned that Summary Sheets and transactions numbers pertaining to discrepancies of Hogan and Kenna pertaining to Race, Warnings, Undocumented Searched were given to Z, Stone, Gerow and Grenau. They have also asked for videos of Race interviews.

March 4, 1999 - Thursday

MAY BE AN IDEA TO DEVELOP A RECEIPT FORM IN EXCEL AND THESE SHEETS COULD BECOME THE SOURCE DOCUMENTS FOR A DATA BASE.

Went to Print Shop and Purchasing and learned the Division had just attended a demonstration of a copier that would copy both sides of a document and apply a number to both sides. The machine would also copy the document to a computer disk.

Currently the machine had to be approved by Treasury. Also the machine can not be rented. It must be purchased. The vendor is in the process of putting together a proposal. Purchasing called the vendor to get an eta on the proposal and to see about getting a demo machine.

March 4, 1999 - Thursday

Spoke with the following ref assignement with negative results:

John Burke
Gary Holmberg
Keith Vona

Also spoke with Dunlop and learned we are a one to one contact with Z and Justice. Every document to be numbered. Second copy to be maintained by Division. He could not answer my question if we had to protect the origingal document for a future court proceeding.

March 5, 1999 - Friday

Spoke with Rodger Schwab
Allister Business Systems

(732)972-8400

Machine run in price from 6 to 22,000 depending on the capacity and capabilities.
Will apply a sequential number as well as an account number.
Asked about unusual shaped documents such as a summons.

Contacted
Jim Campbell - No
Gary H -
Al Seq - Yes
Al Pugnet -
Keith Vona -

Later in the day spoke with Rodger again and learned the machine does not save the document to a disk. Spoke with Miriam and learned that if you document is on a disk the machine will read the disk and make a hard copy for you. I call all of the above and informed them of the new information and all remained interested in still looking at the copier.

Rodger said he would have a Les Aromi (female) call me. If we wanted to save a copy to a disk this would be another type of equipment (optical Scanner?). Paul mentioned if documents are scanned would someone then have the ability to change the document?

She also gave me the number of Brain Bullock (215)489-8540 who is with **Minolta** and I left a message with his machine.

Spoke with **Earnie Volkman** and he stated he heard is was involved as a contact person but no one has said anything to him.

March 9, 1999

Tom, Tom Gilbert and I met with Rodger Shwad of Allister Business and Brian Bullock of Minolta at the Mtl Laurel office of Allister.

Machine has the capacity of number up to 999 pages will 1 million in the near future.

Could charge the print jobs up to 1000 accounts. This account number would not appear on the copy.

Prints 62 pages per minute. Digital copies run anywhere from 20 - 135 copies per minute.

Machine has the capacity to:

Staple in multiple positions.
Punch hole in an unlimited number of copies.
Fold long sheets.
Take a 8 ½ X 17 and fold in half to make it look like a book.
Clean up margins up to 3/4 inches around the entire document.

Machine copies by scanning the entire document into the hard drive and then prints from the hard drive. Standard machine can scan 200 pages into memory with a 400 and 500 page options. **Many current machine can handle 100 sheet feed. If you had a 250 page document you would have to do 100, 100, 50. If you wanted 2 sets you would have to do this again. With this machine you could scan in the 250 documents and then just print 2 sets.**

Machine makes the paper size selection automatically.
Machine feed and be loaded with a max of 3800 pages with an additional 3400 attachable source for a total of 7200 pages.

Machine can be attached to a network. From your computer you can set up a print job the same as if you were standing at the machine.

For confidential information, you could also send a job to print from you computer with a pass code and enter the pass code when you go over to the machine to pick up the work and the work will not print until you get there.

For confidential reports you can put a numbered water mark on each page of the report and each report will have a different number which you could assign to the person receiving the report.

March 10, 1999 - Wednesday

Called Maryland SP (410)486-3101 , Col office transferred me to Field Operations. Spoke with Sgt David Perry (Col Grable was in DC). Perry transferred me to Internal Affairs Captain Steve Moyer (410)298-3151. Moyer stated the form is the result of a court agreement to collect data on searches only. It is not used to record all stops. Moyer stated the form is used by the troopers state wide and is MSP 130.

March 10, 1999 - Wednesday

Spoke with Sgt. Bickerstaf of the Chiefs office (412)255-2814 who also does recruiting (BF). We had a conversation. She gave me the name of Lt. Preik who is the Consent Decree Compliance Officer (412)255-0940. Preik was off and I spoke to Off. Jim Bassano (412)255-0719 who stated they fill out a mandated form for all traffic stops and all searches. He stated they also fill out a use of force report. He said he would fax in the morning and I asked if it could be done today and he said he would have to talk with the commander. I gave him the fax number, my number and Dunlop number.

March 11, 1999 - Thursday

Received information from Pittsburg.

Gave modifications and information from Maryland and Pittsburg to Jim C.

March 11, 1999 - Thursday

Met with Dunlop and Gilbert and learned that the Division is to pull all reports that were statistical in nature.

Also mention that Z recognizes that the Bates stamp is no longer sufficient and they are also looking into an alternative system. Asked Dunlop for our contact in Z office for pursuing the new system.

Later received call from Stella who gave me the following Nora Schassenger 984-4498.

March 12, 1999 - Friday

Spoke with Gary H and learned that come July CJRB will be initiating an imaging project.

Also there is now a state standard for imaging and the company being used is File Net. Currently it looks like the state would want you to try and piggy back on the Treasury system and the agency would just have a scanner that is tied into the Treasury System.

If this is not possible to piggy back on Treasury they want you to still use the File Net system.

March 15, 1999 - Monday

Tim, Tony Ritter and I along with Nora and ? Of CJ met with Les Maroni at the Mt Laurel office

Worm Disk can store up to 100,000 per disk.

Can capture Hard documents, sound, digital.

Can retrieve by Indexed field and subject.

The fields used for indexing can be automatically picked up from the scanned form.

System has the following functions:

Input

Storage

Retrieval

Reproduction

Forms of storage:

CD - CD has to be sent out to be burned into the disk.

Optical - 5.2 Gig

Magnetic - Hard Drive or a Zip Drive

Worm - most legal - not alterable.

The will help us build search criteria for finding information once it is scanned into the system.

The fields are picked up from the scanned document.

The scanner can assign numbers to the documents.

Can scan 36 sides per minute for \$16,000.

50 sheet feeder with a

March 16, 1999 - Tuesday

Gilbert, Manney, Fedorko, Tim, Dunlop, Volkman

Volkman seemed to be online.

Dunlop stated need to :

- 1) Number documents
- 2) Control Documents
- 3) Marry document distribution to a specific request.

Mentioned Mike Cole who Tim surmised represents the SP against the Davis 13 said Environments Prosecution processes an enormous amount of documents.

MRU WILL BE THE POINT OF CONTACT WITH:

JUSTICE

CJ

ANY OTHER REQUEST CONCERNING THIS SITUATION.

Tim spoke of the technologies we are looking at.

MAKE SURE WE COORDINATE WITH ZUBECKS PEOPLE.

Later in the Day

Lynch, Toth, McNaulty, Madden, McPartland, Butz, Cartwright, Cmapbell, Gilbert

Need to capture Race in all situations.

CAD system of ffuture RMS will capture info. Frank McNaulty said it will be up and running by the end of the calendar year.

Dunlop would like CAD to capture all consent search info.

Handwritten documents can not be searched on once scanned.

Part of the problems is not being able to write warning for speeding. You stop someone for speening and the trooper fills out a false warning. We must train troopers to write a summons or warning for every stop.

Madden - consent to search should include Hotel/Motel. This will prove groups that are dealing in particular types of drugs.

Again it was stressed that the troopers must take some type of enforcement action on a stop, either a summons or a warning.

CALL MARYLAND AND PITTSBURGH TO SEE IF THERE IS ANY FORM WHICH INDICATED THE REASON FOR THE STOP.

ALSO CALL STUBENVILLE, OHIO FOR INFORMATION.

The situation of Steve Long asking for information came up. Hagarity mentioned we are not in the budget process and is concerned by they want the information. Frank McNaulty mentioned Fedorko agreeing to provide information to Long. Dunlop wanted to know if it was a Zubeck request made through Dept Admin people.

March 17, 1999 - Wednesday

Called Bill Flahive about a numbering system. Bill not in and I spoke with Larry Etzweiler. Did not see a problem with Stamping the original but suggested that I call Zubeck.

Also Larry mentioned a macro called Bates that will print out stickers for you. He gave me their MIS number 292-5660.

Spoke with Marylin and she explained the Bates macro in WP. Utilizes MACO Laser Ink Jet ML-8025 or Avery Denison #5267.

½ X 1 ¾ inches. 80 to a page.

Ctrl E to center the labels.

MIS help desk 292-5660

Macro

Play

C:\Macro

Called Sam Hunt 984-4881 who was referred by Harry Mcurdy who may know of the Bates macro. Sam will look into it for us. Sam called back and gave me the name of Mike Barry 633-2011. Mike Barry gave my request to a Kathy Kiernen-Mucha 777-3053 who E-Mailed me the file. On 3-25-99 I spoke with Kathy and she had no problem with Nora getting the file and offered to help Nora if she had a problem. Called Nora on 3-25 and notified her of this.

December 22, 1999 - Wednesday

Spoke with Kathy Kiernen-Mucha who stated the Bates program written in 6,0 has a problem with the SUM command in 9.0. I should change Sum to sump.

March 18, 1999 - Thursday

Spoke with Jim C and learned that Pat Reilly and Keith Vona worked on the Gloucester county case.

Simonetti coordinated the Davis 13 case.

Both may be sources of information.

Paul supervised the inmates with the clearing out of the room in building #2, moving in of furniture, acquiring of supplies, keys, logistics.

Tim and I worked out the logistics of processing the material.

Obtained the necessary labels from Dwyers

Spoke with DAG Mike LoGalbo 777-3676

He had a demo by Div of Law Francis Kaplin phonetic. This is a CRIS system with an optical scanner. Scans and provides an optical image. Optical Recognition does not handle handwritten information very well.

They are looking to developing a data base through scanning. He appeared to be apprehensive about the technology.

I asked about numbering the original document.

He recommended putting a sticker on the back or on the front if it does not hide any information.

I asked about securing the original document. He suggested making 2 copies with 1 copy in the custodians file. 1 copy and the original forwarded to division. MRU will maintain the original and forward the copy to Zoubek.

Spoke with Ken Lemonowicz at the Academy and informed him of the copying

requirements.

Spoke with Volkman reference the copying requirements. He mentioned he needed further clarification pertaining to the IAB files.

Spoke with Joe Brennan who was looking for clarification on assignment, Jim C out Volkman out so I faxed to Joe those items which I felt affected him.

March 19, 1999 - Friday

Earnie Volkman is out. Spoke with Roy Vantassel and learned the IAB information will not be available. They have a meeting scheduled with Z staff on Monday to work out the details due to the nature of the information.

Gilbert at Sea Girt teaching, I paged left a message with the Academy. No response.

Spoke with Mattos and Brennan and learned that their information will be finished copied today and made arrangements for Ken L to come to Division on Sat and will also be available to assist us.

System is breaking down already. Joe Brennan never saw anything in writing except for what I faxed to him. I informed Dunlop we need to have points of contact within each section. Some of the requests may go to a particular unit such as the Academy because of a course of instruction but the instruction was performed by someone from Field Operations who would have the lesson plans.

Tony Ritter stayed with us until 6:00 pm and wrote a Macro that turned added a bar code to the first Macro.

March 20, 1999 - Saturday

Tim Ken and I processed material from the Academy. Information was exactly the way we wanted it.

We feel if this is going to continue, it would be best to:

1. Have the unit pull their files.
2. Bring the files to Division.
3. Use the copy machine that would apply a sequential number.
4. Run 3 copies.

One for AG

One to be returned to the originating unit.

One for File with us.

5. Division would maintain a file of all of the originals for protection. Even though we would have the originals we would still run a copy for us because the copy would have the sequential number on it for searching purposes.

March 21, 1999 - Sunday

Tim Paul and I worked on the Academy information.

March 22, 1999 - Monday

Called Mike Lo at AG for making arrangement for getting him the information. Left a message on his machine.

Called **Stubenville Ohio PD** (740)282-5353 and spoke with Tom Ferrell - Policy Coordinator (740)283-6111. Stubenville in a 60 person force.

Chief was not in and Capt Sweeney also out.

Ferrell returned my call. 18 months ago went through a 2 year investigation around Illegal searches, arrests, brutality and racism.

Found there was no racism, they were required to establish an internal affairs unit, and redevelop inadequate policies.

1) As a result they now have a FIELD CONTACT FORM.

As a result of a Terry Stop (suspicion of criminal activity) Just a pat down. If beyond a Terry there is a CONSENT TO SEARCH FORM.

2) If there is a normal arrest and contrband is found a FIELD CONTACT FORM (Arrest and Seizure)

3. All traffic stops are documented.

Modeled after Pittsburg. The consent decree for Pittsburg and Stubenville are not the same. There are some differences.

Columbus Ohio is on the verge of signing a consent.

Stubenville has been contacted by Poekeepsie (phonetic) NY Sgt Freer.

Also as a result of this Stubenville has purchased a CAD system from. Spillman of Utah. This system gives you the opportunity to tie many organizations together fire, police, jails etc into the same system..

CONSENT TO SEARCH FORM

Ferrell has just gotten back from attending school on Community Policing and was not previously available to me. He emailed me his forms but I was unable to open them up do to programs I do not have. As of 3-23-99 I emailed them to Tom Coppola who has additional resources.

March 30, 1999

Spoke with Ferrell again and he said he would get it out within a couple days. I stressed the importance and he said he had it on a disk. I asked him to email it to me. He said he just got back. I called the chief to circumvent Ferrell but Ferrell was sitting on that phone today.

April 4, 1999

Spoke with Capt Sweeney and he said he would e-mail me a copy within ½ hour. He also mentioned that the Feds are spread out so thin that he believes PD's will see a canned Consent Decree in the future. Was very helpful. I mentioned to him I have been in contact with Ferrell.

March 22, 1999 - Monday

Delivered to Mike LoGalbo the lesson plans for the 188 SP Class.

March 23, 1999 - Tuesday

Tim and I spoke with Volkman and learned that they met with Wayne Fisher. LoGalbo was suppose to be there but was in court. They went through the IAB process and it was decided to give them copies of the request information which would not include attachments. The originals would remain in Internal Affairs.

We spoke of the need to assign numbers to the documents and Volkman mentioned that IAB has their own numbering system which is afixed to every document in the IAB file and that is how documents are filed. I also mentioned this to Jim C and he concurred.

Spoke with Chad. Al S was in Sea Girt. I mentioned I wanted to talk with Al reference in making sure the documents comming from Al was going to be numbered.

March 23, 1999 - Tuesday

Spoke with Nora and learned she has not gotten any direction from Z. On 3-19 they saw a Cannon demo in Burlington (at the Bridge) Copier was not digital but did 120 pages per minute. Cannot be connected to a network. Paul Maze (phonetic).

9100 series

600 series

Nora was more impressed with Cannon then the Minolta.

Nora also saw the Xerox but it was out of sight in price. \$120,000.

Cannon cost about \$80,000 for their top of the line.

March 23, 1999 - Tuesday

Cartwright, Kevin Moore, Butz, Butts, Toth, Serrao, Madden

It was not asked for but I should get a copy of the Consent Decree from Pittsburgh and Stuebenville.

Per Kevin Moore Steve Long spoke to Gary H as to what our query capabilities are and this information was forwarded to Long via Fedorko (this is the information that Frank McN brought down to us). AS OF THIS DATE THEY HAVE NOT RECEIVED ANY INFORMATION. They seemed satisfied as to what they can get from the system when needed. Division will provide the information and THEY WILL NOT GET THE

FILES IN THE ENTIRITY.

GET IN TOUGH WITH LOGALBO AND WORK OUT THE EXCHANGE OF INFORMATION WANTED BY LONG.

I spoke with Capt Butts and we are in agreement that any information regardless of the type should come from LoGalbo and the excahange back will be from me to LoGalbo.

March 23, 1999 - Tuesday

Spoke with Rich Toth to see if they would be interested in the forms obtained from Pittsburg Maryland and Steubenville. He said no at this point they have already developed their forms and are into capturing the information.

March 23, 1999 - Tuesday

Spoke to Cappola and he was able to bring up the attachements in Word. He was unable to bring up WARNING FORM.J because of the extension. Also he stated because we are using windows 3.11 and not 95 we would not be able to open the attachments.

March 24, 1999 - Wednesday

Tim and I delivered majority of Gilbert information to LoGalbo.

March 24, 1999 - Wednesday

Also learned that MRU would also track additional request which will go out to those other than CJ and Justice. Request from NJ Legislative Black and Latino Caucus.

March 25, 1999 - Thursday

Learned that a request from Justice was forwarded to Zoubek who in turn forwarded to Fedorko. This request will be coordinated by Manney.

Met with Manny and explained the procedure to him. I also suggested that he get in touch with Gilbert to determine like items in the CJ and Justice requests.

March 25, 1999

Spoke with Jim Bassano who will send me a copy of the Consent Decree from Pittsburgh. He mentioned that an auditor comes in and does a quarterly report. He also mentioned the Consent decree if for the whole city not just the PD. He also mentioned an early warning system which was also mention in the Justice letter to Zoubek. He said he would have the Lt who is the compliance officer call me.

March 26, 1999 - Friday

Spoke with Jim C and Gary. Dunlop has given the OK for Gary to forward the information directly to Steve Long. Gary understands that he is to forward the information to MRU first for processing.

March 26, 1999

Delivered Processing the shit that hits the fan. d documents to LoGalbo.

Gary delivered his documents to Long.

Spoke with Flahive and informed him we would have his documents by Monday, no problem.

March 29, 1999 - Monday

Delivered information to Bill Flahive at noon.

March 30, 1999 - Tuesday

Attended the Intelligence analytical weekly meeting and with 2 weeks they will have the 97,98 data within 2 weeks. Getting 96 is a problem and will take longer.

CJ looking int Pittsburg and Steubenville consent decrees.

Gilbert to look into other states stats on I95 - Maryland and DEA.

Steve Serreo getting copying training material received from DEA and EPIC.

Haggarty getting Esquire article on Driving While Black.

Future consent decree will probably cover Training, Dicipline, Recruiting.

MRU TO GET CONCSENT DECREES FROM PITTSBURG AND STEUBENVILLE AND COME UP WITH WHAT WILL BE EXPECTED OF US.

May 27, 1999 - Thursday

While at In service Joe Brennan mentioned 18 committees working on the Z Report. Later in the day recd call from Tim who recd call from Leon ref working with his group on the Early Warning System. I told Tim to tell Leon cur involvement was obtaining contacting Stuenbville and Pittsburgh for their consent decrees.

At In Service I spoke with Tom Gilbert about MRU involvement and he heard something about it. I also spoke to Jim C and he heard nothing.

On June 1 I stopped by to see Leon on another matter and Leon was having a meeting with John Schroath and they were discussing the Early Warning System and John mentioned our involvement and showed me the game plan dated April 20. This was the first I heard of MRU involvement and we are already 40 days into the 120.

VARIOUS WEEKLY MEETING

In some cases there was PC but the trooper also asked for a consent as extra protection for the trooper.

Butt - Traffic Stop Report, 300,000 stops per year. Most of the information

needed for is captured through CAD. We should add additional fields to CAD to eliminate work load which would be required if CAD did not contain these fields.

During 1996 - 156 Consensual Searches

During 1997 - 470 Consensual Searches

Intelligence is reviewing the lab reports for Positive Searches and creating a data base. They are also creating a template for gathering the indicators for the justification of the search.

It was also suggested to examine Negative Searches for the capture of the indicators.

PC Search - Black and White

Consensual Search - Discretionary

Consent searches are discretionary and Suswine feels we are asking for a disappropriate amount of consents.

Dunlop stated A.G. has a concept for an Early Warning System but no actual design.

Serao stated personnel will be needed to query and analyze CAD information.

Proposal was sent to Bloom for an analytical unit within IAB or R&I and this was shot down.

Trooper slow down is going to cause problems with the numbers. Also the reluctance of the troopers to stop minorities not will cause a problem with the numbers.

Time of the day is important.

Day - commuters, white

Night - blacks

If stops require the recording of the speed, attorney could ask for all stopin in excess of X mph, and ask who was given warnings and who was given a summons.

June 8, 1999 - Tuesday

analytical meeting

For the quantiitive amount of drugs siezed you have to go to the lab reports.

Dunlop - Focus on the Consents.

97 Positive Consents

1) What lead to ask for the consent and?

2) What were the results of the consent?

Request Index

<u>Request</u>	<u>Date of Request</u>	<u>Person Making Request</u>	<u>Title</u>	<u>Agency</u>
Initial Memo	3/2/99	Paul H. Zoubek	Director	NJ Division of Criminal Justice
Z1	3/15/99	Paul H. Zoubek	Director	NJ Division of Criminal Justice
F1	3/24/99	William Flahive	DAG	Office of the Attorney General
DJ1	3/24/99	Steven H. Rosenbaum	Chief	Litigation Section, Civil Rights Division, U.S. Department of Justice
SL1	3/25/99	Steve Long	Director	Data Processing & Facilities Management, NJ Office of Attorney General
Z2	4/6/99	Paul H. Zoubek	Director	NJ Division of Criminal Justice
BM1	5/1/99	Bill Meddis #3208	Lieutenant	NJSP, Internal Affairs Bureau
Z3	6/10/99	Paul H. Zoubek	Director	NJ Division of Criminal Justice
F2	7/16/99	William Flahive	DAG	Office of the Attorney General
H1	9/9/99	Paul Heinzl	DAG	NJ Division of Criminal Justice
H2	11/9/99	Paul Heinzl	DAG	NJ Division of Criminal Justice

Request Index

<u>Request</u>	<u>Date of Request</u>	<u>Person Making Request</u>	<u>Title</u>	<u>Agency</u>
Z4	12/15/99	Paul H. Zoubek	FAAG	NJ Division of Criminal Justice
D1	1/21/00	DeCotiis		DeCotiis Law Firm
C1	2/7/00	Martin Cronin	AAg, Director, State Police Affairs	Office of the Attorney General
H3	2/24/00	Paul H. Heinzel	DAg, Special Assistant to the Director	NJ Division of Criminal Justice
H4	3/22/00	Paul H. Heinzel	DAg, Special Assistant to the Director	NJ Division of Criminal Justice
D2	3/24/00	Dr. Goldstein	Statistician	DeCotiis Law Firm
C2	4/24/00	Martin Cronin	AAg, Director, State Police Affairs	Office of the Attorney General
C3	4/26/00	Martin Cronin	AAg, Director, State Police Affairs	Office of the Attorney General

Request Index

<u>Request</u>	<u>Date of Request</u>	<u>Person Making Request</u>	<u>Title</u>	<u>Agency</u>
C4	4/27/00	Martin Cronin	AAG, Director, State Police Affairs	Office of the Attorney General
LTC1	5/22/00	LTC R.D. Dunlop	Deputy Superintendent	State Police


DATE	FROM	TO	SUBJECT
4/13/99	Major K. McPartland Supervisor, Intelligence Services Section Via Lt. Col. R. M. Dunlop Executive Officer	Lt. J. Guida Supervisor, Management Review Unit	DIVISION OF CRIMINAL JUSTICE REVIEW/SECTION COORDINATORS

DSFC Robert Wallace has been selected to be the Division of Criminal Justice Review/ Section Coordinator for the Intelligence Services Section.

For your information.

STATE POLICE 101-S

0102047

DATE	FROM	TO	SUBJECT
03/30/99	LTC. M. Fedorko Acting Superintendent  c: Lt. Bruncati Lt. Guida Lt. Cosgrove Lt. Manney DSFC. Campbell	LTC. R. Dunlop Executive Officer Major V. Modarelli S&T Section Major K. McPartland Intelligence Services Section Major T. Davies EMS Major B. Roberson Administration Section Supervisor Major J. Mattos Division Staff Section Captain F. McNulty R&I Section Captain L. Cartwright Field Operations Section Captain F. Madden Investigations Section	<p align="center"><u>DIVISION OF CRIMINAL JUSTICE REVIEW / SECTION COORDINATORS</u></p> <p>In an effort to facilitate the exchange of information between the Division of State Police, the Division of Criminal Justice Review Team, and the Department of Justice each section will appoint a section coordinator. Names of the coordinators will be forwarded to the Management Review Unit.</p> <p>Requests for information may span multiple units and bureaus within a section. Requests may also span sections. Section Coordinators will ensure the timely processing of requests by working in conjunction with each other.</p> <p>All requests for information by the Division of Criminal Justice Review Team or the Department of Justice will be made through the Management Review Unit.</p> <p>All information gathered for the Division of Criminal Justice Review Team or the Department of Justice will be forwarded to the Management Review Unit in duplicate. Management Review will record, index and forward the information to the Division of Criminal Justice point of contact.</p> <p>The following format will be utilized when submitting information to the Management Review Unit.</p> <p>CONTINUED ON PAGE 2</p>

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STATE POLICE 101-S

GC 003437

SP 126531

DIVISION OF CRIMINAL JUSTICE REVIEW / SECTION COORDINATORS

DO NOT STAPLE ANY DOCUMENTS

1. An **Original** set of documents will be grouped by item.

A separate manila folder will be used for each item.

The unit providing the information will assign a sequential number to each item and record the sequential number on the front of the manila folder.

The assigned sequential number along with a description of the item will be recorded on the attached receipt form.

The complete set of **Original** Documents will be forwarded to the Management Review Unit.

2. A **Copy** set of documents will also be grouped by item.

A separate manila folder will be used for each item.

The same sequential numbering system will be applied to the **Copy** set.

The **Copy** set will also be forwarded to the Management Review Unit.

3. The State Police unit providing and delivering the requested documents may be required to provide an individual, preferably the individual filling the request, to assist with the processing of their documents.

4. The unit will also maintain their own set of copies to replace the **Originals** forwarded to Management Review.

For your information and compliance.

Sequential Item #	Description	Management Review Use Only		
		Req. #	Page	Box

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SP Provider:

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New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
3/29/99	Captain Roy Van Tassel, Jr., Bureau Chief, Internal Affairs Bureau	Captain Ernest J. Volkmann, Assistant Section Supervisor, Division Staff Section	INTERNAL AFFAIRS BUREAU DOCUMENTATION PROVIDED TO THE UNITED STATES DEPARTMENT OF JUSTICE/CIVIL RIGHTS DIVISION

As per the correspondence from Steven H. Rosenbaum, Chief, Special Litigation Section, United States Department of Justice, Civil Rights Division, to Mr. Paul H. Zoubek, First Assistant, New Jersey Attorney General's Office, dated March 24, 1999, the following attached documentation is provided:


* SEE ATTACHED RECEIPT PAGES.....

STATE POLICE 101-S

JUSTICE #4

DATE	FROM	TO	SUBJECT
3/31/99	Captain L. L. Cartwright Acting Field Operations Officer <i>JL</i> <i>RNT</i> via Lt. Colonel R. D. Dunlop Executive Officer	Lt. J. Guida Management Review Unit via Lt. Colonel Michael A. Fedorko Acting Superintendent	<u>DIVISION OF CRIMINAL JUSTICE</u> <u>REVIEW/SECTION COORDINATORS</u> The coordinator for the Field Operations Section will be Lt. John R. Tironi #2720, Field Operations Office, Extension 2215.

att.
102047

DATE	FROM	TO	SUBJECT
03/30/99	<p>LTC. M. Fedorko Acting Superintendent</p>  <p>c: Lt. Bruncati Lt. Guida Lt. Cosgrove Lt. Manney DSFC. Campbell</p>	<p>LTC. R. Dunlop Executive Officer</p> <p>Major V. Modarelli S&T Section</p> <p>Major K. McPartland Intelligence Services Section</p> <p>Major T. Davies EMS</p> <p>Major B. Roberson Administration Section Supervisor</p> <p>Major J. Mattos Division Staff Section</p> <p>Captain F. McNulty R&I Section</p> <p>Captain L. Cartwright Field Operations Section</p> <p>Captain F. Madden Investigations Section</p>	<p><u>DIVISION OF CRIMINAL JUSTICE REVIEW / SECTION COORDINATORS</u></p> <p>In an effort to facilitate the exchange of information between the Division of State Police, the Division of Criminal Justice Review Team, and the Department of Justice each section will appoint a section coordinator. Names of the coordinators will be forwarded to the Management Review Unit.</p> <p>Requests for information may span multiple units and bureaus within a section. Requests may also span sections. Section Coordinators will ensure the timely processing of requests by working in conjunction with each other.</p> <p>All requests for information by the Division of Criminal Justice Review Team or the Department of Justice will be made through the Management Review Unit.</p> <p>All information gathered for the Division of Criminal Justice Review Team or the Department of Justice will be forwarded to the Management Review Unit in duplicate. Management Review will record, index and forward the information to the Division of Criminal Justice point of contact.</p> <p>The following format will be utilized when submitting information to the Management Review Unit.</p> <p>CONTINUED ON PAGE 2</p>

112047
STATE POLICE 101-S

DIVISION OF CRIMINAL JUSTICE REVIEW / SECTION COORDINATORS

DO NOT STAPLE ANY DOCUMENTS

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3. The State Police unit providing and delivering the requested documents may be required to provide an individual, preferably the individual filling the request, to assist with the processing of their documents.

4. The unit will also maintain their own set of copies to replace the **Originals** forwarded to Management Review.

For your information and compliance.

RECEIPT

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		Req. #	Page	Box

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New Jersey State Police

Interoffice Communication

Date	From	To	Subject
4-6-99	Major V. Modarelli S & TS Officer via Lt. Col. M. Fedorko Acting Superintendent	Lt. J. Guida Mgmt. Review Unit Supervisor via Lt. Col. R. D. Dunlop Executive Officer	DIVISION OF CRIMINAL JUSTICE REVIEW/ SECTION COORDINATOR

Please be advised that Sgt. H. Brigham, S&TS Administration Unit, extension #2696, will be the section coordinator for the exchange of information between the Division of State Police, the Division of Criminal Justice Review Team, and the Department of Justice.

For your information.

0102047

ULM Mental Control Log

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1	Special School	1-50	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
2	11th SIF Schedule	51-90	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
3	Academy Orders	91-176	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
4	Accident Investigation	177-318	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
5	Arrest Problems	317-382	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
6	Biological Pathogens	363-388	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
7	BP/PAP	390-664	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
8	3C	665-738	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
9	CAD	740-742	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
10	Care of Equipment	743-749	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
11	Child Abuse	750-766	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
12	Communications	788-825	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
13	Community Exp. I	828-878	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
14	Constitutional Issues	878-1039	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
15	Community Policing	1040-1074	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
16	Court Room Testimony	1075-1091	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
17	Crim Reporting	1092-1110	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
18	Crim Scene	1111-1153	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
19	Cultural Diversity	1154-1177	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
20	Courtney, Respect, Professionalism	1178-1192	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
21	Defenses Driving	1183-1220	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
22	Defenses Traffic	1421-1453	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
23	Defenses Policies & Procedures	1454-1491	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
24	Domestic Violence	1493-1544	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
25	Driver Training	1545-1617	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
26	Driver	1618-1676	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
27	DWI	1677-1690	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
28	Environmental Offense	1691-1803	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
29	Evils	1804-1828	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
30	Field Search	1831-1846	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
31	Flowerbedding	1847-1810	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
32	Firearms	1811-2042	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
33	First Responders - 3rd District	2043	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
34	Handoff/Off	2044-2061	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
35	Handling People with Special Needs	2062-2106	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						
36	Handling Prisoners / Status of Prison	2107-2137	Training Bureau	SFC Kenneth C. Lemnopolc #3029																						

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38	Interview and Interrogation	2185-2190	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
39	Introduction to CJIS	2181-2187	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
40	Introduction to Physical Training	2189-2279	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
41	Juvenile Justice	2220-2316	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
42	Language and Communication	2319-2384	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
43	Manual Direction of Traffic	2385-2379	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
44	Meyers Law	2340-2392	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
45	Milky Dill	2383-2413	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
46	Occupant Protection	2414-2424	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
47	P. R. - 24	2425-2492	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
48	Prejudice and Discrimination	2483-2484	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
49	Preventing Hostile Work Environment	2485-2530	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
50	Post Traumatic Stress	2531-2547	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
51	Psychology of Assaults	2548-2561	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
52	Physical Training Lesson Plan	2562-2579	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
53	Physical Driving	2580-2818	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
54	Rules and Regulations	2819-2842	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
55	Self Defense - Bolding	2843-2887	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
56	Search of Vehicle	2888-2892	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
57	Self Police Organization	2893-2794	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
58	Specialty for Law Enforcement	2725-2727	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
59	Specialty in Police Work	2728-2738	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
60	Stafida	2739-2802	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
61	Theories of Traffic Administration - Law and Enforcement Theory	2803-2818	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
62	Traffic Violator	2819-2024	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
63	Wine Safety	3005-3070	Training Bureau	SFC Kenneth C. Lemmonick #2079	546																					
64	Witness in Gloucester County Case	3071-3073	Division Services Unit	SFC Thomas R. Gilbert #2635	24																					
65	Witness Information Used to Complete Form #1	3074-3115	Division Services Unit	SFC Thomas R. Gilbert #2635	24																					
66	Witness in Berwyn Station Summer Army	3116-3121	Division Services Unit	SFC Thomas R. Gilbert #2635	24																					
67	Witness Ref. 4/2/98 Meeting with R. E. Perryville Station Letter from Huntington Co. Prosecutor's Office Ref. Perryville Cases	3122-3123	Division Services Unit	SFC Thomas R. Gilbert #2635	24																					
68	Witness Ref. 4/2/98 Preliminary Statistical Data Perryville Station	3124-3132	Division Services Unit	SFC Thomas R. Gilbert #2635	24																					
69	Witness Ref. 5/18/98 IAB Audit of Road Log of Various Stations	3133-3137	Division Services Unit	SFC Thomas R. Gilbert #2635	24																					
70	Witness Ref. 5/18/98 IAB Audit of Road Log of Various Stations	3138-3144	Division Services Unit	SFC Thomas R. Gilbert #2635	24																					
71	Witness Ref. 6/4/98 IAB Audit of Road Log of Various Stations	3145-3153	Division Services Unit	SFC Thomas R. Gilbert #2635	24																					
72	Witness Ref. 6/7/98 IAB Ref. Mercer Co. Sensitive Prosecution	3154-3156	Division Services Unit	SFC Thomas R. Gilbert #2635	24																					
73	Witness Ref. 10/20/98 Macerom Station Audit	3159-3166	Division Services Unit	SFC Thomas R. Gilbert #2635	24																					

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74	Information Request From DOJ via AG on 1/24/96	3189 - 3189	Division Services Unit	SFC Thomas R. Gilbert #3535																				
75	IOC, dated 1/8/97, Re: Logical Access Over DOJ Request	3170 - 3172	Division Services Unit	SFC Thomas R. Gilbert #3535																				
76	Report to Cdr. Re: Partial Analysis of Data & Recommendations	3173 - 3176	Division Services Unit	SFC Thomas R. Gilbert #3535																				
77	Supra/7 - From FOS to Supr. Re: Initiation of Stop Consent Monitoring	3177 - 3180	Division Services Unit	SFC Thomas R. Gilbert #3535																				
78	IOC, dated 4/28/97, DOJ Data Request (DM)	3181 - 3181	Division Services Unit	SFC Thomas R. Gilbert #3535																				
79	5/28/97 Interstate/Highway Offenses Report 185/1998 Forwarded to Maryland SP	3182 - 3214	Division Services Unit	SFC Thomas R. Gilbert #3535																				
80	Microfilm & Century Radio Log, Consent, & PC Synopsis 5/97	3215 - 3222	Division Services Unit	SFC Thomas R. Gilbert #3535																				
81	7/18/97 Report to Supr. Re: Analysis of Bureau Data	3223	Division Services Unit	SFC Thomas R. Gilbert #3535																				
82	7/18/97 Report to Supr. Re: 4/97 and 1/97 Activity in Microfilm & Century	3224	Division Services Unit	SFC Thomas R. Gilbert #3535																				
83	IOC, dated 8/24/97, Lab Audit of Stop @ Necess Station	3225 - 3227	Division Services Unit	SFC Thomas R. Gilbert #3535																				
84	IOC, dated 10/6/97, Lab Audit of Stop @ Baltimore Station	3228 - 3230	Division Services Unit	SFC Thomas R. Gilbert #3535																				
85	IOC, dated 2/20/98, Six Month Assessment of Enforcement Activity @ Century and Moorestown	3231 - 3233	Division Services Unit	SFC Thomas R. Gilbert #3535																				
86	7/23/98 Report to DAG Bowser Re: Pending DOJ Requests	3234 - 3238	Division Services Unit	SFC Thomas R. Gilbert #3535																				
87	IOC, dated 1/27/98, Re: Initiation of Stop On Period Charts	3237	Division Services Unit	SFC Thomas R. Gilbert #3535																				
88	IOC, dated 1/25/98, Six Month Assessment of Enforcement Activity @ Century & Moorestown	3238 - 3240	Division Services Unit	SFC Thomas R. Gilbert #3535																				
89	IOC, dated 10/9/97, Six Month Assessment of Enforcement Activity @ Century & Moorestown	3241 - 3242	Division Services Unit	SFC Thomas R. Gilbert #3535																				
90	IOC, dated 2/1/99, Field Ops Statistics for 1998	3244 - 3245	Division Services Unit	SFC Thomas R. Gilbert #3535																				
91	10/8 to 10/9 Six Month Assessment of Enforcement Activity @ Century & Moorestown	3246 - 3254	Division Services Unit	SFC Thomas R. Gilbert #3535																				
92	Major Vehicle Stop Rate Data for Troop 'D'	3255 - 3257	Division Services Unit	SFC Thomas R. Gilbert #3535																				
93	2/23/98 Synopsis/Video Procedures	3258 - 3260	Division Services Unit	SFC Thomas R. Gilbert #3535																				
94	Search & Seizure Event Flow	3261 - 3266	Division Services Unit	SFC Thomas R. Gilbert #3535																				
95	Troop 'D' Chapter 97-36	3267 - 3274	Division Services Unit	SFC Thomas R. Gilbert #3535																				
96	Statistical Analysis - Troop M. Clifford	3275 - 3286	Division Services Unit	SFC Thomas R. Gilbert #3535																				
97	Assigned Gangling 94-38 Turnpike Records	3287 - 3296	Division Services Unit	SFC Thomas R. Gilbert #3535																				
98	IOC 11/23/98 Six Month Assessment of Enforcement Activity @ Century & Moorestown	3297 - 3298	Division Services Unit	SFC Thomas R. Gilbert #3535																				
99	TT 3/20/98 Re: 9810	3299 - 3281	Division Services Unit	SFC Thomas R. Gilbert #3535																				
100	IOC, dated 3/24/98, Re: Gloucester Co. Supervision	3282 - 3288	Division Services Unit	SFC Thomas R. Gilbert #3535																				
101	IOC, dated 3/23/98, Re: Documentation of Patrol Activity	3287	Division Services Unit	SFC Thomas R. Gilbert #3535																				
102	IOC, dated 4/17/98, Re: Retention of Patrol Charts	3289	Division Services Unit	SFC Thomas R. Gilbert #3535																				
103	IOC, dated 4/17/98, Fiscal Profiling Issues	3289 - 3273	Division Services Unit	SFC Thomas R. Gilbert #3535																				
104	IOC, dated 4/28/98, Compliance With 8.O.P. F3	3274	Division Services Unit	SFC Thomas R. Gilbert #3535																				
105	IOC, dated 2/27/87, DOJ Inquiry Re: Profiling Allegations	3275 - 3278	Division Services Unit	SFC Thomas R. Gilbert #3535																				
106	IOC, dated 3/23/97, Responses to DOJ	3280 - 3283	Division Services Unit	SFC Thomas R. Gilbert #3535																				
107	IOC, dated 4/8/97, Responses to DOJ	3284 - 3288	Division Services Unit	SFC Thomas R. Gilbert #3535																				
108	IOC, dated 1/27/98, Mandatory Listing of Fees & Sex on Patrol Ch	3289	Division Services Unit	SFC Thomas R. Gilbert #3535																				
109	NISP 8.O.P. F7	3290 - 3414	Division Services Unit	SFC Thomas R. Gilbert #3535																				
110	1/1/98 SPIRIT	3415 - 3418	Division Services Unit	SFC Thomas R. Gilbert #3535																				
111	2/23/98 Synopsis IOC Re: Rate Procedures	3419 - 3421	Division Services Unit	SFC Thomas R. Gilbert #3535																				

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112	OOJ Request For Information - 1/27/08	3422 - 3425	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
113	IOC, dated 1/29/07, DOJ Profiling Adoptions - Logical Concerns	3426 - 3428	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
114	Virtual Correspondence From OAG to DOJ	3429 - 3448	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
115	1/29/07 Memo: J. Eby - A. Wright	3449 - 3450	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
116	DM/Chemical Statistics 94-98 Crimery & Microchem Stations	3451	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
117	IOC, dated 1/15/07, Justice Dept. Inquiry Re: Profiling Adoptions	3452	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
118	IOC, dated 1/15/07, Justice Dept. Inquiry Re: Profiling Adoptions	3453	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
119	IOC, dated 1/17/07, Justice Dept. Inquiry Re: Profiling Adoptions	3454	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
120	IOC, dated 1/22/07, Justice Dept. Inquiry Re: Profiling Adoptions	3455 - 3458	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
121	2/29/07 Memo From Rowe - Weaver	3457 - 3459	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
122	IOC, dated 2/7/07, Search & Seizure Review Board Meeting 1/21/07	3460 - 3476	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
123	2/18/07 Memo Re: Lab Withdrawals of Criminal Records	3477 - 3481	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
124	Sample Data Shared By DOJ	3482	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
125	IOC, dated 3/26/06, Spacetime County Suppression Decision/DV Concerns & Potential Remedies	3483 - 3487	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
126	IOC, dated 3/27/06, Search & Seizure Training Update From Academy	3488 - 3489	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
127	IOC, dated 3/29/06, To ODU Re: Documentation of Patrol Academy/2450 Transmittal & Log#	3500	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
128	IOC, dated 4/12/06, Retention of Patrol Charts and R460 Log#	3501	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
129	IOC, dated 4/17/06, Recal Profiling Issues	3502 - 3506	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
130	IOC, dated 4/24/06, Preliminary Statistical Data 1/2/04/06/06 Co. Perryville Station	3507 - 3511	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
131	IOC, dated 4/26/06, Mandatory Compliance With All Provisions of S.O.A. #3	3512	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
132	IOC, dated 5/4/06, Inspection Audit Third Stage	3513 - 3521	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
133	IOC, dated 6/12/06, Mercer Co. Schedule Prosecution Motion	3522 - 3528	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
134	IOC, dated 10/11/06, Search & Seizure Meeting of 10/4/06	3527 - 3537	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
135	IOC, dated 11/1/06, Revision to S.O.P. X Re: Search & Seizure In-Service Training	3538 - 3544	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
136	IOC, dated 1/22/07, Incident Concerning The Division's Traffic & In-Service Training	3545 - 3547	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
137	IOC, dated 2/29/07, Incident Concerning The Division's Traffic & In-Service Training	3548 - 3564	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
138	IOC, dated 3/27/07, Justice Dept. Inquiry Re: Profiling Adoptions	3565 - 3569	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
139	Reports From NABP Academy, Re: 1996 & 1997 In-Service	3570 - 3573	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
140	5/27/07 Report to Colonel Williams Re: Training	3574 - 3575	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
141	IOC, dated 5/28/06, Working Group/Final Practices and Procedures	3576	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
142	IOC, dated 6/1/06, Highway Interdiction Training	3577 - 3581	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
143	Memo dated 5/21/06, Flyby to Veterans Re: Recal Profiling	3582 - 3589	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
144	S.O.P. F35 Motor Vehicle Search & Seizure (6/17/00)	3590 - 3601	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
145	S.O.P. F35 Motor Vehicle Search & Seizure (6/17/00)	3602 - 3608	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
146	S.O.P. F31 Consent to Search	3609 - 3617	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
147	IOC & S.O.P. 9A Organization - Station Commands 3/1/05	3618 - 3624	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				
148	Smith Training 1/11/09	3625 - 3627	Division Services Unit	SFC Thomas R. Gilbert #3335		24																				

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148	Operations Report & Instructions IOC, dated 10/7/98, Mandatory Listing of Race & Sex on Patrol Card	3628 - 3633	Division Services Unit	SFC Thomas R. Gilbert #3535		2																		
149	Charit	3634	Division Services Unit	SFC Thomas R. Gilbert #3535		2																		
150	Agreement Booklet Between State of New Jersey and State Trooper's Fraternal Association	3635	Division Services Unit	Capt. Ernest J. Vohmann #2547		5																		
151	Agreement Booklet Between the State of New Jersey and the State Trooper's Fraternal Association	3636	Division Services Unit	Capt. Ernest J. Vohmann #2547		5																		
152	Agreement Booklet Between State of New Jersey and the Superior Officers' Association	3637	Division Services Unit	Capt. Ernest J. Vohmann #2547		5																		
153	Special Report Detailing Annual In-Service 1998	3638	Division Services Unit	SFC Thomas R. Gilbert #3535		2																		
154	NISP Troop H Neurology Training	3639 - 3655	Division Services Unit	SFC Thomas R. Gilbert #3535		2																		
155	NISP O.I. Re: Neurology Training Troop Summary	3656 - 3683	Division Services Unit	SFC Thomas R. Gilbert #3535		2																		
156	IOC, dated 1/22/87, DOJ and Re: Profiling Allegations IOC, dated 6/22/87, U.S. D.O.T., Drug Interdiction Assistance Program	3684 - 3691 3692 - 3707	Division Services Unit Division Services Unit	SFC Thomas R. Gilbert #3535 SFC Thomas R. Gilbert #3535		2 2																		
157	IOI/NISP Neurology Training Troop	3708 - 3812	Division Services Unit	SFC Thomas R. Gilbert #3537		2																		
158	Superintendent Action Memo, dated 6/17/98	3813 - 3817	Division Services Unit	SFC Thomas R. Gilbert #3535		2																		
159	IOC, dated 5/27/98, to Colonel Williams from SFC Gilbert	3818 - 3823	Division Services Unit	SFC Thomas R. Gilbert #3535		2																		
160	NISP Search and Seizure Review	3824 - 3874	Division Services Unit	SFC Thomas R. Gilbert #3535		2																		
161	NISP Areas From 12/14/98 to 3/23/99 - Summary	3875 - 3878	Data Processing Services	Lt. Gary Habberg #3312		1																		
162	NISP Areas From 12/14/98 to 3/23/99 - Detail	3879 - 3884	Data Processing Services	Lt. Gary Habberg #3312		1																		
163	NISP Sammons From 12/14/98 to 3/23/99 - Summary	3885 - 3910	Data Processing Services	Lt. Gary Habberg #3312		1																		
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170	NISP Salary Review as of 3/23/99	4533	Office of the Superintendent	Lt. Robert A. Manroy #3418		7																		
171	Non-Restatement Information for the 8th by 114 SP Classes	4534	Office of the Superintendent	Lt. Robert A. Manroy #3418		6																		
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177	118th SP Class Trooper Coach Training Seminar	4618 - 4673	Office of the Superintendent	Lt. Robert A. Manroy #3418		1																		
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203-5b	Internal Invekt. Report 894-059E	4903 - 4912	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
203-5c	Advisory Board Findings ref. 84-059E	4913	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
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204-6d	Letter of Disposition to Julius Scott dated November 28, 1994, ref. 84-072H	4926	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
205-7	S.P. 251 Form ref. Internal Invekt. 894-118B	4927 - 4928	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
205-7a	Letter from Robert Livingston to Major C. Williams, dated May 26, 1994, ref. 84-118B	4929	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
205-7b	Letter from Cesar D. Ferrini to Congressman Livingston, dated May 20, 1994, ref. 84-118B	4930 - 4981	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
205-7c	Letter from Richard Baker to Fred Davessa, dated June 6, 1994, ref. 84-118B	4982 - 4983	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
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205-7i	Letter to Dr. Ferrini from Capt. Mingo dated April 12, 1995, ref. 84-118B	4982	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
206-8	S.P. 251 Form ref. Internal Invekt. 894-245D	4983	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
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206-8b	Advisory Board Findings ref. 84-245D	4987	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
206-8c	Notification of Disposition ref. 84-245D	5000	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
206-8d	Notification notice ref. 84-245D	5001	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
206-8e	Letter of Disposition to Trent A. Clark from Capt. Robertson, dated May 28, 1995, ref. 84-245D	5002	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
207-9	S.P. 251 Form ref. Internal Invekt. 894-120C	5003 - 5004	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
207-9a	Copy of Surrender certificate signed Tr. Carter, ref. 84-120C	5005	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
207-9b	Copy of Surrender certificate signed Tr. Carter, ref. 84-120C	5006	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
207-9c	Copy of Surrender certificate signed Sgt. Webb, ref. 84-120C	5007	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
207-9d	Copy of Surrender certificate signed Sgt. Webb, ref. 84-120C	5008	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
207-9e	Internal Invekt. Report 894-120	5009 - 5024	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
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207-9g	Letter of Disposition to Leticia Nizque from Capt. Pancher, dated Dec. 18, 1995, ref. 84-120C	5026	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		
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208-1c	Letter of Disposition to David Emonson ref. 85-034A	5040	Internal Affairs Bureau	U. Leon E. Brodowski 72941	1																		

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209-2a	Notice of Claim from Bridge Hurdles to NISP ref. #95-111D	5042 - 5043	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
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210-3	S.P. 251 form ref. Internal Invt. #95-044E	5050 - 5051	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
210-3a	Letter from Bara Lo to Capt. Hill, dated February 16, 1995, ref. #95-044E	5052	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
210-3b	Internal Invt. Report #95-044E	5053 - 5095	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
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210-3d	Letter of disposition to Bara Lo from Capt. Saul, dated Oct. 4, 1995 ref. #95-044E	5098	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
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211-4a	Internal Invt. Report #95-114A	5070 - 5098	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
211-4b	Advisory Board Findings ref. #95-114A	5099	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
211-4c	Letter of disposition to Michael Young from Capt. Robinson, dated Aug. 30, 1995 ref. #95-114A	5099	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
212-5	S.P. 251 form ref. Internal Invt. #95-127B	5091	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
212-5a	Letter from Reginald Brennan to JAG, dated May 29, 1995, ref. #95-127B	5092 - 5098	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
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213-6	S.P. 251 form ref. Internal Invt. #95-155E	5126	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
213-6a	Copy of Summary Complaint submitted, Tex. II, Docket ref. #95-155E	5127	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
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213-6c	Advisory Board Findings ref. #95-155E	5135	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
213-6d	Letter of disposition to Roxane Fisher from Capt. Saul, dated Aug. 14, 1995, ref. #95-155E	5136	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
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214-7a	Letter from Bruno Cole, M.D. to Ivan Krimmhan, dated June 23, 1995, ref. #95-156D	5138 - 5139	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
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218-9b	Advisory Board Findings ref. #95-189C	5190	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
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218-10a	Letter to OMA Drive from Capt. Robertson, dated Aug. 28, 1995, ref. #85-239A	5206	Internal Affairs Bureau	U. Leon E. Brodowy	Z2941	1																					
218-11	S.P. 231 form ref. Internal Invet. #85-242A	5207	Internal Affairs Bureau	U. Leon E. Brodowy	Z2941	1																					
218-11a	Letter from Stanley King to James Glend, dated Sept. 22, 1995, ref. #85-242A	5208 - 5210	Internal Affairs Bureau	U. Leon E. Brodowy	Z2941	1																					
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218-11d	Letter to Stanley King from Capt. Robertson, dated Sept. 30, 1995, ref. #85-242A	5230	Internal Affairs Bureau	U. Leon E. Brodowy	Z2941	1																					
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224-5c	Letter to Regina Holmes Harrow from Capt. Palmdorf, dated Oct. 21, 1986, ref. 86-184C	5344	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
225-6	S.P. 261 from ref. Internal Inves. #86-207B	5345	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
225-6a	Letter from Helen Barula to Collins Service Section, dated July 10, 1986, ref. 86-207B	5346	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
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226-7a	IOC from LTC Robertson to Capt. Vahmani ref. Perry letter of complaint ref. 86-220D	5361	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
226-7b	Letter from Perry to Col. Williams dated Oct. 18, 1986 ref. 86-220D	5362-5363	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
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226-7f	Letter to William Perry from Capt. Robinson, dated Feb. 26, 1987, ref. 86-220D	5375	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
227-1	S.P. 261 from ref. Internal Inves. #87-007E	5376	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
227-1a	Internal Inves. Report #87-007E	5377-5387	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
227-1b	Advisory Board Findings ref. 87-007E	5388	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
227-1c	Letter to Sam Chapman from Lt. K. Wondrac, dated Aug. 11, 1987, ref. 87-007E	5389	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
228-2	S.P. 261 from statement of Principal ref. Internal Inves. #87-050A	5390-5393	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
228-2a	Internal Inves. Report #87-050A	5394-5401	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
228-2b	Advisory Board Findings ref. 87-050A	5402	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
228-2c	S.P. 261 from ref. Internal Inves. #87-074B	5403	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
228-2d	Letter from Cole Davis to 'Whom it may concern', dated March 20, 1987, ref. 87-074B	5404-5405	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
228-2e	Letter from Cole Davis to Sgt. Gonzalez, dated March 31, 1987, ref. 87-074B	5406	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
228-2f	Letter from Cole Davis to Capt. Maggio, dated April 17, 1987, ref. 87-074B	5407-5408	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
228-2g	Internal Inves. Report #87-074B	5409-5418	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
228-2h	LAB synopsis ref. 87-074B	5420	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
228-2i	Notification of Disposition ref. 87-074B	5421	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
228-2j	Disposition notification ref. 87-074B	5422	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
229-4	S.P. 261 from ref. Internal Inves. #87-121H	5423	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
229-4a	Letter from Ronald Williams to Peter Venturo, dated June 23, 1987, ref. 87-121H	5424	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
229-4b	Letter from Dr. A. Mrs. R. Williams to Lt. Cope, dated June 25, 1987, ref. 87-121H	5425-5427	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
229-4c	Internal Inves. Report #87-121H	5428-5472	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
229-4d	Advisory Board Findings ref. 87-121H	5473	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
229-4e	Notification of Disposition ref. 87-121H	5474	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						
229-4f	Letter to Dr. R. Williams from Capt. Van Tassel, dated April 22, 1986, ref. 87-121H	5475	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																						

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231 - 5	S.P. 251 Form ref. Internal Invet. 897:131B	5476	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
231 - 5a	Letter from Whyone Adams to SFC Gadden, dated June 24, 1987, ref. 87:131B	5477 - 5478	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
231 - 5b	Internal Invet. Report 897:131B	5479 - 5487	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
231 - 5c	LAB synopsis ref. 87:131B	5488	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
231 - 5d	Notification of Disposition ref. 87:131B	5489	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
231 - 5e	Disposition notice ref. 87:131B	5490	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
232 - 6	S.P. 251 Form ref. Internal Invet. 897:155E	5491 - 5492	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
232 - 6a	Letter from Truman McDuffie to Lt. Gilman dated August 8, 1987, ref. 87:155E	5493 - 5498	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
232 - 6b	Internal Invet. Report 897:155E	5497 - 5498	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
232 - 6c	Advisory Board Finding ref. 87:155E	5491	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
232 - 6d	Notification of Disposition ref. 87:155E	5492	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
232 - 6e	Notification of Disposition (completed) ref. 87:155E	5493	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
232 - 7	S.P. 251 Form ref. Internal Invet. 897:182C	5494	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
232 - 7a	Internal Invet. Report 897:182C	5495 - 5413	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
233 - 7b	Advisory Board Finding ref. 87:182C	5414	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
233 - 7c	Letter to Duane McDowman from Capt. Dulucha, dated April 17, 1988, ref. 87:182C	5415	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8	S.P. 251 Form ref. Internal Invet. 897:220E	5416	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8a	Internal Invet. Report 897:220E	5417 - 5427	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8b	LAB synopsis ref. 87:220E	5428	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8c	Notification of Disposition ref. 87:220E	5429	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8d	S.P. 251 Form ref. Internal Invet. 897:222A	5430 - 5431	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8e	Letter from Frank Ingram to Lt. Fisher, dated Oct. 27, 1987, ref. 87:222A	5432 - 5433	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8f	Internal Invet. Report 897:222A	5434 - 5450	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8g	Advisory Board Finding ref. 87:222A	5451	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8h	Notification of Disposition ref. 87:222A	5452	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8i	Disposition notification ref. 87:222A	5453	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8j	Letter to Frank Ingram from Capt. Kennaft dated June 18, 1984, ref. 87:222A	5454	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8k	S.P. 251 Form ref. Internal Invet. 898:028B	5455	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8l	DOC from Col. Williams to Lt. Van Tassel dated March 4, 1988, "Major Verdes STOP-After Amoco" ref. 88:028B	5456	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8m	Letter from Albert Navarra to Col. Williams, dated Feb. 26, 1988, ref. 88:028B	5457 - 5458	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
234 - 8n	Internal Invet. Report 898:028B (continued)	5459 - 5481	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
237 - 2	S.P. 251 Form ref. Internal Invet. 898:031C	5482	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
237 - 2a	Internal Invet. Report 898:031C	5483 - 5178	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
237 - 2b	LAB synopsis ref. 89:031C	5177	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
237 - 2c	Notification of Disposition ref. 89:031C	5178	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				
237 - 2d	Letter to Duane McDowman from Capt. Dulucha dated June 8, 1988, ref. 88:031C	5179	Internal Affairs Bureau	U. Leon E. Brodowski #2941	1																				

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238-3	S.P. 251 form ref. Internal Inveat. 898-035D	5710	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
238-3a	Internal Inveat. Report 898-035D	5711 - 5718	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
238-3b	LAB synopsis ref. 898-035D	5719	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
238-3c	Notification of Disposition ref. 898-035D	5720	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
238-3d	Disposition IOC dated July 18, 1988 ref. 898-035D	5721	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
238-3e	Letter to Earl Henderson from Capt. Franz, dated July 16, 1988, ref. 898-035D	5722	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
238-4	S.P. 251 form ref. Internal Inveat. 898-035D	5723 - 5724	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
238-4a	Internal Inveat. Report 898-035D	5725 - 5727	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
238-4b	Anthony Board Finding ref. 898-035D	5728 - 5729	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
238-4c	Notification of Disposition ref. 898-035D	5730 - 5741	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
238-4d	IOC Disposition notes dated Oct. 18, 1988, ref. 898-035D	5742	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
238-4e	Letter to William Eason from Capt. Franz, dated Sept. 25, 1988, ref. 898-035D	5743	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
240-5	S.P. 251 form ref. Internal Inveat. 898-088E	5744	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
240-5a	Letter from Mildred Bates to Gov. Whitman, dated April 23, 1988, ref. 898-088E	5745	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
240-5b	Letter from Mildred Bates to Col. Williams dated April 23, 1988, ref. 898-088E	5746 - 5747	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
240-5c	Internal Inveat. Report 898-088E (case pending)	5748 - 5761	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
241-6	S.P. 251 form ref. Internal Inveat. 898-089D	5762	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
241-6a	Letter from Herbert Madson to Col. Williams dated May 7, 1988, ref. 898-089D	5763 - 5764	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
241-6b	Internal Inveat. Report 898-089D (case pending)	5765 - 5802	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-7	S.P. 251 form ref. Internal Inveat. 898-073E	5803 - 5811	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-7a	Internal Inveat. Report 898-073E (pending)	5812	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-7b	S.P. 251 form ref. Internal Inveat. 898-073A	5813 - 5815	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-7c	Letter from Francis Forman to Whom it concerns, dated June 4, 1988, ref. 898-073A	5816	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-7d	IOC from Capt. Van Tassel to Capt. Kemnitz, dated June 18, 1988, ref. 898-073A	5817	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-7e	IOC from Capt. Van Tassel to Lt. Dwyer, dated Jan 19, 1989, ref. 898-073A	5818	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-7f	Internal Investigation 898-073A	5819	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-7g	Letter to Francis Forman from Capt. Van Tassel, dated March 1, 1989, ref. 898-073A	5820	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-8	S.P. 251 form ref. Internal Inveat. 898-093D	5821 - 5822	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-8a	Letter from Herbert Wiesner to Gov. Whitman, dated May 2, 1988, ref. 898-093D	5823 - 5831	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-8b	Internal Inveat. Report 898-093D (pending)	5832 - 5833	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-8c	S.P. 251 form ref. Internal Inveat. 898-098A	5834 - 5835	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-8d	Letter from C. Lyda Holmes to Lt. Burt dated June 29, 1988, ref. 898-098A	5836 - 5852	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-8e	Internal Inveat. Report 898-098A (pending)	5853	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-8f	S.P. 251 form ref. Internal Inveat. 898-128D	5854 - 5864	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
242-8g	898-128D Internal Inveat. Report 898-128D	5865 - 5877	Internal Affairs Bureau	U. Leon E. Brodowski 872941	1																				
246-11a	Defense by Affidavit in Traffic case, submitted by Jan Jackson, ref. 898-128D Internal Inveat. Report 898-128D		Internal Affairs Bureau	U. Leon E. Brodowski 872941																					
246-11b	IOC from LTC Dwyer to Capt. Van Tassel dated Aug. 17, 1988, ref. "Memory Diagram Referral of August 11, 1988" from O. Jassart with attached letter from Mr. Jackson		Internal Affairs Bureau	U. Leon E. Brodowski 872941																					

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246-115	Internal Invest. Report #88-124D (pending)	5878 - 5894	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
247-12	S.P. 231 form ref. Internal Invest. #88-138E	5895 - 5896	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
247-12a	Internal Invest. Report #88-138E (pending)	5897 - 5897	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
248-13	S.P. 231 form ref. Internal Invest. #88-140E (Internal Pending)	5905	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
249-14	S.P. 231 form ref. Internal Invest. #88-180B	5909	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
249-14a	Letter from Lunnartha Chayo to Peter Veniero, dated Oct. 6, 1998, ref. #88-180B	5910 - 5912	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
249-14b	Internal Invest. Report #88-180B	5913 - 5925	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
249-14c	LAB synopsis ref. #88-180B	5926	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
249-14d	Notification of Disposition ref. #88-180B	5927	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
249-14e	Disposition ICC, dated March 10, 1999, ref. #88-180B	5928	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
249-14f	Letter of Disposition to Lunnartha Chayo from Capt. Margio, dated March 10, 1999, ref. #88-180B	5929	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
250-15	S.P. 231 form ref. Internal Invest. #88-186C	5930 - 5931	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
250-15a	Internal Invest. Report #88-186C	5932 - 5933	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
250-15b	ICC from Capt. Van Tassel to Capt. DeLuca, dated March 15, 1999, ref. #88-186C	5939	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
251-18	S.P. 231 form ref. Internal Invest. #88-192H (Internal Pending)	5940 - 5941	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
252	Dunroo memorandum, dated 3-30-99, to Paul H. Zoluck, Park Assistant Attorney General, Re: Request for Consent Search and Daily Field Log for Moorestown and Cherry Streets	5942 - 5944	Executive Office	LTC Robert D. Dunroo #2324																				
253	Continuation of documents presented to the New Jersey State and Metro Council. The MRO provided items 189 - 178 from the inventory list.		Division of Law A/C Offices	DAQ William Pinsky																				
254-94-1	Letter from Donald Williams to Gov. Whitman, ref. #88-242	5945	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
254-94-2	ICC from BEC A. Anderson to Capt. TML, dated 1-17-99, entitled "Deposition of Pauline Quinn Trooper II, Vehicle #114 as a Result of Him Reporting Ricky Mohamed Motor Vehicle Stop", ref. #88-2501	5946	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
254-94-3	ICC from Capt. Hill to Capt. Hinton, dated 1-4-99, entitled "Deposition of Pauline Quinn Trooper II, Vehicle #114 as a Result of Him Reporting Ricky Mohamed Motor Vehicle Stop", ref. #88-2501	5947	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
254-94-4	Special Report from Sgt. Saucetti, dated 1-3-99, entitled "Interview with Lt. Lopez, Lt. Paul Jettens #114, ref. #88-2501	5948 - 5949	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
254-94-5	Letter from Chris Owens to Michael Rozan, dated 8-4-99, ref. #88-2501	5950 - 5951	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
257-95-3	S.P. 231 form ref. #88-257	5952	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
257-95-3a	Letter from Capt. Hill to Mr. Hammond, dated 8-8-98, ref. #88-257	5953 - 5954	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
257-95-3b	Internal Invest. Report #88-137C, ref. #88-257	5955	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
258-95-4	S.P. 231 form ref. #88-258	5956 - 5959	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
259-95-5	S.P. 231 form ref. #88-259	5960 - 5963	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
259-95-5a	S.P. 310 form ref. #88-259, ref. #88-240	5964 - 5965	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
259-95-5b	S.P. 231 form ref. #88-259	5966 - 5967	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
261-96-1	S.P. 231 form ref. #88-261	5968 - 5970	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
261-96-1a	Letter from Murphy Hines to Community Relations Dept. HQ, Hudson/Field, #1587, dated 7-23-98, ref. #88-261	5971	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
261-96-2a	Letter from Capt. Taylor to Mr. Hines, dated 8-26-98, ref. #88-261	5972	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
261-97-1	Letter from Dale Taylor to Capt. Voerman, dated 6-10-97, ref. #88-260	5973	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			
261-97-1a	Letter from Capt. Voerman to Mr. Taylor, dated 8-23-97, ref. #88-260	5973	Internal Affairs Bureau	U. Leon E. Brodowski #2341	1																			

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264 - 97-2	Memo dated 6-18-97, entitled "Happin Facial Comments" ref. M897-100	5974 - 5975	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
264 - 97-2a	IOC from SFC Vowles to Lt. Brodowski, dated 9-2-97, entitled "Complaint of Ronald Happin" ref. M897-100	5976	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
265 - 97-3	Letter from Catherine Dease to Lt. Brodowski, dated 4-28-98, ref. M897-119	5977 - 5980	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
266 - 98-1	S.P. 251 Form ref. M898-15	5981	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
266 - 98-1a	Letter from Capt. Vokornak to Donald Lewis, dated 1-28-98, ref. M898-15	5982	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
267 - 98-2	S.P. 251 Form ref. M898-033	5983	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
267 - 98-2a	Letter from David Mackinnon to Capt. Van Tassel, dated 3-11-98, ref. M898-033	5984 - 5986	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
267 - 98-2b	Letter from Capt. Van Tassel to Mr. Mackinnon, dated 3-13-98, ref. M898-033	5987 - 5988	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
268 - 98-3	Letter from Antonio deSouza to Thomas O'Rielly, dated 4-28-98, ref. M898-55	5989 - 5990	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
268 - 98-3a	Letter from Antonio deSouza to Capt. Maggion, dated 4-11-98, ref. M898-55	5991 - 5992	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
268 - 98-3b	Letter from Capt. Maggion to Mr. deSouza dated 4-21-98, ref. M898-55	5993	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
269 - 98-4	Memo, entitled "Confidential Memo", dated 3-18-98, ref. M898-40	5994 - 5995	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
269 - 98-4a	Special Report from Sgt. T. Robinson, dated 3-10-98, subject: IOC from Capt. Van Tassel to Lt. C. Faciono, dated 6-17-98, entitled "Facial Profile" ref. M898-40	5996	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
269 - 98-4b	Special Report from Sgt. T. Robinson, dated 5-18-98, entitled "Facial Profile" ref. M898-40	5997	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
270 - 98-5	S.P. 251 Form ref. M898-82	6002 - 6003	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
270 - 98-5a	Letter from Patrick McCoy ref. M898-82	6004	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
270 - 98-5b	Memo entitled "McCoy Letter", dated 6-18-98, ref. M898-82	6005	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
270 - 98-5c	Letter from Capt. Van Tassel to Mr. McCoy, dated 6-18-98, ref. M898-82	6006	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
271 - 98-6	S.P. 251 Form ref. M898-84	6007	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
271 - 98-6a	Letter from Capt. Van Tassel to Mr. Broder, dated 1-2-98, ref. M898-84	6008	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
272 - 98-7	Letter from John Everett to the Attorney General, dated 6-18-98, ref. M898-86	6009 - 6013	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
272 - 98-7a	Letter from Capt. Van Tassel to Mr. Everett, dated 7-2-98, ref. M898-86	6014	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
272 - 98-7b	Letter from Mr. Everett to Capt. Van Tassel, dated 12-4-98, ref. M898-86	6015	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
272 - 98-7c	Letter from Capt. Van Tassel to Mr. Everett, dated 12-4-98, ref. M898-86	6016	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
272 - 98-7d	Letter from Thomas Baldwin to Gov. Williams, dated 6-10-98, ref. M898-88	6017 - 6018	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
273 - 98-8	Letter from Capt. Van Tassel to Mr. Baldwin, dated 7-28-98, ref. M898-88	6019	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
274 - 98-8	Memo dated 6-12-98, entitled "Thomas Varner Computer" ref. M898-109	6020	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
275 - 98-10	Anonymous letter to Gov. Williams, dated 11-18-98, ref. M898-158	6021	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
276 - 98-11	S.P. 251 Form ref. M898-182	6022 - 6023	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
276 - 98-11a	Letter from Capt. Van Tassel to Mr. Davis, dated 12-1-98, ref. M898-182	6024	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
277 - 98-12	S.P. 251 Form ref. M898-174	6025	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
277 - 98-12a	Letter from Capt. Van Tassel to Rev. Hoffman, dated 12-24-98, ref. M898-174	6026	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
277 - 98-13	1-1-98 through 12-31-98 LAS State Rev. Computs generated by (PDF) (0.00029)	6027 - 6028	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
280 - 1	S.P. 251 Form ref. Internal Invt 898-293E	6030	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
280 - 2	S.P. 251 Form ref. Internal Invt 898-13C	6031	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		
281 - 3	S.P. 251 Form ref. Internal Invt 898-097H	6032	Internal Affairs Bureau	Underent Leon E. Brodowski	72941	1	4																		

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251-3a	One page letter from John J. Coyne to Prosecutor O'Riady, dated April 11, 1986 ref. 86-092H	6033	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
252-4	S.P. 251 Form ref. Internal Invt. 896-094D	6034	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
252-4a	Three page letter from Lawrence Wills to Sgt. McCain, dated February 8, 1986, ref. 86-094D	6035 - 6037	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
253-5	S.P. 251 Form ref. Internal Invt. 896-141C	6038 - 6039	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
254-6	S.P. 251 Form ref. Internal Invt. 896-207B	6040	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
254-6a	One page letter from Sgt. H. Baraka to Captain Service Section, dated July 10, 1986 ref. 86-207B	6041	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
255-7	S.P. 251 Form ref. Internal Invt. 896-226D	6042	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
255-7a	Two page letter from William Perry to Col. C. Williams, dated October 18, 1986 ref. 86-226D	6043 - 6044	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
256-1	S.P. 251 Form ref. Internal Invt. 897-007E	6045	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
257-2	S.P. 251 Form ref. Internal Invt. 897-090A	6046	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
257-2a	Statement from Tr. R. Cowden #4808 ref. 897-090A	6047 - 6049	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
258-3	S.P. 251 Form ref. Internal Invt. 897-074B	6050	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
258-3a	Two page letter from Capt Davis, to whom it may concern, dated March 28, 1987, ref. 87-074B	6051 - 6052	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
258-3b	Two page letter from Capt Davis to Sgt. Coward, dated March 31, 1987, ref. 87-074B	6053	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
258-3c	Two page letter from Capt Davis to Capt. Maggo, dated April 17, 1987, ref. 87-074B	6054 - 6055	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
258-4	S.P. 251 Form ref. Internal Invt. 897-121H	6056	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
258-4a	One page letter from Ronald Williams to Peter Vannore dated June 25, 1987, ref. 87-121H	6057	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
258-4b	Three page letter from Dr. E. Mrs. R. Williams to Lt. D. Coppe, dated June 28, 1987, ref. 87-121H	6058 - 6060	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
259-5	S.P. 251 Form ref. Internal Invt. 897-131B	6061	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
259-5a	Two page letter from W. Aloysie to Sgt. Godden, dated June 24, 1987, ref. 87-131B	6062 - 6063	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
261-6	S.P. 251 Form ref. Internal Invt. 897-183C	6064	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
262-7	S.P. 251 Form ref. Internal Invt. 897-230E	6065	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
263-8	S.P. 251 Form ref. Internal Invt. 897-272A	6066 - 6067	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
263-8a	Two page letter from Frank Logan to Lt. Fisher, dated October 27, 1987, ref. 87-272A	6068 - 6069	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
264-9	S.P. 251 Form ref. Internal Invt. 897-155E	6070 - 6071	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
264-9a	Four page letter from Terunai McDermie to Lt. Gilman dated August 8, 1987, ref. 87-155E	6072 - 6075	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
265-1	S.P. 251 Form ref. Internal Invt. 898-078B	6076	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
265-1a	Two page letter from Col. Williams to Lt. R. Van Tassel ref. NV scope of Adina Agency ref. 88-228B	6077	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
265-1b	Two page letter from Albert E. Neuhart Jr. to Col. Williams ref. 88-078B	6078 - 6079	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
266-2	S.P. 251 Form ref. Internal Invt. 898-031C	6080	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
267-3	S.P. 251 Form ref. Internal Invt. 898-035D	6081	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
268-4	S.P. 251 Form ref. Internal Invt. 898-036D	6082 - 6083	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
269-5	S.P. 251 Form ref. Internal Invt. 898-066E	6084	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
269-5a	One page letter from Mildred Baltes to Capt. Whitham 88-066E	6085	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
269-5b	Two page letter from Mildred Baltes to Col. Williams 88-066E	6086 - 6087	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
269-6	S.P. 251 Form ref. Internal Invt. 898-069D	6088	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
269-6a	Two page letter from Herbert L. Morton Jr. to Col. Williams ref. 88-069D	6089 - 6090	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					
269-7	S.P. 251 Form ref. Internal Invt. 898-073E	6091 - 6092	Internal Affairs Bureau	U. Leon E. Brodowski #2941																					

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307-8	S.P. 261 form ref. Internal Inves. #89-079A Three page letter from Francis Forman to Whom it concerns ref. 89-079A	6093	Internal Affairs Bureau	U. Leon E. Brodowski #2341																					
307-9	S.P. 261 form ref. Internal Inves. #89-093D	6097, 6098	Internal Affairs Bureau	U. Leon E. Brodowski #2341																					
307-10	Two page letter from Herbert E. Weeks to Gov. William 89-093D	6099 - 6100	Internal Affairs Bureau	U. Leon E. Brodowski #2341																					
307-11	S.P. 261 form ref. Internal Inves. #89-128D	6101 - 6102	Internal Affairs Bureau	U. Leon E. Brodowski #2341																					
307-12	Two page letter from C. Lyda Holmes to Lt. Buck 89-098A	6103 - 6104	Internal Affairs Bureau	U. Leon E. Brodowski #2341																					
307-13	Deferral by Affidavit form from Ian Jackson ref. 98-128D Nine page letter from Ian Jackson to Whom it may concern ref. 98-128D	6105 - 6107	Internal Affairs Bureau	U. Leon E. Brodowski #2341																					
307-14	S.P. 261 form ref. Internal Inves. #89-138E	6108 - 6118	Internal Affairs Bureau	U. Leon E. Brodowski #2341																					
307-15	S.P. 261 form ref. Internal Inves. #89-140E	6119	Internal Affairs Bureau	U. Leon E. Brodowski #2341																					
307-16	S.P. 261 form ref. Internal Inves. #89-149B Three page letter from Lumbard Okeyo to Lt. General Venter ref. 89-160B	6120	Internal Affairs Bureau	U. Leon E. Brodowski #2341																					
307-17	S.P. 261 form ref. Internal Inves. #89-186C	6121 - 6123	Internal Affairs Bureau	U. Leon E. Brodowski #2341																					
310-18	S.P. 261 form ref. Internal Inves. #89-183H Methodology Employed by the Intelligence Bureau to Examine Contact Searches	6124 - 6127	Internal Affairs Bureau	U. Leon E. Brodowski #2341																					
311	State Trooper's Fraternal Association Agreement with the State of New Jersey, 7/1/86 thru 6/30/00, (Recent Trooper Contract)	6128 - 6135	Analytical Unit	OSG Stephen G. Sarno #3542																					
312	State Trooper's Superior Officers Association of New Jersey, Inc. Agreement with the State of New Jersey, 7/1/86 to 6/30/00, (Recent Undercar Contract)	6136 - 6169	Division Services Unit	SFC Thomas R. Gilbert #3635																					
313	Correspondence dated 3/14/86 from Captain Michael H. Silvert, Commanding Troop 1 to Captain Carl A. Williams, Superintendent of Troop 1 and Inmate/Corrections at Correctional Station, Troop "D"	6169 - 6155	Division Services Unit	SFC Thomas R. Gilbert #3635																					
314	NIJSP Arrests, An Analysis by Region, Race & Crime	6166 - 6189	Division Services Unit	SFC Thomas R. Gilbert #3635																					
315	32 Charts for AQ Briefing 4-17-99	6194-6211	Intelligence Services Section	OSG Sarno #3542																					
316	NIJSP CAD Data 4-14-99	6212-6243	Intelligence Services Section	OSG Sarno #3542																					
317	6 Charts prepared for DAG Historical briefing 4-8-99	6244-6253	Intelligence Services Section	OSG Sarno #3542																					
318	State Trooper's Trooper 1988 Sign Ratio	6254-6259	Intelligence Services Section	OSG Sarno #3542																					
319	Dallas-walke Stop Prior January, August 1989	6260	Intelligence Services Section	OSG Stephen G. Sarno #3542																					
320	OSFC Tom Gilbert's Work Papers	6261-6281	Intelligence Services Section	OSG Stephen G. Sarno #3542																					
321	1994 CAD Report on Race Codes for Motor Vehicle Stops	7194-7278	CA/CRMS Unit	SFC Keith R. Moore #3042																					
322	1998 CAD Reports of Race Codes for Motor Vehicle Stops	7279-7497	CA/CRMS Unit	SFC Keith R. Moore #3042																					
323	Charity & Moorhead, (8) Month Assessment of Enforcement Activity	7498-7417	Division Services Unit	SFC Thomas R. Gilbert #3635																					
324	Motor Vehicle Stop Rate Data NIJSP Troop "D"	7418-7428	Division Services Unit	SFC Thomas R. Gilbert #3635																					
325	Incidents of Division Traffic & PRA Program	7427-7431	Division Services Unit	SFC Thomas R. Gilbert #3637																					
326	Negative Search OPRI - New Brunswick	7432-7441	Division Services Unit	SFC Thomas R. Gilbert #3638																					
327	Negative Search OPRI - Moorestown	7442-7453	Division Services Unit	SFC Thomas R. Gilbert #3639																					
328	Report by Analytical Unit on Retail Profiling	7454-7468	Division Services Unit	SFC Thomas R. Gilbert #3640																					
329	Review of Contact Searches by Internal Affairs Bureau	7469-7534	Division Services Unit	SFC Thomas R. Gilbert #3640																					
330	ICC Transmittal from SFC Tom Gilbert to LTC Odego RE: Item #331	7535	Division Services Unit	SFC Thomas R. Gilbert #3640																					

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332	AG's IOM from AAG Whelan to AG Ventura RE: Form For Discussion - USDOJ/SP Meeting dated 5/20/97	7535-7537	Division Services Unit	SFC Thomas R. Gilbert 83440																					
333	Information on CAD Exempts	7555-7620	CAD/RMS Unit	SFC Kevin R. Moore 83042																					
334	Race Code Statistical Report 6/22-1/21/99	7621-7652	CAD/RMS Unit	LT Kevin R. Moore 83042																					
335	UCR Data - Cranbury	7653-7657	CAD/RMS Unit	LT Kevin R. Moore 83042																					
336	UCR Data - Moorestown	7658-7663	CAD/RMS Unit	LT Kevin R. Moore 83042																					
337	UCR Data Newark	7664-7669	CAD/RMS Unit	LT Kevin R. Moore 83042																					
338	Temple Certificate 6-22-99 thru 12-31-99	7670-7672	CAD/RMS Unit	LT Kevin R. Moore 83042																					
339	Temple Certificate 6-22-99 thru 12-31-99	7673-7683	CAD/RMS Unit	LT Kevin R. Moore 83042																					
340	CAD Screen Examples	7684-7686	CAD/RMS Unit	LT Kevin R. Moore 83042																					
341	CAD Motor Vehicle Stop Report from 6/22/99 thru 3/29/2000 RE: AGGOWELL, L (license for one CD)	7688	CAD/RMS Unit	LT Kevin R. Moore 83042																					
342	IOC dated 4/19/2000 from LTC R. Durso to Colonel C. J. Dunbar re: Discovers/ Documents re: Retail Printing	7700-7701	Office of the Deputy Superintendent	LTC R. D. Durso																					
342 a	Memorandum dated 3/15/99 from Paul H. Zedek, Director of DCJ to Michael Fedorco, Acting Superintendent re: Review - Collection of Documents	7702-7703	Office of the Deputy Superintendent	LTC R. D. Durso																					
342 b	IOC dated 6/25/99 from LTC M. A. Fedorco, Acting Superintendent, to LTC R. D. Durso and Section Supervisors re: Retention of Documents Pursuant to Victor Friedman, J.S.C., Court Order	7704-7721	Office of the Deputy Superintendent	LTC R. D. Durso																					
342 c	Memorandum dated 3/16/2000 from Paul G. Shapiro, DAG; Paul H. Heinal, DAG; Michael Williams, DAG; Division of Criminal Justice to Lieutenant Albert Stuchell, NISP re: Retrieval of Requested Documents	7722-7725	Office of the Deputy Superintendent	LTC R. D. Durso																					
342 d	Memorandum dated May 8, 2000 from Paul G. Shapiro, DAG; Paul H. Heinal, DAG; Division of Criminal Justice re: Confirmation of Understanding Regarding Existence of Requested Documents	7726-7725	Office of the Deputy Superintendent	LTC R. D. Durso																					
342 e	Adm IOM from AAG Whelan to AG Ventura RE: Items For Discussion - USDOJ/SP Meeting dated 5/20/97 (refer to 8332 field above)	7535-7537	Office of the Deputy Superintendent	LTC R. D. Durso																					
343	IOC from LTC R.D. Durso to Lt. J. Gilder, dated 5/22/2000, RE: Release of Additional Documents SFC T. Gilbert	7726-7727	Office of the Deputy Superintendent	LTC R. D. Durso																					
344	IOC from LTC R.D. Durso to Lt. J. Gilder, dated 5/22/2000, RE: Release of Additional Documents SFC T. Gilbert	7728	Office of the Deputy Superintendent	LTC R. D. Durso																					
345	CD ROM marked "AGGOWELL'S CHR" containing Stop Location Information June 1999 thru March 26, 2000 for Troop "D"	7729	CAD/RMS Unit	LT Kevin R. Moore 83042																					
346	CD ROM marked "AGGOWELL'S RPT" containing NY Stop Data for Newark Station, 6/99 - 2/2000, Specifically Location/Disposition of 8190	7730	CAD/RMS Unit	SFC Timothy F. Mahoney 83446																					

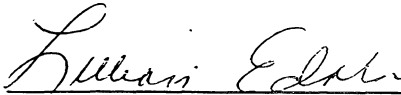
DATE	FROM	TO	SUBJECT
3/12/99 IOC/99-26 bs	Captain Roy Van Tassel, Jr. Bureau Chief Internal Affairs Bureau	Major Juan Mattos, Jr., Supervisor, Division Staff Section via Captain E. Volkman Assistant Section Supervisor	Submission of Requested Documents

Attached please find copies of documents you have requested for submission to the Office of the Attorney General:

1. New Jersey State Police Organizational Chart 1/31/98
2. Internal Complaint Procedure Flow Chart
3. Internal Investigation Manuel
4. SOP B3 Internal Affairs Bureau
5. SOP B10 Internal Investigation Procedures
6. SOP B13 Advisory Board
7. SOP B22 Use of Force (Re: IAB Review of Shootings)
8. SOP B28 Inspection Program
9. Operations Instruction No. 99-05 IAB Short Form Investigation

Forwarded for your information.

- MRU IS NOT
RESPONSIBLE
FOR TRACKING
THIS DISCOVERY



Signature
Dr. Wayne Fisher
Division of Criminal Justice

3/15/99 JSC

Date

RECEIPT

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1	Special Schools	Z 3/15/99	1-50	1
2	118th SP Schedule	Z 3/15/99	51-80	1
3	Academy Orders	Z 3/15/99	81-176	1
4	Accident Investigation	Z 3/15/99	177-316	1
5	Arrest Problems	Z 3/15/99	317-362	1
6	Bloodborne Pathogens	Z 3/15/99	363-389	1
7	BPP&P	Z 3/15/99	390-664	1
8	2C	Z 3/15/99	665-739	1
9	C.A.D.	Z 3/15/99	740-742	1
10	Care of Equipment	Z 3/15/99	743-749	1
11	Child Abuse	Z 3/15/99	750-768	1
12	Communications	Z 3/15/99	769-825	1
13	Community Exp. I	Z 3/15/99	826-878	1
14	Constitutional Issues	Z 3/15/99	879-1039	1
15	Community Policing	Z 3/15/99	1040-1074	1
16	Court Room Testimony	Z 3/15/99	1075-1091	1
17	Crime Reporting	Z 3/15/99	1092-1110	1
18	Crime Scene	Z 3/15/99	1111-1153	1
19	Cultural Diversity	Z 3/15/99	1154-1177	1
20	Courtesy, Respect, Professionalism	Z 3/15/99	1178-1182	1
21	Defensive Driving	Z 3/15/99	1183-1420	1
22	Defensive Tactics	Z 3/15/99	1421-1453	1
23	Division Policies & Procedures	Z 3/15/99	1454-1461	1
24	Domestic Violence	Z 3/15/99	1462-1544	1
25	Driver Training	Z 3/15/99	1545-1617	1

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26	Drugs	Z 3/15/99	1618-1676	1
27	DWI	Z 3/15/99	1677-1690	1
28	Environmental Offense	Z 3/15/99	1691-1803	1
29	Ethics	Z 3/15/99	1804-1836	1
30	Field Search	Z 3/15/99	1837-1846	1
31	Fingerprinting	Z 3/15/99	1847-1910	1
32	Firearms	Z 3/15/99	1911-2042	1
33	First Responders - 3.5" Diskette	Z 3/15/99	2043	1
34	Handcuffing	Z 3/15/99	2044-2061	1
35	Handling People with Special Needs	Z 3/15/99	2062-2106	2
36	Handling Prisoners / Search of Person	Z 3/15/99	2107-2157	2
37	Interpersonal Communication	Z 3/15/99	2158-2164	2
38	Interview and Interrogation	Z 3/15/99	2165-2190	2
39	Introduction to CJIS	Z 3/15/99	2191-2197	2
40	Introduction to Physical Training	Z 3/15/99	2198-2229	2
41	Juvenile Justice	Z 3/15/99	2230-2318	2
42	Language and Communication	Z 3/15/99	2319-2364	2
43	Manual Direction of Traffic	Z 3/15/99	2365-2379	2
44	Megan's Law	Z 3/15/99	2380-2392	2
45	Military Drill	Z 3/15/99	2393-2413	2
46	Occupant Protection	Z 3/15/99	2414-2424	2
47	P.R. - 24	Z 3/15/99	2425-2462	2
48	Prejudice and Discrimination	Z 3/15/99	2463-2494	2
49	Preventing Hostile Work Environment	Z 3/15/99	2495-2530	2
50	Post Traumatic Stress	Z 3/15/99	2531-2547	2

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52	Physical Training Lesson Plan	Z 3/15/99	2562-2579	2
53	Pursuit Driving	Z 3/15/99	2580-2618	2
54	Rules and Regulations	Z 3/15/99	2619-2642	2
55	Self Defense - Boxing	Z 3/15/99	2643-2687	2
56	Search of Vehicle	Z 3/15/99	2688-2692	2
57	State Police Organization	Z 3/15/99	2693-2754	2
58	Spanish for Law Enforcement	Z 3/15/99	2755-2757	2
59	Stress in Police Work	Z 3/15/99	2758-2788	2
60	Suicide	Z 3/15/99	2789-2802	2
61	Theories of Traffic Administration - Law and Enforcement Theory	Z 3/15/99	2803-2918	2
62	Traffic Violator	Z 3/15/99	2919-3034	2
63	Water Safety	Z 3/15/99	3035-3070	2

MRU: _____
 DSFC Timothy D. Collins #3298

Date: _____ 3/20/99

SP
 Provider: _____
 SFC Kenneth C. Lemanowicz #3029, Training Bureau

Date: _____ 3/20/99

AG's
 Office: 
 DAG Mike LoGalbo

Date: 3/22/99 3/22/99

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34	Troopers in Gloucester County Case	Z 3/15/99	3071 - 3073	3
65	Database Information Used to Complete File #1 <i>(Item 64)</i>	Z 3/15/99	3074 - 3115	3
66	IAB Audit of Perryville Station Summons Activity	Z 3/15/99	3116 - 3121	3
67	Notes Ref: 4/4/96 Meeting with R&I Re: Perryville Station	Z 3/15/99	3122 - 3123	3
68	Letter From Hunterdon Co. Prosecutor's Office Ref: Perryville Cases	Z 3/15/99	3124 - 3132	3
69	IOC, dated 4/24/96, Preliminary Statistical Data Perryville Station	Z 3/15/99	3133 - 3137	3
70	IOC, dated 5/16/96, IAB Audit of Radio Logs of Various Stations	Z 3/15/99	3138 - 3144	3
71	IOC, dated 6/4/96, IAB Audit of Patrol Stops	Z 3/15/99	3145 - 3153	3
72	IOC, dated 6/12/96, IAB Re: Mercer Co. Selective Prosecution Motion	Z 3/15/99	3154 - 3158	3
73	IOC, dated 10/30/96, Moorestown Station Audit	Z 3/15/99	3159 - 3165	3
74	Information Request From DOJ via AG on 12/24/96	Z 3/15/99	3166 - 3169	3
75	IOC, dated 1/9/97, Re: Logistical Concerns Over DOJ Request	Z 3/15/99	3170 - 3172	3
76	Report to Col. Re: Partial Analysis of Data & Recommendations	Z 3/15/99	3173 - 3176	3
77	Subject/To - From FOS to Supt. Re: Initiation of Stop Consent Monitoring	Z 3/15/99	3177 - 3180	3
78	IOC, dated 4/28/97, DOJ Data Request (DWI)	Z 3/15/99	3181 - 3191	3
79	5/2/97 Interstate/Highway Offenses Report 1995/1996 Forwarded to Maryland SP	Z 3/15/99	3192 - 3214	3
80	Moorestown & Cranbury Radio Log, Consent, & PC Synopsis 5/97	Z 3/15/99	3215 - 3222	3
81	7/10/97 Report To Supt. Re: Analysis of Sample Dates	Z 3/15/99	3223	3
82	7/10/1997 Report To Supt. Re: 4/97 and 5/97 Activity at Moorestown & Cranbury	Z 3/15/99	3224	3
83	IOC, dated 9/24/97, IAB Audit of Stops @ Netcong Station	Z 3/15/99	3225 - 3227	3
84	IOC, dated 10/8/97, IAB Audit of Stops @ Bellmawr Station	Z 3/15/99	3228 - 3230	3
85	IOC, dated 2/20/98, Six Month Assessment of Enforcement Activity @ Cranbury and Moorestown	Z 3/15/99	3231-3233 3234 - 3236	3
86	7/23/98 Report to DAG Rover Re: Pending DOJ Issues	Z 3/15/99	3234 - 3236	3
87	IOC, dated 10/7/98, Re: Inclusion of Race On Patrol Charts	Z 3/15/99	3237	3

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38	IOC, dated 11/25/98, Six Month Assessment of Enforcement Activity @ Cranbury & Moorestown	Z 3/15/99	3238 - 3240	3
89	10/97 to 3/98 Six Month Assessment of Enforcement Activity @ Cranbury & Moorestown	Z 3/15/99	3241 - 3242	3
90	IOC, dated 2/1/99, Field Ops Statistics for 1998	Z 3/15/99	3243	3
91	10/98 to 3/99 Six Month Assessment of Enforcement Activity @ Cranbury & Moorestown	Z 3/15/99	3244 - 3245	3
92	Motor Vehicle Stop Rate Data For Troop "D"	Z 3/15/99	3246 - 3254	3
93	2/23/99 Synopsis/Radio Procedures	Z 3/15/99	3255 - 3257	3
94	Search & Seizure Event Flow	Z 3/15/99	3258 - 3260	3
95	Troop "D" Charges '97-'98	Z 3/15/99	3261 - 3266	3
96	Statistical Analysis - Tpr. M. Clifford	Z 3/15/99	3267 - 3324	3
97	Assorted Sampling '94-'96 Turnpike Records	Z 3/15/99	3325 - 3356	3
98	IOC 11/25/98 Six Month Assessment of Enforcement Activity @ Cranbury & Moorestown	Z 3/15/99	3357 - 3359	3
99	TT 3/26/96 Re: Soto	Z 3/15/99	3360 - 3361	3
100	IOC, dated 3/28/96, Re: Gloucester Co. Suppression	Z 3/15/99	3362 - 3366	3
101	IOC, dated 3/29/96, Re: Documentation of Patrol Activity	Z 3/15/99	3367	3
102	IOC, dated 4/12/96, Re: Retention of Patrol Charts	Z 3/15/99	3368	3
103	IOC, dated 4/17/96, Racial Profiling Issues	Z 3/15/99	3369 - 3373	3
104	IOC, dated 4/29/96, Compliance With S.O.P. F3	Z 3/15/99	3374	3
105	IOC, dated 2/27/97, DOJ Inquiry Re: Profiling Allegations	Z 3/15/99	3375 - 3379	3
106	IOC, dated 3/25/97, Response to DOJ	Z 3/15/99	3380 - 3383	3
107	IOC, dated 4/8/97, Response to DOJ	Z 3/15/99	3384 - 3388	3
108	IOC, dated 10/7/98, Mandatory Listing of Race & Sex on Patrol C	Z 3/15/99	3389	3
109	NJSP S.O.P. F7	Z 3/15/99	3390 - 3414	3
110	1/11/99 SPIRIT	Z 3/15/99	3415 - 3418	3
111	2/23/99 Synopsis IOC Re: Radio Procedures	Z 3/15/99	3419 - 3421	3

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12	DOJ Request For Information - 12/24/96	Z 3/15/99	3422 - 3425	3
113	IOC, dated 1/9/97, DOJ Profiling Allegations - Logistical Concerns	Z 3/15/99	3426 - 3428	3
114	Various Correspondence From OAG to DOJ	Z 3/15/99	3429 - 3448	3
115	1/9/97 Memo: J. Fahy - A. Waugh	Z 3/15/99	3449 - 3450	3
116	DWI/Criminal Statistics '94-'96 Cranbury & Moorestown Stations	Z 3/15/99	3451	3
117	IOC, dated 1/15/97, Justice Dept. Inquiry Re: Profiling Allegations	Z 3/15/99	3452	3
118	IOC, dated 1/16/97, Justice Dept. Inquiry Re: Profiling Allegations	Z 3/15/99	3453	3
119	IOC, dated 1/17/97, Justice Dept. Invest Re: Profiling Allegations	Z 3/15/99	3454	3
120	IOC, dated 5/22/97, Justice Dept. Inquiry Re: Profiling Allegations	Z 3/15/99	3455 - 3456	3
121	2/5/97 Memo From Rover - Waugh	Z 3/15/99	3457 - 3459	3
122	IOC, dated 2/7/97, Search & Seizure Review Board Meeting 1/31/	Z 3/15/99	3460 - 3476	3
123	2/18/97 Memo Re: IAB Maintenance of Complaint Records	Z 3/15/99	3477 - 3491	3
124	Sample Dates Selected By DOJ	Z 3/15/99	3492	3
125	IOC, dated 3/28/96, Gloucester County Suppression Decision/Div Concerns & Potential Remedies	Z 3/15/99	3493 - 3497	3
126	IOC, dated 3/27/96, Search & Seizure Training Update From Academy	Z 3/15/99	3498 - 3499	3
127	IOC, dated 3/29/96, To ODU Re: Documentation of Patrol Activity/Radio Transmission & Logs	Z 3/15/99	3500	3
128	IOC, dated 4/12/96, Retention of Patrol Charts and Radio Logs	Z 3/15/99	3501	3
129	IOC, dated 4/17/96, Racial Profiling Issues	Z 3/15/99	3502 - 3506	3
130	IOC, dated 4/24/96, Preliminary Statistical Data I-78/Hunterdon Co., Perryville Station	Z 3/15/99	3507 - 3511	3
131	IOC, dated 4/29/96, Mandatory Compliance With All Provisions of S.O.P. F3	Z 3/15/99	3512	3
132	IOC, dated 6/4/96, Inspection Audit Patrol Stops	Z 3/15/99	3513 - 3521	3
133	IOC, dated 6/12/96, Mercer Co. Selective Prosecution Motion	Z 3/15/99	3522 - 3526	3
134	IOC, dated 10/11/96, Search & Seizure Meeting of 10/4/96	Z 3/15/99	3527 - 3537	3
135	IOC, dated 11/1/96, Revisions to S.O.P.'s Re: Search & Seizure I	Z 3/15/99	3538 - 3544	3

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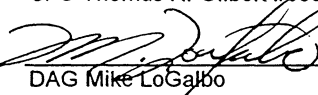
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136	IOC, dated 1/22/97, Justice Dept. Invest. Re: Profiling Allegations & In-Service Training	Z 3/15/99	3545 - 3547	3
137	IOC, dated 2/26/97, Inquiries Concerning The Division's Traffic & Patrol Related Arrest Enforcement Programs	Z 3/15/99	3548 - 3564	3
138	IOC, 2/27/97, Justice Dept. Inquiry Re: Profiling Allegations	Z 3/15/99	3565 - 3569	3
139	Reports From NJSP Academy Re: 1996 & 1997 In-Services	Z 3/15/99	3570 - 3573	3
140	5/27/97 Report to Colonel Williams Re: Training	Z 3/15/99	3574 - 3575	3
141	IOC, 5/28/98, Working Groups/Patrol Practices and Procedures	Z 3/15/99	3576	3
142	IOC, dated 8/10/98, Highway Interdiction Training	Z 3/15/99	3577 - 3581	3
143	Memo dated 5/21/98 Fahy to Veniero Re: Racial Profiling	Z 3/15/99	3582 - 3589	3
144	S.O.P. F55 Motor Vehicle Search & Seizures (6/17/90)	Z 3/15/99	3590 - 3601	3
145	S.O.P. F3 State Police Patrol Procedures (12/10/96)	Z 3/15/99	3602 - 3608	3
146	S.O.P. F31 Consent to Search	Z 3/15/99	3609 - 3617	3
147	IOC & S.O.P. B8 Organization - Station Commands 3/1/85	Z 3/15/99	3618 - 3624	3
148	Spirit Training 1/11/99	Z 3/15/99	3625 - 3627	3
149	Operations Report & Instructions	Z 3/15/99	3628 - 3633	3
150	IOC, dated 10/7/98, Mandatory Listing of Race & Sex on Patrol Charts	Z 3/15/99	3634	3

MRU: _____ Date: _____
 DSFC Timothy D. Collins #3298

SP _____ Date: _____
 Provider: SFC Thomas R. Gilbert #3635, Division Services Unit

AG's _____ Date: 3/24/99 3/24/99
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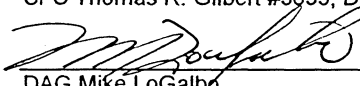
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151	Agreement Booklet Between State of New Jersey and State Trooper's Fraternal Association	Z 3/15/99	3635	3
152	Agreement Booklet Between the State of New Jersey and the STNCOA	Z 3/15/99	3636	3
153	Agreement Booklet Between State of New Jersey and the Superior Officer's Association	Z 3/15/99	3637	3
154	Special Report Detailing Annual In-Service 1996	Z 3/15/99	3638	3
155	NJSP Trends in Narcotics Trafficking	Z 3/15/99	3639 - 3655	3
156	NJSP O.I. Re: Narcotics Trafficking Trends Seminar	Z 3/15/99	3656 - 3683	3
157	IOC, dated 1/22/97 DOJ Invest Re: Profiling Allegations	Z 3/15/99	3684 - 3691	3
158	IOC, dated 9/22/97, U.S.D.O.T. Drug Interdiction Assistance Program	Z 3/15/99	3692 - 3707	3
159	SNTF/NJSP Narcotics Trafficking Trends	Z 3/15/99	3708 - 3812	3
160	Superintendent Action Memo, dated 8/12/98	Z 3/15/99	3813 - 3817	3
161	IOC, dated 5/27/98, to Colonel Williams from SFC Gilbert	Z 3/15/99	3818 - 3823	3
162	NJSP Search and Seizure Review	Z 3/15/100	3824 - 3874	3

MRU: _____
 DSFC Timothy D. Collins #3298

Date: _____

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 SFC Thomas R. Gilbert #3635, Division Services Unit

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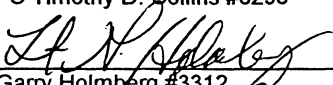
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.63	NJSP Arrests From 12/14/98 to 3/23/99 - Summary		3875 - 3878	
164	NJSP Arrests From 12/14/98 to 3/23/99 - Detail		3879 - 3884	
165	NJSP Summonses From 12/14/98 to 3/23/99 - Summary		3885 - 3910	
166	NJSP Summonses From 12/14/98 to 3/23/99 - Detail		3911 - 4164	
167	NJSP Stops From 12/14/98 to 3/23/99		4165 - 4192	
168	NJSP Stops From 12/14/98 to 3/23/99		4193 - 4531	

MRU: _____
DSFC Timothy D. Collins #3298

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Date: 3/26/99

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Date: 3/26/99

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174	NJSP Promotional System		4539 - 4540	
175	NJSP Minimum Qualification		4541	
176	SP Recruiting Initiatives		4542 - 4584	

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178	SOP F12, Trooper Coach Training System	4618 - 4623	1	
179	SOP C7, Evaluation of Personnel	4624 - 4650	1	
180	SOP F19, Mobile Video/Audio Recording (MRV)	4651 - 4661	2	
181	IOC, dated 3/29/96, Re: Documentation of Patrol Activity, Radio Transmissions, and Log	4662	3	
182	IOC, dated 4/29/96, Re: Mandatory Compliance with All Provisions of F3	4663	3	
183	SOP F3, dated 12/96, State Police Patrol Procedures	4664 - 4668	3	
184	SOP F3, dated 1/99, State Police Patrol Procedures	4669 - 4670	3	
185	IOC, dated 10/7/98, Re: Mandatory Listing of Race and Sex on Patrol Charts	4671	3	
186	SOP F7, Radio Procedures	4672 - 4687	3	
187	S.P.I.R.I.T. Training, dated 1/11/99	4688 - 4690	3	
188	Teletype, dated 3/22/96, Re: Spotlight	4691 - 4692	6	
189	Superintendent's Newsletter, dated 4/1/96	4693	6	
190	IOC, dated 3/4/99, Re: Turnpike Spotlight and PA System	4694	6	
191	Superintendent's Newsletter, dated 4/1/96	4695	3	
192	IAB Update, dated 4/98	4696 - 4697	3	
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195	IAB Update, dated 10/96	4709 - 4716	3	
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17	1998 Turnpike Arrests, Summary Report	4723 - 4744		2
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Steven Long, Director of Data Processing and Facilities
Management

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199 - 1a.	Administrative Inquiry report #AI94-009D	Z 3/15/99	4822-4829	
199 - 1b.	Advisory Board findings ref. AI94-009D	Z 3/15/99	4830	
199 - 1c.	Notification of Disposition ref. AI94-009D	Z 3/15/99	4831	
199 - 1d.	Notification notice ref. AI94-009D	Z 3/15/99	4832	
200 - 2.	S.P. 251 form ref. Internal Invest. #94-041C	Z 3/15/99	4833	
200 - 2a.	Two page letter from Frances Lawrence to Gov. Whitman, dated February 23, 1994, ref. 94-041C	Z 3/15/99	4834-4835	
200 - 2b.	Copy of MV summons #SPV026254	Z 3/15/99	4836	
200 - 2c.	Internal Invest. Report #94-041C	Z 3/15/99	4837-4851	
200 - 2d.	Advisory Board findings ref. 94-041C	Z 3/15/99	4852	
200 - 2e.	Notification of Disposition ref. 94-041C	Z 3/15/99	4853	
200 - 2f.	Notification notice ref. 94-041C	Z 3/15/99	4854	
201 - 3.	S.P. 251 form ref. Internal Invest. #94-052D	Z 3/15/99	4855	
201 - 3a.	Internal Invest. Report #94-052D	Z 3/15/99	4856-4869	
201 - 3b.	Advisory Board findings ref. 94-052D	Z 3/15/99	4870	
201 - 3c.	Letter of disposition to Scott Gaddy ref. 94-052D	Z 3/15/99	4871	
202 - 4.	S.P. 251 form ref. Internal Invest. #94-054B	Z 3/15/99	4872	
202 - 4a.	Internal Invest. Report #94-054B	Z 3/15/99	4872A-4896	
202 - 4b.	Advisory Board Findings ref. 94-054B	Z 3/15/99	4897	
202 - 4c.	Notification notice ref. 94-054B	Z 3/15/99	4898	
202 - 4d.	Letter of disposition to Rosalind Edwards ref. 94-054B	Z 3/15/99	4899	
203 - 5.	S.P. 251 form ref. Internal Invest. #94-059E	Z 3/15/99	4900	

203 - 5a.	Two page letter from Stephanie Hall to Deborah Poritz, dated March 28, 1994, ref. 94-059E	Z 3/15/99	4901-4902	
203 - 5b.	Internal Invest. Report #94-059E	Z 3/15/99	4903-4912	
203 - 5c.	Advisory Board Findings ref. 94-059E	Z 3/15/99	4913	
204 - 6.	S.P. 251 form ref. Internal Invest. #94-072H	Z 3/15/99	4914	
204 - 6a.	Internal Invest. Report #94-072H	Z 3/15/99	4915-4953	
204 - 6b.	Advisory Board Findings ref. 94-072H	Z 3/15/99	4954	
204 - 6c.	Notification of Disposition ref. 94-072H	Z 3/15/99	4955	
204 - 6d.	Letter of Disposition to Julius Scott dated November 28, 1994, ref. 94-072H	Z 3/15/99	4956	
205 - 7.	S.P. 251 form ref. Internal Invest. #94-116B	Z 3/15/99	4957-4958	
205 - 7a.	Letter from Robert Livingston to Major C. Williams, dated May 26, 1994 ref. 94-116B	Z 3/15/99	4959	
205 - 7b.	Letter from Cesar D. Fermin to Congressman Livingston, dated May 20, 1994, ref. 94-116B	Z 3/15/99	4960-4961	
205 - 7c.	Letter from Cesar D. Fermin to Congressman Baker, dated May 20, 1994, ref. 94-116B	Z 3/15/99	4962-4963	
205 - 7d.	Letter from Richard Baker to Fred DeVesa, dated June 8, 1994, ref. 94-116B	Z 3/15/99	4964	
205 - 7e.	Internal Investigation Report #94-116B	Z 3/15/99	4965-4978	
205 - 7f.	Advisory Board Findings ref. 94-116B	Z 3/15/99	4979	
205 - 7g.	Notification of Disposition ref. 94-116B	Z 3/15/99	4980	
205 - 7h.	Notification notice ref. 94-116B	Z 3/15/99	4981	
205 - 7i.	Letter to Dr. Fermin from Capt. Maggio dated April 12, 1995, ref. 94-116B	Z 3/15/99	4982	
206 - 8.	S.P. 251 form ref. Internal Invest. #94-245D	Z 3/15/99	4983	
206 - 8a.	Internal Invest. Report #94-245D	Z 3/15/99	4984-4998	
206 - 8b.	Advisory Board Findings ref. 94-245D	Z 3/15/99	4999	
206 - 8c.	Notification of Disposition ref. 94-245D	Z 3/15/99	5000	
206 - 8d.	Notification notice ref. 94-245D	Z 3/15/99	5001	

206 - 8e.	Letter of Disposition to Trent A. Clark from Capt. Roberson, dated May 26, 1995 ref. 94-245D	Z 3/15/99	5002	
207 - 9.	S.P. 251 form ref. Internal Invest. #94-120C	Z 3/15/99	5003-5004	
207 - 9a.	Copy of Summons complaint against Tpr. Cetner, ref. 94-120C	Z 3/15/99	5005	
207 - 9b.	Copy of Summons complaint against Tpr. Cetner, ref. 94-120C	Z 3/15/99	5006	
207 - 9c.	Copy of Summons complaint against Sgt. Webb, ref. 94-120C	Z 3/15/99	5007	
207 - 9d.	Copy of Summons complaint against Sgt. Webb, ref. 94-120C	Z 3/15/99	5008	
207 - 9e.	Internal Invest. Report #94-120	Z 3/15/99	5009-5024	
207 - 9f.	Advisory Board Findings ref. 94-120C	Z 3/15/99	5025	
207 - 9g.	Letter of Disposition to Leticia Nagbe from Capt. Palentchar, dated Dec. 18, 1996, ref. 94-120C	Z 3/15/99	5026	

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208 - 1a.	Internal Invest. Report #95-034A	Z 3/15/99	5029-5038	
208 - 1b.	Advisory Board findings ref. 95-034A	Z 3/15/99	5039	
208 - 1c.	Letter of Disposition to David Edmonson ref. 95-034A	Z 3/15/99	5040	
209 - 2.	S.P. 251 form ref. Internal Invest. #95-111D	Z 3/15/99	5041	
209 - 2a.	Notice of Claim from Eldridge Hawkins to NJSP, ref. 95-111D	Z 3/15/99	5042-5043	
209 - 2b.	Internal Invest. Report #95-111D	Z 3/15/99	5044-5047	
209 - 2c.	Advisory Board Findings ref. 95-111D	Z 3/15/99	5048	
209 - 2d.	Letter of Disposition to Eldridge Hawkins, from Capt. Silvert, dated Nov. 15, 1995	Z 3/15/99	5049	
210 - 3.	S.P. 251 form ref. Internal Invest. #95-044E	Z 3/15/99	5050-5051	
210 - 3a.	Letter from Bara Lo to Capt. Hill, dated February 16, 1995, ref. 95-044E	Z 3/15/99	5052	
210 - 3b.	Internal Invest. Report #95-044E	Z 3/15/99	5053-5065	
210 - 3c.	Advisory Board Findings ref. 95-044E	Z 3/15/99	5066-5067	
210 - 3d.	Letter of disposition to Bara Lo from Capt. Saul, dated Oct. 4, 1995, ref. 95-044E	Z 3/15/99	5068	
211 - 4.	S.P. 251 form ref. Internal Invest. #95-114A	Z 3/15/99	5069	
211 - 4a.	Internal Invest. Report #95-114A	Z 3/15/99	5070-5088	
211 - 4b.	Advisory Board Findings ref. 95-114A	Z 3/15/99	5089	
211 - 4c.	Letter of disposition to Michael Young from Capt. Roberson, dated Aug. 30, 1996, ref. 95-114A	Z 3/15/99	5090	
212 - 5.	S.P. 251 form ref. Internal Invest. #95-127B	Z 3/15/99	5091	
212 - 5a.	Letter from Regina Brennan to IAB, dated May 29, 1995, ref. 95-127B	Z 3/15/99	5092-5096	

212 - 5b.	Internal Invest. Report #95-127B	Z 3/15/99	5097-5124	
212 - 5c.	Advisory Board Findings ref. 95-127B	Z 3/15/99	5125	
213 - 6.	S.P. 251 form ref. Internal Invest. #95-155E	Z 3/15/99	5126	
213 - 6a.	Copy of Summons complaint against Tpr. II Dengel ref. 95-155E	Z 3/15/99	5127	
213 - 6b.	Internal Invest. Report #95-155E	Z 3/15/99	5128-5134	
213 - 6c.	Advisory Board Findings ref. 95-155E	Z 3/15/99	5135	
213 - 6d.	Letter of disposition to Roxane Fisher from Capt. Saul, dated Aug. 14, 1996, ref. 95-155E	Z 3/15/99	5136	
214 - 7.	S.P. 251 form ref. Internal Invest. #95-156D	Z 3/15/99	5137	
214 - 7a.	Letter from Bruno Cole, M.D. to Irwin Kimmelman, dated June 23, 1995, ref. 95-156D	Z 3/15/99	5138-5139	
214 - 7b.	Internal Invest. #95-156D	Z 3/15/99	5140-5150	
214 - 7c.	Advisory Board Findings ref. 95-156D	Z 3/15/99	5151	
214 - 7d.	Letter to Bruno Cole, M.D. from Capt. Silvert, dated March 4, 1996, ref. 95-156D	Z 3/15/99	5152	
215 - 8.	S.P. 251 form ref. Internal Invest. #95-194H	Z 3/15/99	5153	
215 - 8a.	Civil Action against Tpr. D. Yeager, et al., ref. 95-194H	Z 3/15/99	5154-5163	
215 - 8b.	Internal Invest. #95-194H	Z 3/15/99	5164-5181	
215 - 8c.	Advisory Board Findings ref. 95-194H	Z 3/15/99	5182	
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255 - 95-1a.	IOC from Capt. Hill to Capt. Mattos, dated 1-4-95, entitled "Allegation of Retaliation Against Trooper II Paul Jenkins #4184 as a Result of Him Reporting Racially Motivated Motor Vehicle Stops", ref. M#95-001	5946	4
255 - 95-1b.	Special Report from Lt. Sacchetti, dated 1-3-95, entitled "Interview With Trooper II Paul Jenkins #4184", ref. M#95-001	5947	4
256 - 95-2.	Letter from Olivia Drake to Michael Rozza, dated 9-4-95, ref. M#95-024	5948 - 5949	4
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257 - 95-3a.	Letter from Capt. Hill to Mr. Hammond, dated 6-9-95, ref. M#95-2	5952	4
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261 - 96-1.	S.P. 251 form ref. M#96-15	5966 - 5967	4
262 - 96-2.	Letter from Murphy Hines to Community Relations Dept. HQ. Highway Patrol, NJSP, dated 7-29-96 ref. M#96-69	5968 - 5970	4
262 - 96-2a.	Letter from Capt. Touw to Mr. Hines, dated 8-26-96, ref. M#96-69	5971	4
263 - 97-1.	Letter from Dale Taylor to Capt. Volkmann, dated 6-10-97 ref. M#97-060	5972	4
263 - 97-1a.	Letter from Capt. Volkmann to Mr. Taylor, dated 6-23-97 ref. M#97-060	5973	4
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264 - 97-2a.	IOC from SFC Vowell to Lt. Brodowski, dated 9-2-97, entitled "Complaint of Ronald Hapsin", ref. M#97-100	5976	4
265 - 97-3.	Letter from Catherine Deazle to IAB, ref. M#97-119	5977 - 5980	4
266 - 98-1.	S.P. 251 form ref. M#98-15	5981	4
266 - 98-1a.	Letter from Capt. Volkmann to Donald Lewis, dated 1-26-98, ref. M#98-15	5982	4

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267 - 98-2b.	Letter from Capt. Van Tassel to Mr. McKithen, dated 3-13-98, ref. M#98-033	5987 - 5988	4
268 - 98-3.	Letter from Antonio deSouza to Thomas O'Reilly, dated 4-29-98, ref. M#98-55	5989 - 5990	4
268 - 98-3a.	Letter from Antonio deSouza to Capt. Maggio, dated 4-11-98, ref. M#98-55	5991 - 5992	4
268 - 98-3b.	Letter from Capt. Maggio to Mr. deSouza dated 4-21-98, ref. M#98-55	5993	4
269 - 98-4.	Memo, entitled "Confidential Memo", dated 3-19-99, ref. M#98-80	5994 - 5995	4
269 - 98-4a.	Special Report from Sgt. T. Robinson, dated 3-10-99, subject: Racial Profiling, ref. M#98-80	5996	4
269 - 98-4b.	IOC from Capt. Van Tassel to LTC Fedorko, dated 6-17-98, entitled "Racial Profiling Allegation", ref. M#98-80	5997	4
269 - 98-4c.	Memo entitled "Confidential Memo", dated 6-17-98, ref. M#98-80	5998	4
269 - 98-4d.	Special Report from Sgt. T. Robinson, dated 5-18-98, entitled "Racial Profiling", ref. M#98-80	5999 - 6001	4
270 - 98-5.	S.P. 251 form ref. M#98-82	6002 - 6003	4
270 - 98-5a.	Letter from Patrick McCoy ref. M#98-82	6004	4
270 - 98-5b.	Memo entitled "McCoy Letter", dated 6-16-98, ref. M#98-82	6005	4
270 - 98-5c.	Letter from Capt. Van Tassel to Mr. McCoy, dated 6-18-98, ref. M#98-82	6006	4
271 - 98-6.	S.P. 251 form ref. M#98-84	6007	4
271 - 98-6a.	Letter from Capt. Van Tassel to Mr. Bednar, dated 7-8-98, ref. M#98-84	6008	4
272 - 98-7.	Letter from John Everett to the Attorney General, dated 6-19-98, ref. M#98-86	6009 - 6013	4
272 - 98-7a.	Letter from Capt. Van Tassel to Mr. Everett, dated 7-9-98, ref. M#98-86	6014	4
272 - 98-7b.	Letter from Mr. Everett to Capt. Van Tassel, dated 12-4-98, ref. M#98-86	6015	4
272 - 98-7c.	Letter from Capt. Van Tassel to Mr. Everette, dated 12-4-98, ref. M#98-86	6016	4
273 - 98-8.	Letter from Thomas Baldwin to Gov. Whitman, dated 6-10-98, ref. M#98-98	6017 - 6018	4
273 - 98-8a.	Letter from Capt. Van Tassel to Mr. Baldwin, dated 7-29-98, ref. M#98-98	6019	4
274 - 98-9.	Memo dated 8-12-98, entitled "Yvonne Varner Complaint", ref. M#98-109	6020	4
275 - 98-10.	Anonymous letter to Col. Williams, dated 11-16-98, ref. M#98-158	6021	4
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Sequential Item #	Description	Management Review Use Only		
		Page	Request	
276 - 98-11a.	Letter from Capt. Van Tassel to Mr. Davis, dated 12-1-98, ref. M#98-162	6024	4	
277 - 98-12.	S.P. 251 form, ref. M#98-174	6025	4	
277 - 98-12a.	Letter from Capt. Van Tassel to Rev. Hoffman, dated 12-24-98, ref. M#98-174	6026	4	
278 - 98-13	1-1-96 through 12-31-98 IAB Stats. Ref. Complaints generated by public (3 pages)	6027 - 6029	4	

AG's Office:  4/12/99
DAG Mike LoGalbo

To Be Forwarded to the U.S. Justice Department, Civil Rights Division

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Management Review Use Only

Sequential Item #	Description	Page	Z1	
254 - 94-1.	Letter from Thyrell Williams to Gov. Whitman ref. M#94-62	5942 - 5944	1	
255 - 95-1.	IOC from SFC Anderson to Capt. Hill, dated 1-17-95, entitled "Allegation of Retaliation Against Trooper II Jenkins #4184 As a Result of Him Reporting Racially Motivated Motor Vehicle Stops", ref. M#95-001	5945	1	
255 - 95-1a.	IOC from Capt. Hill to Capt. Mattos, dated 1-4-95, entitled "Allegation of Retaliation Against Trooper II Paul Jenkins #4184 as a Result of Him Reporting Racially Motivated Motor Vehicle Stops", ref. M#95-001	5946	1	
255 - 95-1b.	Special Report from Sgt. Sacchetti, dated 1-3-95, entitled "Interview With Trooper II Paul Jenkins #4184", ref. M#95-001	5947	1	
256 - 95-2.	Letter from Olivia Drake to Michael Rozza, dated 9-4-95, ref. M#95-024	5948 - 5949	1	
257 - 95-3.	S.P. 251 form ref. M#95-27	5950 - 5951	1	
257 - 95-3a.	Letter from Capt. Hill to Mr. Hammond, dated 6-9-95, ref. M#95-27	5952	1	
257 - 95-3b.	Internal Invest. Report #95-137C, ref. M#95-27	5953 - 5954	1	
258 - 95-4.	S.P. 251 form ref. M#95-28	5955	1	
259 - 95-5.	S.P. 251 form ref. M#95-40	5956 - 5959	1	
259 - 95-5a.	S.P. 310 form ref. C05095180, ref. M#95-40	5960 - 5963	1	
260 - 95-6.	S.P. 251 form ref. M#95-062	5964 - 5965	1	
261 - 96-1.	S.P. 251 form ref. M#96-15	5966 - 5967	1	
262 - 96-2.	Letter from Murphy Hines to Community Relations Dept. HQ. Highway Patrol, NJSP, dated 7-29-96 ref. M#96-69	5968 - 5970	1	
262 - 96-2a.	Letter from Capt. Touw to Mr. Hines, dated 8-26-96, ref. M#96-69	5971	1	
263 - 97-1.	Letter from Dale Taylor to Capt. Volkmann, dated 6-10-97 ref. M#97-060	5972	1	
263 - 97-1a.	Letter from Capt. Volkmann to Mr. Taylor, dated 6-23-97 ref. M#97-060	5973	1	
264 - 97-2.	Memo dated 6-19-97, entitled "Happin Racial Comments complaint", ref. M#97-100	5974 - 5975	1	
264 - 97-2a.	IOC from SFC Vowell to Lt. Brodowski, dated 9-2-97, entitled "Complaint of Ronald Hapsin", ref. M#97-100	5976	1	
265 - 97-3.	Letter from Catherine Deazle to IAB, ref. M#97-119	5977 - 5980	1	
266 - 98-1.	S.P. 251 form ref. M#98-15	5981	1	
266 - 98-1a.	Letter from Capt. Volkmann to Donald Lewis, dated 1-26-98, ref. M#98-15	5982	1	

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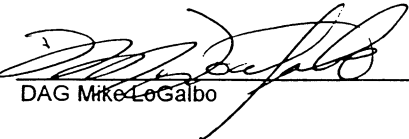
Sequential Item #	Description	Management Review Use Only	
		Page	Z1
267 - 98-2.	S.P. 251 form ref. M#98-033	5983	1
267 - 98-2a.	Letter from Dennis McKithen to Capt. Van Tassel, dated 3-11-98, ref. M#98-033	5984 - 5986	1
267 - 98-2b.	Letter from Capt. Van Tassel to Mr. McKithen, dated 3-13-98, ref. M#98-033	5987 - 5988	1
268 - 98-3.	Letter from Antonio deSouza to Thomas O'Reilly, dated 4-29-98, ref. M#98-55	5989 - 5990	1
268 - 98-3a.	Letter from Antonio deSouza to Capt. Maggio, dated 4-11-98, ref. M#98-55	5991 - 5992	1
268 - 98-3b.	Letter from Capt. Maggio to Mr. deSouza dated 4-21-98, ref. M#98-55	5993	1
269 - 98-4.	Memo, entitled "Confidential Memo", dated 3-19-99, ref. M#98-80	5994 - 5995	1
269 - 98-4a.	Special Report from Sgt. T. Robinson, dated 3-10-99, subject: Racial Profiling, ref. M#98-80	5996	1
269 - 98-4b.	IOC from Capt. Van Tassel to LTC Fedorko, dated 6-17-98, entitled "Racial Profiling Allegation", ref. M#98-80	5997	1
269 - 98-4c.	Memo entitled "Confidential Memo", dated 6-17-98, ref. M#98-80	5998	1
269 - 98-4d.	Special Report from Sgt. T. Robinson, dated 5-18-98, entitled "Racial Profiling", ref. M#98-80	5999 - 6001	1
270 - 98-5.	S.P. 251 form ref. M#98-82	6002 - 6003	1
270 - 98-5a.	Letter from Patrick McCoy ref. M#98-82	6004	1
270 - 98-5b.	Memo entitled "McCoy Letter", dated 6-16-98, ref. M#98-82	6005	1
270 - 98-5c.	Letter from Capt. Van Tassel to Mr. McCoy, dated 6-18-98, ref. M#98-82	6006	1
271 - 98-6.	S.P. 251 form ref. M#98-84	6007	1
271 - 98-6a.	Letter from Capt. Van Tassel to Mr. Bednar, dated 7-8-98, ref. M#98-84	6008	1
272 - 98-7.	Letter from John Everett to the Attorney General, dated 6-19-98, ref. M#98-86	6009 - 6013	1
272 - 98-7a.	Letter from Capt. Van Tassel to Mr. Everett, dated 7-9-98, ref. M#98-86	6014	1
272 - 98-7b.	Letter from Mr. Everett to Capt. Van Tassel, dated 12-4-98, ref. M#98-86	6015	1
272 - 98-7c.	Letter from Capt. Van Tassel to Mr. Everett, dated 12-4-98, ref. M#98-86	6016	1
273 - 98-8.	Letter from Thomas Baldwin to Gov. Whitman, dated 6-10-98, ref. M#98-98	6017 - 6018	1
273 - 98-8a.	Letter from Capt. Van Tassel to Mr. Baldwin, dated 7-29-98, ref. M#98-98	6019	1
274 - 98-9.	Memo dated 8-12-98, entitled "Yvonne Varner Complaint", ref. M#98-109	6020	1
275 - 98-10.	Anonymous letter to Col. Williams, dated 11-16-98, ref. M#98-158	6021	1
276 - 98-11.	S.P. 251 form ref. M#98-162	6022 - 6023	1

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Sequential Item #	Description	Management Review Use Only	
		Page	Request Z1
276 - 98-11a.	Letter from Capt. Van Tassel to Mr. Davis, dated 12-1-98, ref. M#98-162	6024	1
277 - 98-12.	S.P. 251 form, ref. M#98-174	6025	1
277 - 98-12a.	Letter from Capt. Van Tassel to Rev. Hoffman, dated 12-24-98, ref. M#98-174	6026	1

AG's Office: 
DAG Mike LeGalbo

4/12/99

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Sequential Item #	Description	Management Review Use Only	
		Page	Request DJ1
279 - 1	S.P. 251 Form ref. Internal Invest #96-063E	6030	4
280 - 2	S.P. 251 Form ref. Internal Invest #96-113C	6031	4
281 - 3	S.P. 251 Form ref. Internal Invest #96-092H	6032	4
281 - 3a	One page letter from John J. Coyle to Prosecutor O'Reilly, dated April 11, 1996 ref. 96-092H	6033	4
282 - 4	S.P. 251 Form ref. Internal Invest #96-094D	6034	4
282 - 4a	Three page letter from Lawrence Watts to Sgt. McClain, dated February 6, 1996, ref. 96-094D	6035 - 6037	4
283 - 5	S.P. 251 Form ref. Internal Invest #96-184C	6038 - 6039	4
284 - 6	S.P. 251 Form ref. Internal Invest #96-207B	6040	4
284 - 6a	One page letter from Sgt. H. Baraka to Claims Service Section, dated July 10, 1996 ref. 96-207B	6041	4
285 - 7	S.P. 251 Form ref. Internal Invest #96-228D	6042	4
285 - 7a	Two page letter from William Perry to Col. C. Williams, dated October 18, 1996 ref. 96-228D	6043 - 6044	4

AG's Office:  4/13/99
DAG Mike LoGalbo

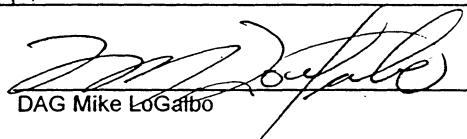
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Sequential Item #	Description	Management Review Use Only	
		Page	Request
286 - 1	S.P. 251 form ref. Internal Invest. #97-007E	6045	4
287 - 2	S.P. 251 form ref. Internal Invest. #97-050A	6046	4
287 - 2a	Statement from: Tpr. R. Cowden #4608 ref. #97-050A	6047 - 6049	4
288 - 3	S.P. 251 form ref. Internal Invest. #97-074B	6050	4
288 - 3a	Two page letter from Lois Davis, "To whom it may concern" dated March 20, 1997, ref. 97-074B	6051 - 6052	4
288 - 3b	One page letter from Lois Davis to Sgt. Glowacki, dated March 31, 1997, ref. 97-074B	6053	4
288 - 3c	Two page letter from Lois Davis to Capt. Maggio, dated April 17, 1997, ref. 97-074B	6054 - 6055	4
289 - 4	S.P. 251 form ref. Internal Invest. #97-121H	6056	4
289 - 4a	One page letter from Ronald Williams to Peter Verniero dated June 25, 1997, ref. 97-121H	6057	4
289 - 4b	Three page letter from Dr. & Mrs. R. Williams to Lt. D. Cope, dated June 25, 1997, ref. 97-121H	6058 - 6060	4
290 - 5	S.P. 251 form ref. Internal Invest. #97-131B	6061	4
290 - 5a	Two page letter from W. Alleyne to Sgt. Golden, dated June 24, 1997 ref. 97-131B	6062 - 6063	4
291 - 6	S.P. 251 form ref. Internal Invest. #97-182C	6064	4
292 - 7	S.P. 251 form ref. Internal Invest. #97-220E	6065	4
293 - 8	S.P. 251 form ref. Internal Invest. #97-222A	6066 - 6067	4
293 - 8a	Two page letter from Frank Ingram to Lt. Fisher, dated October 27, 1997 ref. 97-222A	6068 - 6069	4
294 - 9	S.P. 251 form ref. Internal Invest. #97-155E	6070 - 6071	4
294 - 9a	Four page letter from Truman McDuffie to Lt. Gilman dated August 8, 1997 ref. 97-155E	6072 - 6075	4

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4/13/99

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Sequential Item #	Description	Management Review Use Only	
		Page	Request DJ1
295 - 1	S.P. 251 form ref. Internal Invest #98-028B	6076	4
295 - 1a	IOC from Col. Williams to Lt. R. Van Tassel ref. MV stop of Alcira Amedo ref.98-028B	6077	4
295 - 1b	Two page letter from Albert E. Nevins Jr. to Col. Williams ref. 98-028B	6078 - 6079	4
296 - 2	S.P. 251 form ref. Internal Invest #98-031C	6080	4
297 - 3	S.P. 251 form ref. Internal Invest #98-035D	6081	4
298 - 4	S.P. 251 form ref. Internal Invest #98-038D	6082 - 6083	4
299 - 5	S.P. 251 form ref. Internal Invest #98-068E	6084	4
299 - 5a	One page letter from Mildred Bates to Gov. Whitman 98-068E	6085	4
299 - 5b	Two page letter from Mildred Bates to Col. Williams 98-068E	6086 - 6087	4
300 - 6	S.P. 251 form ref. Internal Invest #98-069D	6088	4
300 - 6a	Two page letter from Herbert L. Morton Jr. to Col. Williams ref. 98-069D	6089 - 6090	4
301 - 7	S.P. 251 form ref. Internal Invest #98-073E	6091 - 6092	4
302 - 8	S.P. 251 form ref. Internal Invest #98-079A	6093	4
302 - 8a	Three page letter from Francina Forman to "Whom it concerns" ref. 98-079A	6094 - 6096	4
303 - 9	S.P. 251 form ref. Internal Invest #98-093D	6097 - 6098	4
303 - 9a	Two page letter from Herbert E. Weeks to Gov. Whitman 98-093	6099 - 6100	4
304 - 10	S.P. 251 form ref. Internal Invest #98-098A	6101 - 6102	4
304 - 10a	Two page letter from C. Lydia Holmes to Lt. Buck 98-098A	6103 - 6104	4
305 - 11	S.P. 251 form ref. Internal Invest #98-128D	6105	4
305 - 11a	Defense by Affidavit form from Ian Jackson ref. 98-128D	6106 - 6107	4
305 - 11b	Nine page letter from Ian Jackson to "Whom it may concern" ref. 98-128D	6108 - 6116	4
306 - 12	S.P. 251 form ref. Internal Invest #98-138E	6117 - 6118	4
307 - 13	S.P. 251 form ref. Internal Invest #98-140E	6119	4
308 - 14	S.P. 251 form ref. Internal Invest #98-160B	6120	4
308 - 14a	Three page letter from Lumumba Okeyo to Att. General Veniero ref. 98-160B	6121 - 6123	4

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Sequential Item #	Description	Management Review Use Only	
		Page	Request DJI
309 - 15	S.P. 251 form ref. Internal Invest #98-168C	6124 - 6125	4
310 - 16	S.P. 251 form ref. Internal Invest #98-182H	6126 - 6127	4


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Sequential Item #	Description	Req #	Page	Box
311	Methodology Employed by the Intelligence Bureau to Examine Consent Search Rates	Z2	6128-6135	

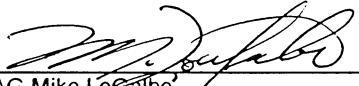

DAG Mike LoGalbo

4/16/99

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Sequential Item #	Description	Management Review Use Only		
		Page	Request	
			DJ1	
312	State Trooper's Fraternal Association Agreement with the State of New Jersey, 7/1/96 thru 6/30/00, (recent Trooper Contract)	6136 - 6168	5	
313	State Trooper's Superior Officers Association of New Jersey, Inc. Agreement with the State of New Jersey, 7/1/96 to 6/30/00, (recent Lieutenant Contract)	6169 - 6185	5	

AG's
Office:


DAG Mike Loebalbo

5/3/99

Page of

DATE	FROM	TO	SUBJECT
05/11/99	Lt. J. Guida Management Review Unit	File	<u>MATERIAL TURNED OVER I.A.B. , LT. MEDDIS</u>

Copies of the following were distributed to Lt. Meddis:

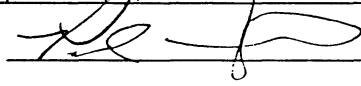
1. #163 - NJSP Arrests From 12/14/98 to 3/23/99 - Summary
Pages 3875 - 3878
2. #167 - NJSP Stops From 12/14/98 to 3/23/99
Pages 4165 - 4192
3. #197 - 1998 Turnpike Arrests, Summary Report
Pages 4723 - 4744


Lt W Meddis #3208 5/11/99
Lt. W. Meddis

RECEIPT

Sequential Item #	Description	Management Review Use Only		
		Req. #	Page	Box
315	NJSP Arrests: An Analysis by Region, Race & Crime	H 9-9-99	6194-6211	
316	32 Charts for AG briefing 4-17-99	H 9-9-99	6212-6243	
317	NJSP CAD Data 4-14-99	H 9-9-99	6244-6253	
318	6 Charts prepared for 9-8-99 briefing	H 9-9-99	6254-6259	

AG'S Office



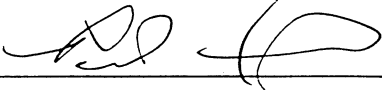
9/9/99 

DAG. Paul Heinzl

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Management Review Use Only

Sequential Item #	Description	Req. #	Page	Box
319	Select Perryville Trooper 1998 Stop Ratio	H2	6260	
320	Division-wide Stop Ratios January - August 1999	H2	6261-6281	



DAG Paul Heinzl

10/6/99

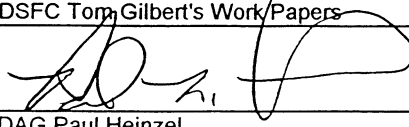
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Sequential Item #	Description	Management Review Use Only	
		Page	Request
321	DSFC Tom Gilbert's Work/Papers	6282-7103	1

AG's Office:


DAG Paul Heinzl

11/9/99

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Sequential Item #	Description	Management Review Use Only	
		Page	Request
21	DSFC Tom Gilbert Work Papers	6282 - 7103	D1 1

Recipient: Karen Kostro 1/21/00
Date

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Sequential Item #	Description	Management Review Use Only		
		Req. #	Page	Box
22	1998 CAD Reports on Race Codes for Motor Vehicle Stops	Z4	7104-7275	
323	1999 CAD Reports of Race Codes for Motor Vehicle Stops	Z4	7276-7407	

Patricia Bigel

12/15/99

FAAG Paul H. Zoubek

Date

*Tim
your Receipt
Jim C.*

Page 1 of 1

GC 003507

SP 126601

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Sequential Item #	Description	Page	Management Review Use Only	
			Request D2	
324	Cranbury & Moorestown, (6) Month Assessment of Enforcement Activity	7408-7417	1	
325	Motor Vehicle Stop Rate Data NJSP Troop "D"	7418-7426	1	
326	Inquiries of Division's Traffic & PRA Program	7427-7431	1	
327	Negative Search OPR's - New Brunswick	7432-7441	1	
328	Negative Search OPR's - Moorestown	7442-7453	1	
329	Reports By Analytical Unit On Racial Profiling	7454-7486	1	

Recipient: SFC. [Signature] #3641 2/8/00
 AAG Martin Cronin, Director, State Police Affairs Date ~~2/7/00~~

SFC Horvath signed on behalf of AAG Cronin. The only report turned over was # 329, which AAG Cronin had no give to DAG Paul Henzel.

SFC T. Gorman 3635

RECEIPT

Sequential Item #	Description	Page	Management Review Use Only	
			Request D2	
30	Review of Consent Searches By Internal Affairs Bureau	7487-7534	1	

Recipient: *Candace Filippine* *2/24/00*
Paul H. Heinzl, DAG, Special Assistant to the Director Date
CANDACE FILIPPINE

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Sequential Item #	Description	Page	Request	
332	AG's IOM from AAG Waugh to AG Verniero RE: Items for Discussion - USDOJ/SP Meeting, dated 5/20/97	7536 - 7557		

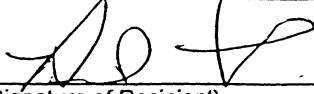
Recipient: Michael W. Kieman
(Signature of Recipient)

5/24/00
Date

DAG Michael Kieman

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Sequential Item #	Description	Page	Request	
332	AG's IOM from AAG Waugh to AG Verniero RE: Items for Discussion - USDOJ/SP Meeting, dated 5/20/97	7536 - 7557		

Recipient:  5/24/02
(Signature of Recipient) (Date)

DAG Paul Heinzl

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SP 126605

GC 003511

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Sequential Item #	Description	Page	Management Review Use Only	
			Request	
33	Information on CAD Formats	7558 - 7620	D2	1

Recipient: *Ellen Holland*
(Signature of Recipient)

4-3-00
Date

ELLEN HOLLAND

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Sequential Item #	Description	Management Review Use Only	
		Page	Request
34	Race Code Statistical Report 6/22-12/31/99	7621-7652	C2
335	UCR Data - Cranbury	7653-7657	C2
336	UCR Data - Moorestown	7658-7663	C2
337	UCR Data Newark	7664-7669	C2

Recipient: _____

(Signature of Recipient)

4/24/00
Date

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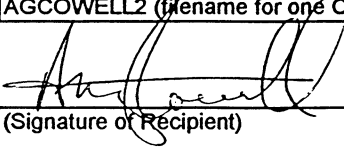
Sequential Item #	Description	Management Review Use Only	
		Page	Request
338	Tumpike Contacts 6-22-99 thru 12-31-99	7670 - 7672	C3
339	Tumpike Race Statistics 6-22-99 thru 12-31-99	7673 - 7683	C3
440	CAD Screen Examples	7684 - 7698	C3

Recipient: Steven Zieg Date 4/27/00
(Signature of Recipient)

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Sequential Item #	Description	Management Review Use Only	
		Page	Request
141	CAD Motor Vehicle Stop Records from 6/22/99 thru 3/29/2000 RE: AGCOWELL2 (filename for one CD)	7699	C4

Recipient:  4-27-00
(Signature of Recipient) Date

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Sequential Item #	Description	Management Review Use Only	
		Page	Request
331	IOC Transmittal from SFC Tom Gilbert to LTC Dunlop RE: Item #332	7535	
342	IOC dated 5/19/2000 from LTC R. Dunlop to Colonel C.J. Dunbar re: Discovery Documents re: Racial Profiling	7700 - 7701	
342 a	Memorandum dated 3/15/99 from Paul H. Zoubek, Director of DCJ to Michael Fedorko, Acting Superintendent re: Review - Collection of Documents	7702 - 7703	
342 b	IOC dated 8/25/99 from LTC M. A. Fedorko, Acting Superintendent, to LTC R. D. Dunlop and Section Supervisors re: Retention of Documents Pursuant to Victor Friedman, J.S.C., Court Order	7704 - 7721	
342 c	Memorandum dated 3/16/2000 from Paul G. Shapiro, DAG; Paul H. Heinzl, DAG; Michael Williams, DAG; Division of Criminal Justice to Lieutenant Albert Sacchetti, NJSP re: Retrieval of Required Documents	7722 - 7725	
342 d	Memorandum dated May 8, 2000 from Paul G. Shapiro, DAG; Paul H. Heinzl, DAG; Division of Criminal Justice re: Confirmation of Understanding Regarding Existence of Required Documents	7726 - 7735	
343	IOC from LTC R.D. Dunlop to Colonel Dunbar, dated 5/19/2000, RE: Colonel Dunbar's Authorization to Release Gilbert Documents to DOL & DCJ	7736-7737	
344	IOC from LTC R.D. Dunlop to Lt. J. Guida, dated 5/22/2000, RE: Release of Additional Documents SFC T. Gilbert	7738	

Recipient:  Date: 5/25/00

(Signature of Recipient)

Date

DAG Paul Heinzl

RECEIPT

Sequential Item #	Description	Management Review Use Only	
		Page	Request
331	IOC Transmittal from SFC Tom Gilbert to LTC Dunlop RE: Item #332	7535	
342	IOC dated 5/19/2000 from LTC R. Dunlop to Colonel C.J. Dunbar re: Discovery Documents re: Racial Profiling	7700 - 7701	
342 a	Memorandum dated 3/15/99 from Paul H. Zoubek, Director of DCJ to Michael Fedorko, Acting Superintendent re: Review - Collection of Documents	7702 - 7703	
342 b	IOC dated 8/25/99 from LTC M. A. Fedorko, Acting Superintendent, to LTC R. D. Dunlop and Section Supervisors re: Retention of Documents Pursuant to Victor Friedman, J.S.C., Court Order	7704 - 7721	
342 c	Memorandum dated 3/16/2000 from Paul G. Shapiro, DAG; Paul H. Heinzl, DAG; Michael Williams, DAG; Division of Criminal Justice to Lieutenant Albert Sacchetti, NJSP re: Retrieval of Required Documents	7722 - 7725	
342 d	Memorandum dated May 8, 2000 from Paul G. Shapiro, DAG; Paul H. Heinzl, DAG; Division of Criminal Justice re: Confirmation of Understanding Regarding Existence of Required Documents	7726 - 7735	
343	IOC from LTC R.D. Dunlop to Colonel Dunbar, dated 5/19/2000, RE: Colonel Dunbar's Authorization to Release Gilbert Documents to DOL & DCJ	7736-7737	
344	IOC from LTC R.D. Dunlop to Lt. J. Guida, dated 5/22/2000, RE: Release of Additional Documents SFC T. Gilbert	7738	

Recipient: Michael W. Kieman
 (Signature of Recipient)

5/25/00
 Date

DAG Michael Kieman

RECEIPT

Sequential Item #	Description	Management Review Use Only	
		Page	Request
545	CD ROM marked "AGCOWELL3.CHR" containing Stop Location Information June 1999 thru March 29, 2000 for Troop "D"	7739	

Recipient:

Alicane Vincent
(Signature of Recipient)

5/30/2000
Date

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Sequential Item #	Description	Management Review Use Only	
		Page	Request
46	CD ROM marked "AGCOWELL4.RPT containing MV Stop Data for Newark Station, 6/99 - 3/2000, Specifically Location/Disposition of Stop	7740	

Recipient: Joan Carroll 6/7/00
(Signature of Recipient) Date


Page of

10 #

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

MEMORANDUM

TO: Lt. Colonel Michael A. Fedorko, Acting Superintendent
New Jersey State Police

FROM: Paul H. Zoubek, Director 
Division of Criminal Justice

DATE: March 2, 1999

SUBJECT: STATE POLICE REVIEW

As we discussed on Friday February 26, 1999, I need the following completed as soon as possible as part of the review being conducted of State Police operations.

I. Designation of State Police Contacts/Liaison

These persons will be responsible for ensuring and facilitating complete access of members of the review team to State Police records and personnel. The contacts/liaisons should be of sufficient rank to ensure prompt and complete compliance. Designations should be made by close of business on March 4, 1999.

A. Complaints/Internal Affairs/Discipline

Members of the review team will examine the manner in which complaints from the public and from troopers are handled and investigated. Members of the review team will also examine the process by which troopers are disciplined and the results of that disciplinary process. Finally, the review team will examine the process of referring investigations of possible criminal violations.

As a first step, the review team will be examining records and conducting interviews to determine how the process currently works. It is anticipated that the review team will be reviewing the handling on specific complaints and will be requesting production of files. As a preliminary matter, I ask that all files involving allegations of racial profiling for the years 1994 - 1998 be inventoried, collected, and produced by March 12, 1999.

0101514

B. Racial Profiling

Members of the review team will, among other things, be examining records concerning stops and searches, examining all training concerning stops and searches, and interviewing a number of troopers and supervisors who work or have worked on the turnpike. I, therefore, need a contact/liaison who will ensure that all records are received and that personnel is made available. Within the next week I will be identifying the records needed and the personnel that must be interviewed.

C. Training

As noted above with reference to racial profiling, we will be examining all training for troopers at the academy and on the job training concerning stops and searches. We also will be examining "training for supervisors" in general. I, therefore, need a point of contact concerning training.

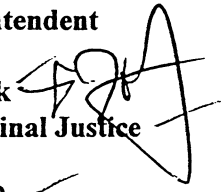
/gaf

71

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

MEMORANDUM

TO: Michael Fedorko
Acting Superintendent

FROM: Paul H. Zoubek 
Director, Criminal Justice

DATE: March 15, 1999

SUBJECT: Review - Collection of Documents

As a follow-up to our conversation on March 11, 1999, I need to receive the following documents by March 21, 1999, for the period of January 1, 1994 to the present:

- IAB
Capt. Volkman

1. All complaints and/or correspondence received alleging racial profiling or disparate treatment based on race. Where an investigation of the allegations was conducted, please also produce a copy of (a) the investigative/internal affairs file, (b) the findings of the investigation, and (c) any documents relating to discipline. Finally, please provide a copy of correspondence to the complainant.

2. All policies, procedures, and protocols concerning traffic stops and searches and seizures made during the course of a traffic stop.

Albert

3. All compilations, calculations, and/or analyses of the racial composition of traffic stops or searches made by any trooper, squad, unit, barracks, or troop.

Albert -

4. All documents which refer or relate to, record or memorialize meetings involving personnel at the Division of State Police concerning the issue of racial profiling, including but not limited to, executive staff meetings

concerning Soto as well as internal committees, task forces or groups concerning the issue of racial profiling.

5. All training materials which refer or relate to training concerning traffic stops and searches.

6. All training materials utilized in an effort to prevent racial profiling.

To: Roger Shatzkin



NEW JERSEY LEGISLATIVE BLACK AND LATINO CAUCUS

State House
South Wing
Trenton, New Jersey 08625

March 8, 1999

Honorable Peter G. Verniero
Attorney General
Richard Hughes Justice Complex
P.O. Box 081
Trenton, New Jersey 08625

Dear General Verniero:

As you know, the New Jersey Legislative Black and Latino Caucus will hold a series of public hearings regarding the policies and practices of the New Jersey State Police. The hearings will focus on such issues as profiling minority motorists in traffic stops and personnel practices related to the State Police, including minority recruitment, hiring, promotions and instances of police misconduct.

In preparation for our hearings, we respectfully request your Department provide relevant information and data on the New Jersey State Police for the years 1992 through 1998.

We would appreciate the Department forwarding the following information:

- 1) The number of stops on New Jersey roadways--delineated by date, race (African-American/Latino/Asian/White), age, geographical location, reason (s) for stopping the motorist, the name of trooper(s) involved; and the state of registration of vehicles stopped;
- 2) The number of arrests on New Jersey roadways--delineated by date, race (African-American/Latino/Asian/White), age, geographical location, category of offenses and the disposition of the case (exonerated/sustained/not sustained/unfounded), the name of trooper(s) involved; and the state of registration of vehicles stopped;
- 3) A copy of the State Police dispatch tapes reflecting the stops detailed above and any transcripts of those tapes;

4) A copy and description of the arrest "profile" of generic perpetrators, and the racial "profile" used by the New Jersey State Police;

5) A copy of the New Jersey State Police trooper training tapes, especially those regarding traffic stops;

6) A copy of the New Jersey State Police organizational chart;

(e.g. Trooper I, Trooper II, Sigs, etc.)

7) A list of salary levels of troopers by ~~starting salaries, yearly/periodic salary increments, title, years of service, and race;~~

8) A copy of the policies and procedures governing the manner in which the New Jersey State Police handles recruitment, hiring, promotion and dismissal of troopers. We would like these statistics delineated by race and age. ~~Please provide information which will explain any incidents in which a trooper was not hired, promoted or was dismissed.~~ Also, include the number of troopers who are working out of their titles, and in which titles they currently work;

9) A list of all troopers who were eligible for promotion, promoted through the ranks, and denied a promotion. Please delineate your findings by age, race, education, length of service, and quality of employment record;

10) A copy of the consent decree regarding personnel recruitment and hiring practices under which the State Police operated until 1992;

~~11) Any initiatives which the State Police implemented in accordance with the provisions of the consent decree, and the results of such efforts;~~

12) The number of complaints of abuse of power (harassment, etc.) leveled against state troopers, including the type of complaints, the race and age of the trooper, the race and age of the complainant, geographic location of the offense, the residence of the complainant, and the disposition of each complaint (suspension with or without salary, letter of reprimand, demotion, dismissal, etc.);

13) A copy of any internal employment discrimination or bias cases lodged by troopers and other staffers against the administration of the New Jersey State Police. Please delineate each case by age, race, education, length of service, and quality of employment record; and

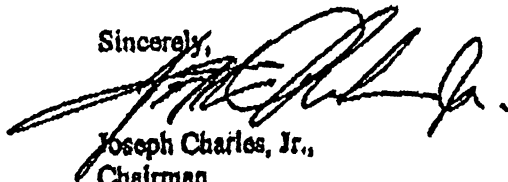
14) A description of the Trooper of the Year competition, including, but not limited to, the history of the contest, the rules and criteria which govern the contest, the list of all recipients of the award and the reason for their selection, and the service and performance records of the winners and the runners-up.

As stipulated previously, we are concerned with the aforementioned information as it relates to the time period 1992 through 1998. The information requested will be invaluable to the Caucus as we prepare to hold our public hearings. Your cooperation in forwarding the requested information by *Monday, March 29, 1999* would be greatly appreciated.

Should you have any questions, please do not hesitate to contact me at 973-623-0501.

Thank you for your prompt attention to this matter.

Sincerely,



Joseph Charles, Jr.,

Chairman

New Jersey Legislative Black and Latino Caucus

cc: Members, New Jersey Legislative Black and Latino Caucus
Governor Christine Todd Whitman
Lt. Col. Michael Pedorko, Acting Superintendent, New Jersey State Police

END

GC 003528

SP 126622

DATE	FROM	TO	SUBJECT
/26/99 lef att.	Captain E. J. Volkman Asst. Supervisor Division Staff Section	Lieutenant J. S. Guida Unit Head Management Review Unit	<u>ATTORNEY GENERAL'S REQUEST</u> <u>REFERENCE NEW JERSEY BLACK AND</u> <u>LATINO CAUCUS PUBLIC HEARINGS</u> The attached information for the Black and Latino Caucus Public Hearings is forwarded for transmittal to the Attorney General's Office. For your further processing.

GATE POLICE 101-L

T. Roger Shatzkin



NEW JERSEY LEGISLATIVE BLACK AND LATINO CAUCUS

State House
South Wing
Trenton, New Jersey 08625

March 8, 1999

Honorable Peter G. Verniero
Attorney General
Richard Hughes Justice Complex
P.O. Box 081
Trenton, New Jersey 08625

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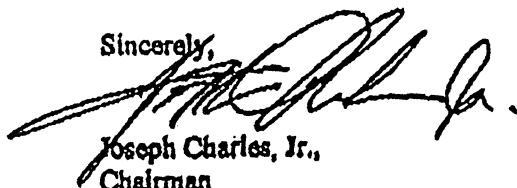
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Should you have any questions, please do not hesitate to contact me at 973-623-0501

Thank you for your prompt attention to this matter.

Sincerely,



Joseph Charles, Jr.,
Chairman

New Jersey Legislative Black and Latino Caucus

cc: Members, New Jersey Legislative Black and Latino Caucus
Governor Christine Todd Whitman
Lt. Col. Michael Fedorko, Acting Superintendent, New Jersey State Police

DATE	FROM	TO	SUBJECT
3/25/99	Capt. D. Blaker EEO/AA Bureau Chief <i>D&B</i> <i>(LM)</i>	Major J. Mattos Division Staff Section Supervisor	ATTORNEY GENERAL'S REQUEST REFERENCE NEW JERSEY BLACK AND LATINO CAUCUS PUBLIC HEARINGS DAG W. Flahive has requested that the New Jersey State Police submit relevant data for the upcoming New Jersey Legislative Black and Latino Caucus public hearings. Responses relative to the EEO/AA Bureau are attached.

STATE POLICE 101-L

SHR:MP:KE:ph
DJ 207-48-1

Special Litigation Section
P.O. Box 66400
Washington, DC 20035-6400

DJ1

March 24, 1999

Mr. Paul H. Zoubek
First Assistant
New Jersey Attorney General's Office
Hughes Justice Complex
P.O. Box 080
Trenton, NJ 08625

Dear Mr. Zoubek:

As discussed, we are writing to provide you with the contact information you requested regarding early warning tracking systems and to set forth the documents we would like provided to us to assist in our review of the New Jersey State Police.

With regard to early warning systems, you may contact Susan Malie, Assistant City Solicitor, (412) 255-2010, to obtain information about the system established by the Pittsburgh Police Department, and Captain Neal Tyler of the Los Angeles County Sheriff's Department, (626) 292-3300, to obtain information about that law enforcement agency's early warning system.

As indicated in our meeting last week, the Department has completed a substantial portion of its review. However, we have determined that there are some additional documents that would be useful for us to examine, as follows:

1. any protocols or materials on the "trooper coach" program;
2. the recently established protocol on the use of video cameras in patrol cars;
3. any protocols or materials regarding the use of the race and sex information that is required to be listed in patrol charts;
4. available statistics regarding citizen complaints (broken down by type of complaint, adjudicatory result, and troop and station, if possible) and copies of citizen complaints alleging improper profiling that your office has compiled;

MAR 24 1999 16:07

NO. 147 DC2

202 514 0212

ATTORNEY GENERAL → 95300718

PAGE 02

16:27 03/24/1999

GC 003534

SP 126628

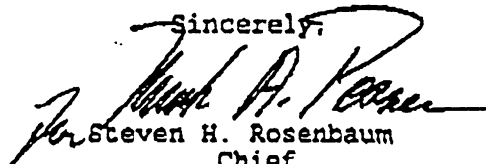
5. copies of all collective bargaining agreements between the State Police and bargaining agents representing sworn personnel;
6. any protocols regarding the practice of spotlighting motorists at night;
7. available statistics for the past three years reflecting the number of monthly arrests, by race and trooper station, on the New Jersey Turnpike; and
8. available statistics for the past three years reflecting the number of probable cause and consent searches on the New Jersey Turnpike, by race of the individuals searched and by trooper station.

We ask that you provide these documents to us by March 31, 1999.

You also indicated at our meeting that you would begin to provide us with other relevant documents being gathered in your review on or about April 12, including any documents that were identified in our original document request but which previously have not been provided. In addition, you agreed to determine whether there are any tickets or warnings for the previously requested 30 dates that have not been provided to us, and similarly we would appreciate it if you would determine whether there are any additional consent to search forms or arrest reports for these dates.

Please do not hesitate to contact me or the attorneys assigned to this case, Mark Posner (202-307-1388) or Kelli Evans (202-514-6261) should you have any questions or concerns. Also, please note that any mail sent through a private mail company should be addressed to: 601 D Street, N.W., Room 5124, Washington, D.C. 20004 (rather than to the above-listed post office box).

Sincerely,


For Steven H. Rosenbaum
Chief
Special Litigation Section

MAR 24 1999 16:07
NO. 147
DCC

202 514 0212
ATTORNEY GENERAL < 95300718

TOTAL P.03
PAGE.03
03/24/1999 16:27 6661/42/20



Office of the Attorney General

8th Floor, West Wing
Hughes Justice Complex
25 S. Market Street, PO Box 080
Tronten, New Jersey 08625-0080

FAX COVER SHEET

Date: March 24, 1999
To: Acting Superintendent Michael Fedorko
Fax Number: 530-0718
From: Paul H. Zoubek
First Assistant Attorney General
Subject:
Number of pages (including cover sheet): 3

MESSAGE

CONFIDENTIALITY NOTICE

The information contained in this facsimile transmission from the Office of the New Jersey Attorney General may be privileged and confidential and is intended for the sole use of the persons or entities named on this transmittal cover sheet. If you are not an intended recipient of this transmission, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this transmission in error, please call the sender immediately to arrange for the return of this information.

If you do not receive all pages, please call back immediately.

Voice: (609) 984-9579

Fax: (609) 633-8120



SL1

State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
OFFICE OF THE ATTORNEY GENERAL
CN 051
TRENTON, NJ 08625-0051

CHRISTINE TODD WHITMAN
Governor

PETER VERNIERO
Attorney General

THOMAS J. O'REILLY
Administrator

MEMORANDUM

TO: Lt. Garry Holmberg
Division of State Police

FROM: Steve Long, Director ✓
Data Processing & Facilities Management

DATE: March 25, 1999

SUBJECT: CAD System

1. Per your discussion with Howard Walters, I am requesting a detail and summary report data from the CAD system for motor vehicle stops on the NJ Turnpike from 12-14-1998 to present with the following data elements: badge #, trooper name, race, date, time, and if available any search information. Please break this information into separate reports by stops, summonses, and arrests and show all data by badge #, trooper name, and race.

2. I also need detail and summary report data from the UCR system for arrests on the NJ Turnpike for one full year back with the following data elements: badge #, trooper name, race, date, ORI, and charge(s) (UCR code). Please break this information into separate reports by stops, summonses, and arrests and show all data by badge #, trooper name, and race.

Please discuss with Howard if you have any questions regarding the above.

Your assistance and cooperation are greatly appreciated.

SL:dll

Attachment

c: Administrator O'Reilly
DAG Stone
Capt. McNulty



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MAR 25 1999 12:41

6092928268

PAGE. 02

Record# MR SEQ NUM CASE NO

REP DATE INC DATE COMP LN

PRIN BADG OFFENSE

OFFCD2 CON INV2 OFF3

OFF CODE CON INV1 OFF2

OFFCD3 CON INV3 OFF4

OFFCD4 CON INV4 CONCL DATE STATUS COL DET PENALTY

SUS DAYS REL CASES

UNIT REC

17524 23651 97225H

11/26/97 08/22/97 MCKENNA

5155 VERBAL ABUSE

400F UF

400B US IMPROPER RESTRAINT OF PRISONER

/ / 2

Record# MR SEQ NUM CASE NO

REP DATE INC DATE COMP LN
OFF CODE CON INV1 OFF2

PRIN BADG OFFENSE

OFFCD2 CON INV2 OFF3

OFFCD3 CON INV3 OFF4

SUS DAYS REL CASES

OFFCD4 CON INV4 CONCL DATE

STATUS COL DET PENALTY

1 6128 SF85022H

01/29/85 01/17/83 MCCLANAHAN

3746

CIVIL ACTION

74-83B

/ /

4

K023

Structure for table: h:\k020data\intdata\intdata.dbf
Number of data records: 17524
Date of last update: 04/14/99
Code Page: 0

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2	CASE_NO	Character	10		Asc	Machine
3	REP_DATE	Date	8			
4	INC_DATE	Date	8			
5	COMP_LN	Character	15			
6	PRIN_BADG	Character	4			
7	OFFENSE	Character	50			
8	OFF_CODE	Character	4		Asc	Machine
9	CON_INV1	Character	2			
10	OFF2	Character	50			
11	OFFCD2	Character	4			
12	CON_INV2	Character	2			
13	OFF3	Character	50			
14	OFFCD3	Character	4			
15	CON_INV3	Character	2			
16	OFF4	Character	50			
17	OFFCD4	Character	4			
18	CON_INV4	Character	2			
19	CONCL_DATE	Date	8		Asc	Machine
20	STATUS	Character	1			
21	COL_DET	Character	3			
22	PENALTY	Character	20			
23	SUS_DAYS	Character	3			
24	REL_CASES	Character	50			
25	UNIT_REC	Character	4			
** Total **			364			



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 080
TRENTON, NJ 08625-0080
(609) 292-4925

CHRISTINE TODD WHITMAN
Governor

PETER VERNIERO
Attorney General

TO: Lt. Colonel Michael A. Fedorko
Acting Superintendent
Division of State Police

MAF

FROM: Paul H. Zoubek
First Assistant Attorney General

DATE: April 6, 1999

SUBJECT: Internal Affairs Database

1

In the course of our ongoing review of the operation of the Internal Affairs Unit, we have been made aware of a FoxPro database containing information useful in our efforts. Your assistance in authorizing the electronic reproduction of this entire data file is requested.

Thank you.

P.H.Z.

PHZ:lme

c: AAG Debra L. Stone
Deputy Director
Wayne S. Fisher, Ph.D.
Deputy Director



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1102295

DATE	FROM	TO	SUBJECT
04/13/99 mlb att.	Lt. Colonel <i>M.A.F.</i> M. A. Fedorko Acting Superintendent	Captain R. Van Tassel <i>RP</i> IAB via Major J. Mattos Division Staff Section <i>J. Mattos</i>	<u>INTERNAL AFFAIRS DATABASE</u> The attached memorandum from FAAG Paul H. Zoubek, Office of the Attorney General, is forwarded for your appropriate action. Please advise this office when this has been completed.

0102295A



State of New Jersey

CHRISTINE TODD WHITMAN
Governor

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE
POST OFFICE BOX 7068
WEST TRENTON NJ 08628-0068

PETER VERNIERO
Attorney General

COLONEL CARL A. WILLIAMS
Superintendent
TELEPHONE: (609) 882-2000

RECEIPT

RECEIVED FROM: (Name) <i>L.T. J. GUIDA M. R. U.</i>	AGENCY: (Name and Address)
--	----------------------------

DESCRIPTION AND LIST OF PROPERTY :

*2. C.D.'S MARKED "4-14-99"
INT.
TITLE: DATA DBF
VOLUME # 99 414.1649*

(PLACE "X" IN APPROPRIATE SPACE)

RECEIVED: As Evidence _____ For Safekeeping On Loan _____

DATE: <i>4-16-99</i>	STATION / UNIT / AGENCY <i>I.A.B.</i>	SIGNATURE: <i>Det. Anton L. Bumpal # 2941</i>
-------------------------	--	--

S.P. 494 (Rev. 9/93)

White - S.P. Records Canary - Copy



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DATE	FROM	TO	SUBJECT
04/13/99 mlb att.	Lt. Colonel <i>MA</i> M. A. Fedorko Acting Superintendent	Captain R. Van Tassel <i>TP</i> IAB via Major J. Mattos Division Staff Section <i>JM</i>	INTERNAL AFFAIRS DATABASE The attached memorandum from FAAG Paul H. Zoubek, Office of the Attorney General, is forwarded for your appropriate action. Please advise this office when this has been completed.

0102295A



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 080
TRENTON, NJ 08625-0080
(609) 292-4925

CHRISTINE TODD WHITMAN
Governor

PETER VERNIERO
Attorney General

TO: Lt. Colonel Michael A. Fedorko
Acting Superintendent
Division of State Police

FROM: Paul H. Zoubek
First Assistant Attorney General

DATE: April 6, 1999

SUBJECT: Internal Affairs Database

PHZ

[Handwritten signature]

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P.H.Z.

PHZ:Ime

c: AAG Debra L. Stone
Deputy Director
Wayne S. Fisher, Ph.D.
Deputy Director



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1102295

New Jersey State Police**INTEROFFICE COMMUNICATION**

DATE	FROM	TO	SUBJECT
05/11/99	Lt. J. Guida Management Review Unit	File	<u>MATERIAL TURNED OVER I.A.B. , LT. MEDDIS</u>

Copies of the following were distributed to Lt. Meddis:

1. #163 - NJSP Arrests From 12/14/98 to 3/23/99 - Summary
Pages 3875 - 3878
2. #167 - NJSP Stops From 12/14/98 to 3/23/99
Pages 4165 - 4192
3. #197 - 1998 Turnpike Arrests, Summary Report
Pages 4723 - 4744

Lt W Meddis #3208 5/11/99
Lt. W. Meddis

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE

Date June 10, 1999


MEMORANDUM TO : Lt. J. Guida
Supervisor
Management Review Unit

Telephone Number

SCAN Number

SUBJECT : Release of Documents

During the afternoon of Thursday, June 3, 1999, I received a telephone call from DAG William Flahive, Division of Law. DAG Flahive indicated that Director Zoubek was requesting assistance with obtaining a copy of a Special Report authored by Sgt. J. Smith #2892, NJSP Moorestown, regarding racial profiling concerns. This report, dated 1/10/96, was obtained from Captain VanTassel, IAB Bureau Chief. Also obtained were a related 4/25/96 Special Report authored by Lt. B. Gilbert #2445, Station Commander, Moorestown Station, Troop D, as well as a 5/14/96 cover letter authored by Captain M. Silvert, Troop D Commander. These three (3) documents, comprising eight (8) pages, were faxed to DAG Flahive on 6/3/99. Copies of the package were provided to both LTC Dunlop and DSFC Collins of the Management Review Unit that same date.


SFC Thomas Gilbert
Supervisor
Division Services Unit

NJSP 286

GC 003547

SP 126641

DATE	FROM	TO	SUBJECT
06/9/99	Lt. J. Guida Management Review Unit <i>J. Guida</i>	LTC. R. Dunlop Executive Officer	<u>CIVIL LITIGATION DOCUMENT</u> <u>LIBRARY</u>

Recent communications with DAG William Flahive has revealed he is not only looking for our database and indexing system, but he has also requested a complete copy of the documents which the Division of State Police has forwarded to the Office of the Attorney General. The request for the documents was not part of the original correspondence.

Request permission to forward the documents in question to DAG Flahive.

For your consideration.

DATE	FROM	TO	SUBJECT
6/2/99 dab att.	Lt. Colonel M.A. Fedorko M.A. Fedorko Acting Superintendent	Lt. J. Guida Management Review Unit via Lt. Colonel R.D. Dunlop Executive Officer	99-13 <u>CIVIL LITIGATION DOCUMENT LIBRARY</u>

The attached memorandum from DAG William P. Flahive, requesting your unit share the database and indexing system that was created for use in the production of documents that were sent to the Attorney General's review team, is self-explanatory and forwarded for your compliance.

0103251B

GC 003549

SP 126643



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
RICHARD J. HUGHES JUSTICE COMPLEX
25 MARKET STREET
PO BOX 112
TRENTON, NJ 08625-0112
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CHRISTINE TODD WHITMAN
Governor

PAUL H. ZOUBEK
Acting Attorney General

JEFFREY J. MILLER
Assistant Attorney General
Director

(609) 633-8687

May 26, 1999

CONFIDENTIAL: ATTORNEY-CLIENT COMMUNICATION

Lt. Col. Michael Fedorko
Acting Superintendent
New Jersey Division of State Police
P.O. Box 7068
West Trenton, NJ 08628

*Approved
MAT*

Re: Civil Litigation Document Library

Dear Lt. Col. Fedorko:

As you may know, the Division of Law, at the direction of Director Jeff Miller is preparing a document library to be used to defend the State Police in civil suits related to allegations of "racial profiling" and employee management issues.

As part of the Attorney General's recent review, the Management Review Unit of the State Police gathered and produced to the Review team a comprehensive set of documents and a computer index of documents related to some of these same issues. The Division of Law hopes to use the work of the Management Review Unit as a foundation for our civil litigation document library.

Therefore, I am requesting that you permit the Management Review Unit to share with the Division of Law the database and indexing system that they created for use in the recent production of documents to the Attorney General's Review team.

- DEBBIE 10/31/2000
CRAVELL
PHONE (609) 633-0691
FAX (609) 777-3607



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0103251

May 26, 1999
Page 2

Please contact me if you have any questions or concerns
about this request.

Sincerely yours,

PAUL H. ZOUBEK
ACTING ATTORNEY GENERAL OF NEW JERSEY

By: 

William P. Flahive
Deputy Attorney General

Memorandum

TO: File

FROM: DSFC Tim Collins #3298
Management Review Unit

DATE: December 22, 1999

SUBJECT: Division's Statistics Forwarded to the Attorney General's Office

While reviewing and updating our Requested Information looseleaf binder, I found no written document to support the first request (H1) for information from DAG Paul Heinzl of the Division of Criminal Justice. I spoke to Lieutenant Guida to determine whether a written request had been forwarded to our office or whether the request had been made verbally.

Lieutenant Guida advised that the information forwarded to the Attorney General's Office was statistical compilations and analyses prepared by the Analytical Unit of the Intelligence Services Section. Lieutenant Colonel Dunlop ordered the statistics gathered, analyzed, and then forwarded to the Attorney General's Office for their general information. No written request came from DAG William Heinzl; rather, he was given the information on or about July 16, 1999 at the direction of Lieutenant Colonel Dunlop, Executive Officer.

The following information was provided:

1. NJSP Arrests: An Analysis by Region, Race & Crime
2. 32 Charts for Attorney General Briefing 4/17/99
3. NJSP CAD Data 4/14/99
4. Six charts prepared for DAG Heinzl briefing 9/8/99
5. Select Perryville Trooper 1998 Stop Ratio
6. Division-wide Stop Ratios January - August 1999



State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

JOHN J. FARMER, JR.
Attorney General

PO Box 085
TRENTON, NJ 08625-0085
TELEPHONE (609) 984-6500

PAUL H. ZOUBEK
Director

November 3, 1999

Sergeant Lou Klock
Division Services Unit
River Road
P.O. Box 7068
West Trenton, New Jersey 08628

Re: Racial Profiling Materials

Dear Sgt. Klock:

You advised that you were pulling together all materials in any way related to the issue of racial profiling that were in the possession of Sgt. Tom Gilbert. As you know, Sgt. Gilbert had promised to turn those materials over to me as soon as they were compiled. Please forward all such materials to me as soon as possible. Thank you for your cooperation.

Very truly yours,

Paul H. Heinzel
Deputy Attorney General



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GC 003553

SP 126647



FACSIMILE COVER SHEET

Date: 11/3 '99
To: Sgt. Klock
Fax Number: 538 - 0718
From: Paul Henzel
Subject:
Number of pages (including cover sheet): 2
Messages or Comments:

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If you do not receive all pages, please call back immediately.

Voice #: 609-984-0029

Fax #: 609-984-3974

DATE	FROM	TO	SUBJECT
1/3/00	Lt. J. Guida Management Review Unit	File	DSFC. T. Gilbert Working papers ref. Sequential Number 321 Pages 6282 - 7103

The following is a brief synopsis of the contents of item 321.

This material was forwarded to DAG. Paul Heinzl on 11-9-99.

Heinzl was originally tasked by Zoubek with putting together a plan for the State to follow as to how the State will defend itself against the anticipated challenges in criminal and civil court as a result of the "Interim" and "Final Reports" issued by the AG. The Gilbert file was made available to Heinzl subsequent to the "Interim" and "Final Report".

A committee comprised of Law and the AG members (Heinzl was part of the AG team) met with members of the I.A.B. for the purpose of obtaining the documents required by Hunterdon County.

Law was also involved in putting together a "library" of documents which were currently needed and would continue to be needed in the future actions involving the State.

Management Review has previously turned over to Law a copy of all the documents which were forwarded to the AG during the review of the State Police. These document became part of the "library".

Those documents in the "library" were available to the "committee".

The "committee" understood any of the SP documents that were turned over to Law for their "library" would be obtained from the "library" and not the SP. The only SP documents not included in the "library" are those turned over to Heinzl on 11-9-99.

This material became of interest when Heinzl refused to turn the 11-9-99 documents over to the "committee". Law was permitted to review the documents, but was not permitted to make any copies for the "library". Law did not understand the AG's position on this and Heinzl never offered an explanation.

Heinzel was part of the "committee" but would not allow the Law members of the "committee" to make copies of documents that all members of the "committee" agreed were necessary.

Heinzel suggested that he return the documents to the SP so that the SP could make copies of the documents and the SP could give the copies the "committee" that Heinzel is a member of.

This situation went on for a couple of weeks.

When the SP refused to make the copies, Heinzel made the documents available to the "committee".

The best explanation we can come up with is:

The SP tracking system enabled the SP to determine all documents turned over to the AG and to whom. We believe the AG was unable to account for all of the documents turned over to them by the SP and they also knew the SP could account for all documents.

If a document which was request by Hunterdon was not provided and the document could be traced to the AG this could be very embarrassing. The AG wanted to remove itself from any involvement of providing documents to Hunterdon.

- 6282-6285 Information request from the United States Department of Justice, received 12/24/96. (6282 - 6285)
- IOC, dated 1/9/97, from Sgt. T. Gilbert, Division Services Unit, to Colonel C. A. Williams, Re: Justice Department Investigation / Profiling Allegations: Logistical Concerns. In this IOC Sgt. Gilbert states his concerns about the broad request of the Department of Justice. He questions whether the request encompasses all stations throughout the Division or just those on the lower portion of the turnpike. Colonel Williams put a handwritten note on the first page of the IOC stating, at this time the requested information will be restricted to the Moorestown and Cranbury Stations on the turnpike. This restriction was per a conversation Colonel Williams had with A.G. Verniero and Waugh on 1/10/99.
- 6286-6288 I.O.C. from Gilbert to Williams ref Justice Department Investigation/Profiling allegations: Logistical Concerns.
- 6289-6294 Unapproved draft copy of a letter from Attorney General Peter Verniero to Loretta King, Esquire, Deputy Assistant Attorney General, Civil Rights Division, dated 1/7/97. (6289 - 6294)
- 6295-6299 Addendum to January 17, 1997 Letter From Attorney General Peter Verniero (6295 - 6299)
- 6300-6303 Exact duplicate of item #1 listed above. (6300 - 6303)
- 6304-6305 Confidential Memorandum to DAAG Alexander Waugh from John M. Fahy, Senior Deputy Attorney General, dated 1/9/97, Re: Profiling Issue. (6304 - 6305) This memo discusses the feasibility of conducting a violator survey on the southern portion of the turnpike. Copies of memo were listed as sent to Administrator Thomas O'Reilly, Director Robert Caccese, Management Analyst Al Beverage, Detective I Thomas Gilbert, and DAG George Rover.
- 6306 IOC from Lt. Colonel V. Littles, Deputy Superintendent, to Captain B. Roberson, Commanding Troop "D", dated January 15, 1997, Re: Retention of Radio Tapes Regarding Justice Department Inquiry. (6306) DOJ requested radio transmission tapes for the period 1994 to 1996.
- 6307 IOC from Lt. Colonel V. Littles, Deputy Superintendent to Captain J. Mattos, Commandant State Police Academy, dated January 16, 1997, Re: Justice Department Inquiry Re: Profiling Allegations. (6307)

- 6308 IOC form LTC V. Littles to Captain B. Roberson, dated 1/17/97, RE: Justice Department Investigation RE: Profiling Allegations/Data Collection from Moorestown and Cranbury Stations. (6308)
- 6309-6313 Correspondence from Attorney General Peter Verniero to Loretta King, Esquire, Deputy Assistant Attorney General, Civil Rights Division, dated January 17, 1997. (6309 - 6313)
- 6314 Fax cover sheet from Sgt. Tom Gilbert to DAG Rover, fax # (609) 530-9708, dated January 17, 1997. (6314)
- 6315-6321 Report of John Lamberth, PH.D. Survey on the Maryland portion of I-95 from White Marsh (Exit 67) to Elkton (Exit 109) . (6316 - 6321)
- 6322-6330 Civil Action No. MJG-93-468, US District Court for the District of Maryland, Robert L. Wilkins, et al., Plaintiffs v. Maryland State Police, et al., Defendants, Settlement Agreement. (6322 - 6330)
- 6331 IOC form LTC V. Littles, Deputy Superintendent, to Captain J. Mattos, Commandant State Police Academy, dated January 22, 1997, RE: Justice Department Investigation RE: Profiling Allegations and In-Service Training. (6331)
- 6332 Memo from Lieutenant Blaker to Colonel Carl A. Williams, dated February 4, 1997, RE: IACP/Maryland SP Intelligence Exchange. Reasons Sergeant Gilbert believes the SP should participate in this meeting. (6332)
- 6333 Superintendent's Action Memo from Superintendent to Sergeant Gilbert RE: IACP/Maryland SP Intelligence Exchange, dated January 30, 1997; Colonel Williams asks Sergeant Gilbert if this meeting is worthwhile? (6333)
- 6334-6335 Fax with attached Memo from F/Sgt. David Bancroft, IACP, RE: information about an upcoming law enforcement meeting to discuss a regional clearinghouse of enforcement data pertaining to the Interstate highway system, scheduled for February 19, 1997. (6334 & 6335)
- 6336-6338 Confidential Memo from George N. Rover, DAG, OAG, to Alexander P. Waugh, Jr., Executive Assistant Attorney General , OAG, dated February 5, 1997, Subject: State Police Profiling Issue (6336 - 6338)
- 6339 Correspondence from DAG George N. Rover, OAG to Mark Posner, Civil Rights Division, US Department of Justice, RE: New Jersey State Police, dated February 6, 1997 (6339)

- 6340 IOC from Captain J. Mattos, Commandant Training Bureau, to Colonel Carl A. , Superintendent, date February 7, 1997, Subject: Search and Seizure Review Board Meeting, January 31, 1997. (6340)
- 6341-6343 Search and Seizure Review Board Meeting Minutes, January 31, 1997. (6341 - 6343)
- 6344 Correspondence from Acting Union County Prosecutor Edward Neafsey to Captain Juan Mattos, Commandant New Jersey State Police Academy, dated January 29, 1997, Re: NJSP Search and Seizure Review (6344)
- 6345 Correspondence from Michael Zawacki, Chief, Parks Law Enforcement dated December 31, 1996 (6345)
- 6346-6350 Union County Prosecutor's Office, Police Encounter Worksheet and Checklist (6346 - 6350)
- 6351-6356 New Jersey Narcotic Enforcement Officer Association, Police Encounter Worksheet and Checklist (6351 - 6356)
- 6357-6372 Memo from Judge Francis to counsel reference Soto case. In it he discusses the results of the statistical methods and results of traffic studies performed by defendant's counsel and experts.
- 6373-6376 Suppression Order signed by Judge Francis reference Soto defendants.
- 6377-6378 Teletype message from Col. Williams to Stations discussing Soto ruling.
- 6379-6383 IOC from Gilbert to Williams concerning Soto decision and potential remedies. He suggests NOT using summons to record race data as the " notation could be misconstrued by the general public." He recommends using the Patrol Chart to record this information, "it is an internal document as opposed to summonses, which are forwarded to the courts and become discoverable for contested traffic cases. Notations denoting race on traffic summonses could become a regular issued raised by defense attorneys in municipal courts."
- 6384 IOC from McPartland to Williams concerning Judge Francis Opinion
- 6385-6386 IOC Mattos to Littles reference Search & Seizure Training update.
- 6387 IOC Littles to Sgt. Legg, ODU, reference compliance with S.O.P. F-3, more specifically, calling in race of vehicle occupants.
- 6388-6394 Various news articles concerning racial profiling.

- 6395 Superintendent's Newsletter discussing Soto case.
- 6396-6403 Change Notice for S.O.P. C-22, Activity Reporting System.
- 6404-6405 IAB Trooper Synopsis for all complaints against Trooper.
- 6406-6407 IOC from Touw, IAB to Williams listing attendees and classes to be attended for Division Counseling Program- Phase III.
- 6408-6410 IAB Trooper Synopsis for all complaints against Trooper. IOC from Touw, IAB to Williams listing attendees and classes to be attended for Division Counseling Program- Phase III.
- 6411-6412 List of attendees of meeting to discuss data to be collected reference criminal and DD cases on I-78 in Hunterdon County.
- 6413-6421 Letter from AP Harvey Lester, Hunterdon County, to Det. T. Gilbert, regarding Public Defenders allegations of racial profiling.
- 6422 IOC Littles to Sparano concerning retention of Patrol Charts and radio logs indefinitely.
- 6423-6427 IOC Gilbert to Williams reference Racial Profiling Issues. The report memorializes recent events related to racial profiling issues. Discusses training, Gloucester County Appeal, additional defense challenges based on profiling allegations, Motor Vehicle Stops statistical data, Inspections.
- 6428 IOC Littles to Sparano reference mandatory compliance with S.O.P. F-3, State Police Patrol Procedures.
- 6429-6463 IAB Trooper Synopsis records, copies of Civil Actions filed against troopers.
- 6464 List of Troopers in Soto case.
- 6465-6469 Statistical Data for stops of Perryville Station.
- 6470-6471 Inspection Audit guidelines.
- 6472-6477 Special Reports from Lt. Hinkle, Staff Inspection Unit, to Capt. Touw, IAB reference Internal Audit of Summonses.
- 6478 Moorestown Troopers involved in Soto case criminal statistics.
- 6479 Philadelphia Inquirer story on I-95 searches.

6480-6483 Memo from SDAG Fahy to Capt. Touw, IAB concerning discovery for racial profiling cases.

6484-6490 Memo from Gilbert to Williams reference search and seizure issues.

6491-6494 Special report from Lt. Hinkle, Staff Inspection Unit to Capt. Touw, IAB reference Patrol Issues/Concerns at Moorestown Station.

6495 Lesson Plan for In-Service training, Search & Seizure Update.

6496-6503 Special Reports by Lt. Gilbert & SFC Smith concerning perceptions of racial profiling at Moorestown Station.

6504-6510 IOC from Hinkle to Touw reference Audit of radio logs.

6511 IOC Littles to Sparano reference mandatory compliance with S.O.P. F-3. (6428)

6512 Ledger story reference profiling.

6513 IOC from Touw to Sparano reference Inspection Audit patrol stops.

6514-6520 (6504-6510)

6521 (6428)

6522-6523 (6495)

6524 (6512)

6525-6529 (6480-6483)

6530 Ledger story on war on drugs.

6531-6538 (6484-6490)

6539-6581 Database for Soto case of Trooper arrests at Moorestown Station.

6582-6590 IAB Updates for January 1, 1996 to July 1, 1996.

6591-6602 S.O.P. F-55

6603 IOC Littles to Foody reference proposed changes to S.O.P. B-8 and S.O.P. B-28

6604-6609 S.O.P: B-8

6610 Address & names of The Center for Economic Studies

6611-6614 Special Reports concerning content of 1996 annual In-Service.

6615-6620 Appellate Division finding concerning selective enforcement.

6621 IOC Schroth to Sacchetti reference S.O.P. B28, "Inspection Program - Personnel and Facilities"

6622-6626 Letter from civilian to reporter for New York Times critical of reporter story on racial profiling.

6627-6632 Memo from SDAG Fahy to Verniero containing draft of press release on racial profiling.

6633-6647 Memo to Volkmann reference IAB Maintenance of Complaint Records.

6648 IOC from Williams to Sparano reference Inquiries Concerning the Division's Traffic and PRA Enforcement Programs.

6649-6653 IOC Littles to Sparano discusses ability of CAD to capture statistics requested by DOJ.

6654-6655 Letter from DAG George Rover to Mark Posner, DOJ listing summons issued in 1996 by Cranbury and Moorestown.

6656-6658 IOC Williams to Farinella requesting data to be supplied to DOJ for 15 randomly selected days.

6659-6666 Daily Radio Log Synopsis; Consent and Probable Cause Search Synopsis for Moorestown and Cranbury Stations, May, 1997.

6667 Memo from Gilbert to Williams via Blaker which indicates statistics gathered for sample dates requested by DOJ indicate NJSP exceeds the search percentages of MDSP.

6668-6671 (6491-6494)

6672-6673 Draft of Statement of Verniero after meeting with Rev. Jackson.

6674-6675 IOC Schroth to Major Silvert with attached article concerning profiling.

6676-6677 Memo Gilbert to Williams reference Training on Profiling Issues & Formation of Standing Committee.

6678-6681 Williams Action Memo attached to letter of commendation from DEA.

6682-6684 NJSP Narco Trafficking Trends & Highway Interdiction Training Course syllabus and list of attendees.

6685 Inquirer story on Phila. Police stops.

6686-6690 Superintendent's Action Memo discussing attached IOC from Gilbert to William's via Manney. Discusses interdiction training.

6691 Article by Dr. Lamberth (Soto expert) on Driving While Black.

6692-6695 DEA Intelligence Bulletin on Operation PIPELINE.

6696-6699 Memo to Williams from NYSP Superintendent reference IACP Highway Criminal Interdiction Summit.

6700-6702 Assorted stories on race.

6703 (7029)

6704-6706 Fax to Williams from NYSP Superintendent concerning H.R.118, the "Traffic Stops Statistics Study Act of 1997".

6707-6709 (7026-7028)

6710 Article on Biased Traffic Stops in The Police Chief magazine.

6711-6716 IACP conference on Professional Traffic Stops

6717-6720 H.R. 118 Traffic Stops Statistics Act

6721-6723 Oregon Legislature House Bill 2433

6724 Blank "Stop Disposition Log".

6725-6727 Literature on the National Safety Council's Airbag campaign.

6728-6740 Highway Interdiction Report and Seizure Totals

6741-6744 (6692-6695)

6745-6748 (6696-6699)

6749-6751 (6700-6702)
6752 (7029)
6753-6755 (6704-6706)
6756-6758 (7026-7028)
6759 (6710)
6760-6765 (6711-6716)
6766-6769 (6717-6720)
6770-6772 (6721-6723)
6773 (6724)
6774-6776 (6725-6727)
6777-6789 (6728-6740)
6790-6791 DEA Intelligence Bulletin Operation PIPELINE
6792-6796 Travel Orders to IACP Conference
6797-6799 Info on IACP Conference
6800-6805 Heroin Trends Report issued by DEA, Newark Field Division
6806-6809 (6696-6699)
6810-6820 IACP News
6821-6823 Memo Gilbert to Dunlop containing a chronological list of events after Judge's ruling in Soto case.
6824-6827 Memo to Fedorko containing chronological list of events after Judge's ruling in Soto case.
6828 IOC to file by Lt. J. Guida.
6829 (6464)
6830 (6478)

6831-6873 (6539-6581)
6874-6879 (6472-6477)
6880-6881 (6411-6412)
6882-6890 (6413-6421)
6891-6895 (6465-6469)
6896 (6428)
6897-6903 (6504-6510)
6904 (6513)
6905-6911 (6504-6510)
6912 (6428)
6913-6917 (6480-6483)
6918 IOC Fedorko to Littles reference Moorestown Station Audit.
6919-6922 (6491-6494)
6923-6924 Memo to Fedorko from Touw in reference to Internal Affairs
Recommendations to the Patrol Issues/Concerns at Moorestown Station.
6925-6928 Draft from DOJ requesting information for their investigation.
6929-6931 (6286-6288)
6932-6935 Memo from Gilbert to Williams concerning Justice Department Inquiry.
Compares NJSP statistics with Maryland SP statistics and the similarities
between them.
6936-6961 Gilbert's work papers for NJSP statistics.
6962 Memo to Williams from Capt. B. Roberson, Commanding Troop "D"
indicating that statistics should be gathered from all stations and not just
Troop "D".
6963 Special Report by DSFC Boddy questioning intent to use only Troop "D"
Stations to gather statistical information.

- 6964-6965 Memo from Gilbert to Williams via Blaker. Discusses attempts to "limit what we will be giving to Department of Justice," who is conducting an " investigation which is obviously intended to make us look bad" and want to get a "pound of flesh from the NJSP". Also discusses other topics related to racial profiling.
- 6966-6999 Data from R&I generated for the DOJ request.
- 7000-7007 Daily Radio Log Synopsis; Consent and Probable Cause Search Synopsis for Moorestown and Cranbury Stations, May, 1997.
- 7008 Memo from Gilbert to Williams via Blaker which indicates statistics gathered for sample dates requested by DOJ indicate NJSP exceeds the search percentages of MDSP.
- 7009 Memo from Gilbert to Williams via Blaker. Contains Turnpike statistics for Moorestown and Cranbury Stations for April/May 1997.
- 7010-7012 IOC Hinkle to Captain Volkmann, IAB reference Audit of Motor Vehicle Stops-Netcong Station.
- 7013-7015 IOC Hinkle to Captain Volkmann, IAB reference Audit of Motor Vehicle Stops-Bellmawr Station.
- 7016-7020 IOC Sparano to Williams reference assessment of enforcement activity at Cranbury and Moorestown Stations between April and September, 1997.
- 7021-7025 IOC Cartwright to Williams reference assessment of enforcement activity at Cranbury and Moorestown Stations between April and September, 1998.
- 7026-7028 Memo from Gilbert to DAG George Rover reference DOJ Inquiry. Discuss in car cameras, training, etc.
- 7029 IOC from Fedorko, Deputy Superintendent, to all Sections reference listing race and sex on patrol charts.
- 7030-7032 IOC Cartwright to Williams reference assessment of enforcement activity at Cranbury and Moorestown Stations between April and September, 1998.
- 7033 IOC Cartwright to Williams reference Field Ops Section Cumulative Statistics, 1998.

- 7034-7091 Statistical Summary of stops of Trooper Clifford and related work papers.
- 7092-7094 Chronological list of dates of activity after Judge's opinion in Soto case.
- 7095-7097 Search & Seizure event flow and templates.
- 7098-7103 List of Troop "D" criminal charges 97-98.



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 080
TRENTON, NJ 08625-0080

CHRISTINE TODD WHITMAN
Governor

JOHN J. FARMER, JR.
Attorney General

PAUL H. ZOUBEK
First Asst. Attorney General

MEMORANDUM

TO: Colonei Carson J. Dunbar, Jr.
Superintendent
New Jersey State Police

FROM: Paul H. Zoubek *PHZ*
First Assistant Attorney General

DATE: November 19, 1999

SUBJECT: *Production of CAD Data*

This will confirm our conversation of November 18, 1999.

Pursuant to requests by my office, the State Police has provided Division-wide stop data retrieved from the Computer Aided Dispatch (CAD) system, broken down both by race of driver and unit code/assignment of the trooper effectuating the stop, for both Calendar Year 1998 as well as all such available data for 1999 (January 1 through August 31, 1999).

Several weeks ago, we requested a month-by-month breakdown of the same information (again, both by race of driver and unit code/assignment) for the purpose of preparing our first release of data as recommended in the Interim Report.

PHZ:amc
c: John J. Farmer Jr., Attorney General
Martin Cronin, Assistant Attorney General
Paul Heinzl, Deputy Attorney General

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GC 003568

SP 126662

DATE	FROM	TO	SUBJECT
12/3/99 km	SFC K. Moore Acting Unit Head CAD/RMS Unit via Lt. L. L. Larsen Acting Bureau Chief CJRB via	Colonel C. J. Dunbar, Jr. Superintendent via LTC R. D. Dunlop Acting Deputy Superintendent	RACE CODE REPORTS FOR '1998 AND 1999

Captain F. McNulty
Acting Section
Supervisor *FM*
R & I

Attached are the Computer Aided Dispatch reports of race codes on motor vehicle stops for January through December 1998 and January through August 1999 as requested by First Assistant Attorney General Paul Zoubek.

STATE POLICE 101-S

0106266

Stella Please prepare a Memo from Col. Dunbar to First Assistant Attorney General Zoubek

Subject: Production of CAD Data

As per your request, attached is the Computer Aided Dispatch information requested in your November 19, 1999 memorandum.

Should you have any additional questions or concerns contact me at Division Headquarters at (609) 882-2000, Ext. 6500.

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE

Date November 13, 1999

MEMORANDUM TO: FAAG Paul H. Zoubek
Office of the Attorney General

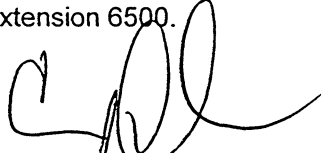
Telephone Number

SCAN Number

SUBJECT : Production of CAD Data

Attached is the Computer Aided Dispatch information you requested in your November 19, 1999 memorandum.

Should you have any additional questions or concerns, contact me at Division Headquarters at 609-882-2000, extension 6500.



Carson J. Dunbar
Colonel
Superintendent

hm

0106266

GC 003571

SP 126665



From the desk of:

LTC Robert D. Dunlop

Date: 12-10-99

Colonel

I have directed
Intelligence Section to
produce an analysis of
this raw data.

A copy of this report
must go to FAAC

Paul Zoubek. I have
(over)

DEPARTMENT OF LAW AND PUBLIC SAFETY • DIVISION OF STATE POLICE

prepared a transmittal
memo for your signature

Pls return to me
so the document can
be date stamped,
recorded and forwarded
to Paul Zoubek.

Memorandum

TO: File

FROM: DSFC Timothy D. Collins #3298
Management Review Unit

DATE: January 21, 2000

SUBJECT: Request for SFC Tom Gilbert's Work Papers

On this date Lieutenant Joe Guida advised that the law firm of DeCotiis, Fitzpatrick, and Gluck, Glen Pointe Centre West, 500 Frank W. Burr Boulevard, Teaneck, NJ 07666, requested copies of the documents known as SFC Tom Gilbert's Work Papers, item number 321, pages 6282 - 7103. The state of New Jersey has hired the law firm to represent the Division of State Police in a pending civil action.

The documents will be delivered to attorney R. Brian McLaughlin of DeCotiis, Fitzpatrick, and Gluck.

Memorandum

TO: File

FROM: DSFC Timothy D. Collins #3298
Management Review Unit

DATE: February 7, 2000

SUBJECT: Second Submission of Division Statistics to Office of the Attorney General

On this date Lieutenant Joe Guida advised that SFC Tom Gilbert had gathered documents that Lieutenant Colonel Robert D. Dunlop wanted forwarded to AAG Martin Cronin, Director, State Police Affairs, in the Office of the Attorney General.

The following documents were forwarded to Director Cronin's office on this date:

	<u>File #</u>	<u>Description</u>
1.	324 <i>Refused</i>	Cranbury & Moorestown Station, (6) Month Assessment of Enforcement Activity
2.	325 <i>Refused</i>	Motor Vehicle Stop Rate Data NJSP Troop "D"
3.	326 <i>Refused</i>	Inquiries of Division's Traffic & PRA Program
4.	327 <i>Refused</i>	Negative Search OPR's - New Brunswick
5.	328 <i>Refused</i>	Negative Search OPR's - Moorestown
6.	329	Reports By Analytical Unit On Racial Profiling

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE

Date February 24, 2000

MEMORANDUM TO : Paul H. Heinzl, Deputy Attorney General
Special Assistant to the Director

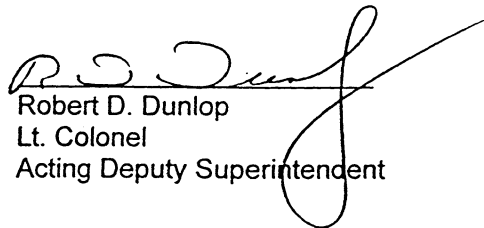
Telephone Number

SCAN Number

SUBJECT : Review of Consent Searches by Internal Affairs Bureau

Pursuant to your request contained in the memorandum dated January 28, 2000, from you to Martin Cronin, AAG Director of State Police Affairs, please find attached a report prepared by Lt. L. Brodowski, Internal Affairs Bureau, detailing a case by case review of the 1997-1998 Consent Search Incident.

Forwarded for your review and information.


Robert D. Dunlop
Lt. Colonel
Acting Deputy Superintendent



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0108172

GC 003575

SP 126669

Memorandum

To: File

From: Lt. J. Guide #3105
Management Review Unit

Date: March 22, 2000

Subject: Finding of additional information by SFC T. Gilbert

Item #332 was forwarded to MRU for processing and returned to SFC Gilbert who then forwarded to LTC Dunlop. It is my understanding that the information was passed along to Col. Dunbar by LTC Dunlop. Col. Dunbar placed a cover on the material and delivered to DAG Zoubek on April 7, 2000.

Memorandum

TO: File

FROM: LT. J. Guida #3105
Management Review Unit

DATE: March 28, 2000

SUBJECT: Request for CAD information made by the law firm of DeCotis, Fitzpatrick and Gluck

On this date Capt. F. McNulty, Acting Section Supervisor of the Records and Identification Section delivered to me Cad information which was requested by Dr. Goldstein (expert representing DeCotis). This information had been requested by Dr. Goldstein on March 24, 2000.

Capt. McNulty represented to me the release of the information had been approved by LTC Dunlop.

The documents will be delivered to attorney R. Brian McLaughlin of DeCotis.

Memorandum

To: File

From: Lt. J. Guida #3105
Management Review Unit

Date: April 24, 2000

Subject: Request for information by DAG Cronin

On this date Lt. K. Moore of the CAD\RMS Unit presented MRU with items #334, 335, 336 and 337 which were requested by DAG. Cronin.

MRU processed the documents for Lt. Moore who had them delivered to DAG. Cronin.

Memorandum

To: File

From: Lt. J. Guida #3105
Management Review Unit

Date: April 26, 2000

Subject: Request for information by DAG Cronin

On this date Lt. K. Moore of the CAD\RMS Unit presented MRU with items #338, 339 and 340 which were requested by DAG. Cronin.

MRU processed the documents for Lt. Moore who had them delivered to DAG. Cronin.

Memorandum

To: File

From: Lt. J. Guida #3105
Management Review Unit

Date: 4-27-00

Subject: Request for information by DAG Cronin

On this date a CD containing Motor Vehicle Stop Records for the period 6/22/99 thru 3/29/00 was prepared by Lt. Moore for DAG Cronin.

The information on the CD can be found in file AGCOWELL2 which is maintained by Lt. Moore. This CD was assigned #341.

MRU did not maintain a hard copy of the file due to its size and the fact that it can be retrieved by Lt. Moore.

DATE	FROM	TO	SUBJECT
05/22/00 sc att.	Lt. Colonel R. D. Dunlop Acting Deputy Superintendent	Lt. J. Guida Management Review Unit	DISCOVERY DOCUMENTS RE RACIAL PROFILING

On May 22, 2000, the Superintendent advised Lt. J. Campbell that he reviewed the attached interoffice communication and directed that copies of the additional documentation located by SFC T. Gilbert be provided to the Division of Law and the Division of Criminal Justice at the earliest possible date.

For your information and compliance.



0110141A

GC 003581

SP 126675

Subject: INTERIM REPORT -

Document Date: 07/23/1999

Date Received: 07/23/1999

Office of Responsibility: Office of the Dep. Supt.

From: LTC M. A. Fedorko Acting Superintendent

To: SECTION SUPVRS

Due Date: / /

Critical Date: / /

Closed Date: 02/01/2000

File Location: CF; PLANNING BUR

Actions: IOC TO SECTION SUPVRS REQUESTING INFORMATION TO BE SUBMITTED BY JULY 30, 1999; SIGNED BY LTC FEDORKO AND DISTRIBUTED (COPY RETURNED TO PLANNING BUR); EO - 7/27/99 - REVIEWED BY LTC DUNLOP AND COPY DISCARDED;
 DS- 7/29/99 - IOC FROM S & T S TO LTC FEDORKO IN RESPONSE TO QUESTION REGARDING EARLY WARNING SYSTEM; SENT INTO LT BRUNCATI; SIGNED AND GIVEN TO TIM COLLINS ON 8/2; eo - 7/28/989 - RESPONSE FORM FOS - SIGNED AND FOR'D TO LTC FEDORKO - SIGNED AND FOR'D TO LTC FEDORKO; DS - 7/30/99 - SENT INTO LT. BRUNCATI, SIGNED BY LTC FEDORKO AND FOR'D TO LT. RICHARDSON ON 7/3;
 DS - 7/30/99 - IOC FROM DIV. STAFF TO PLANNING BUREAU RE INTERIM REPORT RECOMMENDATION NO. 8 ENHANCED TRAINING TRAINING BUREAU PROPOSAL. SENT INTO LT. BRUNCATI, SIGNED AND FOR'D TO ADMIN. ON 8/2;
 DS - 7/30/99 - IOC FROM DIV. STAFF TO PLANING BUREAU RE INTERIM REPORT OF THE STATE POLICE REVIEW TEAM REGARDING ALLEGATIONS OF RACIAL PROFILING - NJSP RESPONISBILITIES FOR IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE OAG'S REVIEW TEAM, AND PART V. REMEDIAL STEPS C. SPECIFIC ACTION STEPS 7. CASE BY CASE REVIEW OF 1997 - 1998 CONSENT TO SEARCH INCIDENTS. SENT INTO LT. BRUNCATI, SIGNED AND FOR'D TO ADMIN. ON 8/2;
 eo - 8/3/99 - IOC FROM CAPT. HAYDEN STATING EMS HAS NO COMMENTS IN REFERENCE TO THE INTERIM REPORT - SIGNED AND FOR'D TO LTC FEDORKO; DS-8/3/99 - SENT INTO LT BRUNCATI; SIGNED BY LTC FEDORKO; FORWARDED TO PLANNING BUR 01/05/00 S-COPY OF MEMO TO ZOUBEK FROM O'REILLY SUBJECT: STATE POLICE REPORT IMPLEMENTATON OUTLINING SEVERAL DECISION POINTS THAT NEED TO BE ADDRESSED. GIVEN TO SUPT. ; S-01/28/00 MEMO DRAFTED TO O'REILLY AND SENT INTO SUPT. FOR SIGNATURE; 2/1/00 SIGNED AND FORWARDED THIS DATE.

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FROM	TO	SUBJECT
<p>LTC M. A. Fedorko Acting Superintendent</p> <p><i>MAJ</i></p> <p>c: Lt. Guida Lt. Bruncati Lt. Cosgrove Lt. Manney DSFC Campbell</p>	<p>LTC R. D. Dunlop Executive Officer</p> <p>Major V. Modarelli S&TS Section Supervisor</p> <p>Major K. McPartland Intelligence Services Section Supervisor</p> <p>Major B. Roberson Administration Section Supervisor</p> <p>Major J. Mattos Division Staff Section Supervisor</p> <p>Capt. F. McNulty Acting R&I Section Supervisor</p> <p>Capt. L. Cartwright Acting Field Operations Section Supervisor</p> <p>Capt. F. Madden Acting Investigations Section Supervisor</p> <p>Capt. K. Hayden Assistant Emergency Management Section Supervisor</p>	<p><u>INTERIM REPORT ON RACIAL PROFILING</u></p> <p>Attached draft document has been created as the result of our April 29, 1999, meeting. Please review the contents. Whatever comments and recommendations you may have will be discussed at our next meeting. Additional assignments are as follows:</p> <ol style="list-style-type: none"> Captain Cartwright and Major Mattos are to prepare a document that identifies the anatomy (components) of a motor vehicle stop. This information, in narrative form, will be accompanied by a flow chart identifying actions and potential results. Captain Hayden will provide technical support. In addition, the group will review S.O.P. F55, "Motor Vehicle Searches and Seizures," for correctness in identifying the various justifications for conducting a motor vehicle search. Major Modarelli, Major McPartland and Capt. Madden are to evaluate the Division's past involvement in the Statewide Narcotics Action Plan and make recommendations as to the nature of what the Division views as our future role. Supply and demand issues should be addressed. Captain McNulty is to gather all documents currently assembled to inform our members of how to utilize the C.A.D. system. Of particular importance is the screen and codes. All members of the group are to express their thoughts as to the type of information that should comprise an "Early Warning System." Once created, how should the "Early Warning System" be used? <p>Forwarded for your compliance and further action.</p>

Recommendations made by

If necessary for made by the OAG

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- B. Area of individual responsibility:
 - 1. R&I-update CAD/RMS screen to capture new information.
 - 2. F. Ops -dissect anatomy of an MV stop; identify officer safety issues in gathering information.

- 3. **Establishment of Early Warning System and Enhanced Computerization of Records**
 MAJOR ROBERSON AND STAFF
 - A. Section/Unit responsible:
 - 1. Div. Staff (*IAB, Inspection Unit*)
 - 2. F. Ops (*Troop commanders, Station commanders*)
 - 3. R&I (*CAD/RMS*)
 - 4. Dep. Supt. (*Management Review*)
 - 5. Adm. Sec. (*Planning Bureau*)

 - B. Area of individual responsibility:
 - 1. Div. Staff -develop & assemble early warning system & audit program.
 - 2. F. Ops -develop Traffic Stop Report Forms, activity to be recorded by trooper.
 - 3. R&I-collection of data from each stop/activity; determine need for MDT to capture trooper's activity information in timely and effective manner.
 - 4. Management Review Unit -develop & assemble early warning system; audit program.
 - 5. Planning Bureau -assist in development of Traffic Stop Report Form; Search Incident Form.

 - C. Area of joint responsibility:
 - 1. Design & implementation of early warning system.
 - 2. Must determine what components are in place already & what is needed.

- 4. **Revised Standard Operating Procedure (SOP) for Traffic Stops**
 MAJOR MATTOS WITH ACAD. AND CAPT. CARTWRIGHT
 - A. Section/Unit responsible:
 - 1. F. Ops (*Traffic Bureau*)
 - 2. R&I (*CAD/RMS*)
 - 3. Div. Staff (*Training Bureau, Search & Seizure Review Board*)
 - 4. Adm. Sec. (*Planning Bureau*)

 - B. Area of individual responsibility:
 - 1. F. Ops -develop traffic stop procedures; update SOP F-19 (cameras).
 - 2. R&I -collection of data from each stop/activity; determine need for MDT to capture trooper's activity information in timely and effective manner.
 - 3. Div. Staff -develop in-service training to address SOP changes; update supervisor training, to address new supervisory review responsibilities.

4. **Adm. Sec.** -assist in development of Traffic Stop SOP.
- C. Area of joint responsibility:
1. Design & implementation of new Traffic Stop SOP.
 2. Must determine what components are in place already & what is needed.
5. **Development of Practical Stop Criteria** MAJOR MATTOS WITH ACAD. STAFF
- A. Section/Unit responsible:
1. **Div. Staff.** (*Training Bureau; Search & Seizure Review Board*)
 2. **F. Ops** (*Patrol Support Bureau; Traffic Bureau; Troop CIO*)
 3. **R&I** (*CJIS, CAD/RMS*)
 4. **Adm. Sec.** (*Planning Bureau*)
- B. Area of individual responsibility:
1. **Div. Staff** -research in-service & pre-service training for new criteria.
 2. **F. Ops** -develop new stop criteria; incorporate new criteria into SOP on Traffic Stops.
 3. **R&I** -policy changes on access to CCH information; determine need for MDT to allow trooper access to CCH information in timely and effective manner.
 4. **Adm. Sec.** -assist with draft Traffic Stop SOP.
- C. Area of joint responsibility:
1. Develop practical stop criteria.
 2. Must determine what components are in place already & what is needed.
6. **Procedures Governing Consent Searches** MAJOR MATTOS WITH AS&S REVIEW BOARD
- A. Section/Unit responsible:
1. **Div. Staff.** (*Training Bureau, Search & Seizure Review Board*)
 2. **F. Ops** (*Traffic Bureau; Patrol Support Bureau; Troop CIO*)
 3. **R&I** (*CAD/RMS*)
 4. **Adm. Sec.** (*Planning*)
- B. Area of individual responsibility:
1. **Div. Staff** -research new criteria for conducting consent searches; in-service & pre-service training for new search criteria; supervisor review criteria.
 2. **F. Ops** -develop new search incident form; incorporate new consent search criteria into SOP on consent searches; update SOP F-19 (cameras).
 3. **R&I** -electronic capture of consent search information for early warning system; determine need for MDT to allow trooper to accurately & efficiently record search information.

4. Adm -assist with update of Consent to Search SOP.
- C. Area of joint responsibility:
 1. Develop new consent search criteria.
 2. Must determine what components are in place already & what is needed.
7. **Case-by-Case Review of 1997-1998 Consent Search Incidents** MAJOR MATTOS
 - A. Section/Unit responsible:
 1. **Div. Staff** (*IAB, Inspection Unit/Special Detail; Training Bureau, Search & Seizure Review Board*)
 - B. Area of individual responsibility:
 1. **Div. Staff** -must obtain 1997-1998 consent search forms; interview trooper who conducted search; interview when possible consenters; identify apparent deviations from accepted practices; report same to OAG Review Team.
8. **Enhanced Training** MAJOR MATTOS AND ACAD. STAFF
 - A. Section/Unit responsible:
 1. **Div. Staff.** (*Training Bureau, Search & Seizure Review Board*)
 - B. Area of individual responsibility:
 1. **Div. Staff** -review content of all drug related training attended by members for consistency with policies outlined in OAG Interim Report; include DAG's in training involving search & seizure; develop training for all members, especially Field Operations, IAB and squad supervisors, on new SOP's resulting from the OAG's Interim Report.
9. **Criteria for Summoning Drug-Detection Canines or Equipment**
CAPT. CARTWRIGHT AND PATROL SUPORT BUR.
 - A. Section/Unit responsible:
 1. **Div. Staff.** (*Training Bureau, Search & Seizure Review Board*)
 2. **F. Ops** (*Patrol Support Bureau, Troop CIO*)
 - B. Area of individual responsibility:
 1. **Div. Staff** -research new legal criteria for summoning drug detection canines. Research use of ion mobility spectrometry equipment; incorporate new criteria into training curricula.
 2. **F. Ops** -develop new criteria for summoning of drug detector canines or drug detection equipment.
 - C. Area of joint responsibility:
 1. Develop objective criteria for summoning of drug detector canines or equipment.

2. Must determine what components are in place already & what is needed.

10. **Requirement to Inform Dispatcher of Intention to Conduct a Probable Cause Search.**
CAPT. MCNULTY, CAPT. HAYDEN, CAPT. CARTWRIGHT

A. Section/Unit responsible:

1. **Div. Staff.** (*Training Bureau, Search & Seizure Review Board*)
2. **F. Ops** (*Patrol Support Bureau; Troop CIO*)
3. **R&I** (*CAD/RMS*)

B. Area of individual responsibility:

1. **Div. Staff** -research new criteria for conducting consent searches (must be predicated on full probable cause); review requirements of State v. Dickey and ascertain amount of time allowable for investigative detentions; develop in-service and pre-service training for new search criteria.
2. **F. Ops** -develop new consent search report criteria; trooper must notify dispatcher of intention to search car; patrol supervisor must be notified of intention to search car and same must report to scene before search begins; develop criteria for patrol supervision of searches.
3. **R&I** -capture information about search notifications and results; identify how this information will be captured (*CAD/RMS*); identify need for MDT to allow trooper to accurately & efficiently record search information.

C. Area of joint responsibility:

1. Develop consent search oversight protocol.
2. Must determine what components are in place already & what is needed.

11. **Criteria for Making Custodial Arrests** MAJOR MATTOS AND AS &S REVIEW BOARD

A. Section/Unit responsible:

1. **Div. Staff.** (*Training Bureau, Search & Seizure Review Board*)
2. **F. Ops** (*Patrol Support Bureau; Troop CIO*)

B. Area of individual responsibility:

1. **Div. Staff** -research criteria for when a trooper can make a custodial arrest rather than issue a summons (see State of NJ v. Pierce) and R. 3:3-1; incorporate into training curricula.
2. **F. Ops** -assist Training Bureau with development of custodial arrest criteria.

C. Area of joint responsibility:

1. Develop custodial arrest criteria.
2. Determine what present standards are and communicate OAG's recommendations to members.


12. **Availability of Legal Advisers** DCJ
- A. Section/Unit responsible:
1. **Div. Staff.** (*Training Bureau, Search & Seizure Review Board*)
 2. **F. Ops** (*Patrol Support Bureau; Troop CIO*)
- B. Area of individual responsibility:
1. **Div. Staff** -research what legal advice would be needed from county prosecutors and the Division of Criminal Justice; incorporate new guidelines on contacting police legal advisers into training curricula.
 2. **F. Ops** -develop methods for contacting police legal advisers when members require such assistance.
- C. Area of joint responsibility:
1. Develop policy and methods for contacting police legal advisors.
13. **System to Report Suppression of Evidence** DCJ
- A. Section/Unit responsible:
1. **Div. Staff.** (*IAB, Inspection Unit; Training Bureau, Search & Seizure Review Board*)
 2. **Superintendent's Office** (*Division Services*)
- B. Area of individual responsibility:
1. **Div. Staff** -develop a mechanism for county prosecutors to report suppressed or anticipated suppression of evidence from a patrol related stop, this will become part of the early warning system recommended in the OAG's Interim Report; oversee counseling of members found to have made unlawful stops, arrests, frisks, or searches.
 2. **Superintendent's Office** -assist in operation and oversight of new reporting system.
- C. Area of joint responsibility:
1. Develop system to capture information about suppressed patrol related evidence.
 2. Initiate a system to counsel members when evidence seized through a patrol stop is suppressed.
14. **Development of Inventory and Impoundment Policy** MAJOR MATTOS AND AS & S REVIEW BOARD
- A. Section/Unit responsible:
1. **Div. Staff** (*Training Bureau, Search & Seizure Review Board*)
 2. **F. Ops** (*Patrol Support Bureau; Troop CIO*)
 3. **R&I** (*CAD/RMS*)

- B. Area of individual responsibility:
 - 1. **Div. Staff** -research the inventory and impoundment exception to the warrant requirement; include in training curricula for members and especially for supervisors.
 - 2. **F. Ops** -develop a written inventory and impoundment exception search policy, new policy should follow the recommendations laid out in the OAG's Interim Report; create new SOP delineating when State Police should take custody of a vehicle rather than a tow vendor; have tow vendor indemnify the State Police for the contents of the vehicles they tow.
 - C. Area of joint responsibility:
 - 1. Develop policy and SOP on inventory and impoundment exception searches.
 - 2. Must determine what components are in place already & what is needed.
15. **Interim Procedures Concerning Internal Affairs Investigations of Selective Enforcement Allegations** MAJOR MATTOS AND IAB
- A. Section/Unit responsible:
 - 1. **Div. Staff. (IAB)**
 - B. Area of individual responsibility:
 - 1. **Div. Staff** -research and assemble an SOP on handling complaints of racial profiling, selective enforcement or disparate treatment of minorities; in the interim all allegations of discriminatory practices will be reported promptly to the OAG Review Team and reviewed by a deputy attorney general.
16. **Uniform Handling of Selective Enforcement Litigation Involving State Police Members**
DCJ
- A. Section/Unit responsible:
 - 1. **Division of Criminal Justice**
17. **Legislative Initiative**
DCJ
- A. Section/Unit responsible:
 - 1. **Division of Criminal Justice**
18. **Development of a Reliable Benchmark**
DCJ AND NJSP WITH HIRED CONSULTANT
- A. Section/Unit responsible:
 - 1. **Office of the Attorney General**

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New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
07/23/99	LTC M. A. Fedorko Acting Superintendent	LTC R. D. Dunlop Executive Officer	<u>"INTERIM REPORT"</u>
RAR:jst	 Acting Superintendent	Major V. Modarelli S&TS Section Supervisor	As the deadline set by the Interim Report nears, the following information must be submitted to the office by July 30, 1999.
		Major K. McPartland Intelligence Services Section Supervisor	1. Captain Madden is to forward the Division desired input into the state's overall drug enforcement strategy.
		Major B. Roberson Administration Section Supervisor	2. All section supervisors, that have not yet responded in writing concerning their ideas regarding the components of an "Early Warning System" must do so.
		Major J. Mattos Division Staff Section Supervisor	3. Major Mattos is to forward the Division findings concerning consent searches conducted on the turnpike in 1997 and 1998.
		Capt. F. McNulty Acting R&I Section Supervisor	4. Major Mattos is to forward the Division's plan that describes, in as much detail as is possible this time, how we will accomplish the required enhanced training and activity identified with the Interim Report.
		Capt. L. Cartwright Acting Field Operations Section Supervisor	5. Captain Cartwright is to forward the procedure to be used in summoning drug detection canine or equipment.
		Capt. F. Madden Acting Investigations Section Supervisor	For your information and compliance.
	c: Lt. Guida Lt. Bruncati Lt. Cosgrove Lt. Manney Lt. Campbell	Capt. K. Hayden Assistant Emergency Management Section Supervisor	

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ATTORNEY GENERAL'S INTERIM REPORT

FIELD OPERATIONS OUTLINE AND RECOMMENDATIONS

1. UPDATED STATEWIDE DRUG ENFORCEMENT STRATEGY
 - A. . CIS
2. QUARTERLY PUBLICATION OF STATE POLICE STATISTICS
 - A. Anatomy of MV stop
3. "EARLY WARNING SYSTEM"
 - A. Refer to notes regarding discussion on this subject
4. REVISED S.O.P. FOR TRAFFIC STOPS
 - A. Field Operations and CAD/RMS are opposed to indicating the exact reason for the stop
 1. Overburdens CAD system and complicates searches to extract information - should remain general
 2. Takes too much discretion away from the trooper
 3. Requires numerous Ad hoc queries to be added to capture specific data fields in system
 - B. CAD needs to capture the duration of every MV stop for every trooper - already being done
 1. Elements - Race, Sex, # of occupants, Violation, Time, etc.
 - C. Video equipped vehicles will use equipment during entire duration of stop - already being done
 - D. Will require slight change in current SOP if reason for stop must be explained at outset - we would rather wait until credentials are in hand prior to giving reason for stop
 - E. CAD needs to enter fields to capture true nature of stop regarding race and sex if initial report is inaccurate
 - F. Already comply with stop disposition - already being done
 - G. Traffic Stop Report Form - oppose creation of this form for the following reasons:
 1. If it can be captured in CAD, why duplicate efforts with a hand written report
 - H. See item "G"
5. PRACTICAL STOP CRITERIA

- A. Unsure if there is a practical way to develop this criteria
- B. All stops based upon violations of motor vehicle law - "Looking Beyond the Ticket"

6. PROCEDURES GOVERNING CONSENT SEARCHES

- A. Design and develop a comprehensive consent to search form
 - 1. Include Probable Cause Search to form - page 2?
- B. Revise SOP regarding Consent Searches
- C. Conduct annual In-Service Training
- D. Vehicles equipped with video cameras will be utilized for the duration of the stop and search including audio portion
- E. Supervisors will review tape of stop in video equipped vehicles

7. REVIEW OF 1997-98 CONSENT SEARCHES

- A. N/A - Division Staff

8. ENHANCED TRAINING

- A. N/A - Division Staff

9. CRITERIA FOR REQUESTING DRUG-DETECTION CANINES

- A. Concern over length of time required to dispatch drug-canine to scene - more dogs or outside agencies
- B. Requires the development of an SOP regarding the use of and request for drug-detection canines, ties into PC searches

10. INFORMING DISPATCH OF INTENT TO CONDUCT PROBABLE CAUSE SEARCH

- A. Oppose requiring supervisor to be at scene of all probable cause searches for the following reasons:
 - 1. Creates unreasonable length of time for stop
 - 2. Detrimental to trooper safety
- B. Recommend using Back-up Trooper or police officer for any search

11. CRITERIA FOR MAKING CUSTODIAL ARRESTS

- A. Custodial arrests are not made for motor vehicle violations, should be outlined F55

12. AVAILABILITY OF LEGAL ADVISORS

- A. Will be handled through county dispatch to the county prosecutors' offices
- B. SP will need to identify specific areas mandating consultation with legal advisors

13. REPORTING SYSTEM FOR SUPPRESSION OF EVIDENCE

- A. N/A - Division Staff

14. INVENTORY AND IMPOUNDMENT POLICY

- A. Routinely SP does not conduct inventory searches
 - 1. Exceptions - evidence, crime scene, etc.

15. INTERIM PROCEDURES FOR INTERNAL AFFAIRS INVESTIGATIONS OF SELECTIVE ENFORCEMENT ALLEGATIONS

- A. N/A - Division Staff

16. UNIFORM HANDLING OF SELECTIVE ENFORCEMENT LITIGATION OF SP PERSONNEL

- A. N/A - Division of Criminal Justice

17. LEGISLATIVE INITIATIVE

- A. N/A - Division of Criminal Justice

18. DEVELOPMENT OF A RELIABLE BENCHMARK

- A. N/A - Office of the Attorney General

waw:revised 6/09/99

QUESTIONS

1. What is the intent of requiring exact nature of the stop, as it would create thousands of permutations in the CAD system necessary to capture all records?
2. How can an effective stop criteria be developed?

3. When are patrol personnel required to consult with legal advisors - mandated

INTRODUCTION:

The Field Operations Review Committee has researched, reviewed and analyzed the Attorney General's Interim Report on Racial Profiling and determined that the following issues must be addressed. Before specific actions can be taken, it should be noted that all of the proposed actions to clarify and enhance State Police Procedure cannot be immediately implemented into both policy and a functional program within the time frame proscribed by the Attorney General's Interim Report. The responses to these issues can be established immediately, however full implementation will take much longer.

In order to expedite the implementation of these new policies, the Field Operations Committee has determined that several new and/or additional pieces of equipment are necessary. First, every marked, stealth and unmarked state police vehicle that performs patrol activity must be equipped with a Mobile Video Recorder, herein "MVR", to record and preserve patrol-related and back-up activity.

Secondly, every State Police vehicle engaged in patrol activity must be equipped with a cage or partition separating the trooper from any suspect(s). This serves the dual purpose of protecting the single-trooper patrol from a suspect and also protecting the suspect from traffic or vehicular hazards related to the suspect's attempted movement within the vehicle or attempted flight thereof.

Thirdly, each patrol vehicle will be equipped with a Mobile Data Computer, herein "MDC", capable of providing the trooper with instantaneous access to information vital to trooper safety as well as making both paperwork and report completion for the road trooper more timely, efficient and effective. An additional benefit of MDC's is the quick and easy tracking and recall of stop statistics, look-ups, and other data by supervisory personnel and/or programs.

Next there is the need for additional personnel to more effectively manage the abundance of information, reports, statistics and data generated by implementation of these new initiatives. There will be a definite and immediate need for additional dispatchers to handle the newer, more complicated CAD transactions and requests. There is also an immediate and definite need for the addition of an administrative sergeant to each road station whose responsibilities will include the preservation and safeguarding of videotapes, review of all Search Incident Forms as well as any other administrative and supervisory tasks needed to monitor statistics, reports or other collected data.

The Field Operations Review Committee has determined that the single most important requirement for the effective implementation of the new and revised policies and procedures is the training of State Police personnel. All personnel who perform patrol related activities or are active in any other similar patrol capacity, DWI patrols, Supp. Patrols., etc. and anyone supervising those engaged in those patrol related activities MUST complete a prescribed course of training consistent with these new policies. This new training will be created by and

administered by the Training Bureau. Initial training should be given by the Training Bureau to all road troopers and supervisory personnel.

Additionally, and of vital importance, mandatory, continual, periodic and ongoing training must be conducted for all road personnel at the TROOP level. The purpose of the ongoing training at the troop level is two-fold. First, it assures that all road personnel are educated and advised of any and all pertinent changes to policies, procedures or court rulings and decisions that may affect their jobs as well as providing a forum for the road troopers and supervisors to have questions or concerns addressed and/or forwarded for further clarification and review. Secondly, it allows the supervisor to become familiar with and gain a knowledge of his subordinates' work habits, work product and output. By gaining this familiarity, the supervisor is in a better position to evaluate the subordinate and ensure compliance with all State Police Rules, Regulations and Policies.

The Division of State Police should establish a Field Training Unit whose primary responsibility is to facilitate the implementation of these continual training sessions and to promote the accurate distribution of timely, pertinent and relevant information to patrol personnel. These Field Training Officers, "FTO's", would work at the Troop level and have either a zone of responsibility or a Station assignment by which their sole purpose was to provide the station personnel with updated information on such topics as search and seizure, motor vehicle stops, current and impacting case law, and other doctrines, SOP's or topics. These FTO's would also function both as a liaison with other Units (Training, Planning, Field Ops., etc.) as well as a conduit for the station personnel to forward any questions, concerns or issues that impact the work of the patrol units and supervisory personnel.

PROPOSED RESPONSE TO SPECIFIC ACTION STEPS:

Issue#1. Updated Statewide Drug Enforcement Strategy.

Issue#2. Quarterly Publication of State Police Statistics.

The Field Operations Committee has no input on the first two issues raised in the Interim Report addressing the updating of the Statewide Drug Enforcement Strategy or the Quarterly Publication of State Police Statistics. The Drug Enforcement Policy will be addressed by the Attorney General's Office and will request input from S.P. sources if necessary. The Quarterly Publication of Statistics will primarily fall under the responsibility of the Records Bureau and CAD/RMS Unit.

Issue #3. Establishment of a Data Collection and Storage System.

The issue has been raised in the Interim Report that the State Police currently has no established system in place to monitor possible disparate treatment of motorists by members

p.B. ←
assigned to patrol duties. It is the recommendation of the Field Operations Committee that the Planning Bureau issue a comprehensive Standard Operating Procedure establishing a system by which statistics can be captured, recorded and retrieved for supervisory analysis. This system should utilize all available automated, video and manual sources of information such as: personnel duty assignments, officer-initiated enforcement activity and the performance and disposition of such activity. The SOP for the implementation of this Data Collection and Storage System should provide for the routine supervisory review of videotapes, patrol logs, Search Incident forms and any other patrol-related work product. The SOP should further provide for regularly-conducted audits of enforcement patterns with capabilities to compare both station sampling and individual officer sampling.

The Field Operations Committee has determined that the biggest impact on the utilization of the new Data Collection and Storage system will be the ability of the current CAD/RMS system to capture all the needed information. The system needs to be modified to handle new and more complicated information, codes and fields. Of particular interest is the creation of fields dealing with instances when a driver is asked out of a vehicle, when a frisk is conducted, when a passenger is removed from a vehicle and when any driver is asked for consent to search a vehicle.

The Committee has made the following recommendations to assist the Planning Bureau in developing the new SOP and also aiding the CAD/RMS Unit by providing suggestions as to what additional information needs to be captured, collected and stored. Those recommendations are as follows: p.f.

- A. The Early Warning System must be renamed, possibly Data Collection and Storage System.
- B. CAD currently collects most of the data required. CAD system to be upgraded to incorporate the necessary fields for the required data such as:
 - (1) Reason for stop. (Ex.- M.V. violation, BOLO, Motorist Aid, Ped. Contact, Suspicious Vehicle/Suspected Criminal Activity)
 - (2) Search of person (frisk or pat down)
 - (3) Search of Vehicle (Probable cause, consent and negative searches)
 - (4) Drug dog utilization
 - (5) Passengers ordered out of car
 - (6) Warrant Check Request

Some of this data does not necessarily have to be entered into the CAD system as long as it is captured and retrievable on some report.

- C. Immediate supervisors and the Inspection Unit to review video tapes, search reports, patrol logs and other work products on a routine basis.
- D. CAD/RMS would need to generate a report to allow first line supervisors to

review patrol activity for their personnel to determine enforcement patterns and identify potential problem areas.

- (1) Additional fields could also be entered into CAD system at this time to retrieve personal information, disciplinary, commendatory and other information which may be needed. This information would only be accessible by higher authorities and first line supervisors should not have the clearance to access this level.

E. Requirements that may be needed:

- (1) Increase number of radio channels available to each troop. Currently the radio channels are crowded with multiple stations, Speciality Units, Supp. Patrols, etc. Furthermore, the increased information and requests generated by the new SOP will cause further delays and backlog on the existing system. This not only causes frustration and inefficiency but may also pose a potential safety issue.
- (2) Dispatchers would require more time to document all the requested information for each stop thus necessitating the hiring of additional dispatchers.

Issue # 4. Revised Standard Operating Procedure for traffic stops.

The fourth issue raised in the Interim Report focuses on the creation of a single, comprehensive SOP to replace, update and supersede all existing SOP's regarding traffic stops. This new SOP will apply to all motor vehicle stops made by State Police personnel. It should explain in detail how the sworn member should initiate and conduct traffic stops based upon observed motor vehicle violations, suspicion of driving while intoxicated and suspected criminal activity. It should further state that race, ethnicity or national origin play no part whatsoever in the decision to stop a motor vehicle. The Field Operation Committee recommends that the Planning Bureau create this new SOP and has provided the following points for guidance and input:

A. Considerations

- (1) Recommend exact reason for stop be limited to the following five categories:(captured as a CAD field/category)
 - A. Motor Vehicle Violation
 - B. B.O.L.O.
 - C. Motorist Aid
 - D. Pedestrian Contact
 - E. Suspicious Vehicle/Suspected Criminal Activity

- (2) Duration of stop currently monitored by CAD.
- (3) S.O.P. F19 MVR's currently defines situations when MVR is to be engaged. Will need to be updated to include vehicle searches and all contacts on the highway. Modify F19 to include that: absent exigent circumstances, a history or narration is required on all stops, searches and highway contacts.
- (4) S.O.P. F3 and lesson plan to be updated to include that trooper advise motorist of reason stopped immediately after identifying himself.
- (5) Inaccurate information is currently corrected by trooper at this time through CAD. Need to add separate field that denotes the race of the occupant both initially and after a correction, if any, is relayed to the dispatcher. This information will be captured and available for review quarterly.
- (6) Disposition of the stop is currently supplied to CAD at the conclusion of the stop.
- (7) The traffic stop report will not be utilized as long as all the information required is captured on CAD or another report.
- (8) The Officer's Notes section on the back of the Uniform Traffic Summons(yellow copy) needs to be modified to allow for the recording of additional information. Standard Operating Procedure F29, dated 3-25-82, Section III, subsection D, #26(a)(3) and Annex#4 should be changed to read: Notes that the officer feels will refresh his recollection at a later court appearance will be written on the back of the yellow copy . These notes MUST include:
 - (A) number of occupants of the vehicle
 - (B) race of the occupants of the vehicle
 - (C) exact location of stopped vehicle
 - (D) a brief description of the violation sufficient to document the officer's use of discretion in stopping that vehicle.
- (9) Furthermore, the back of the warning will need the addition of lines for Officer's Notes. SOP F35 needs to be changed to require the same information mandated on the back of yellow copies to be recorded on the reverse side of the officer's copy of the warning. The current retention period for warnings governed under SOP F35 Section III, subsection D, #2 will need to be addressed (currently is two years).

Taking the above listed recommendations and suggestions into consideration, the Field Operations Committee has modified the existing SOP F3 dealing with State Police Patrol Procedures to incorporate these revisions and to aid the Planning Bureau with its modifications. Below is a copy of SOP F3 as modified by the Committee:

	NUMBER	EFFECTIVE DATE
	F3	January 27, 1999
REFERENCE	SUBJECT	
S.O.P. F1, F7, F15	STATE POLICE PATROL PROCEDURES	
	O.P.I. NUMBER	RESCINDS
	M000	S.O.P. F3, dated 12/10/96

I. AUTHORITY:

Pursuant to authority vested in the Superintendent guidelines pertaining to patrol procedures have been established.

II. INTRODUCTION:

The patrol function is an integral part of this Division's complex responsibilities. Unfortunately, that function involves a degree of risk. The criminal element in today's society is highly mobile. What may appear to be a so-called "routine" stop, may in fact, involve a fugitive or deranged person. An explosive confrontation may ensue. To maximize the safety of Division personnel, caution and established procedures for stopping and approaching vehicles, pedestrians, etc., and assisting other police officers, must be observed at all times. This procedure will also provide guidelines and establish criteria to assist patrol personnel in safely and properly conducting motor vehicle stops.

III. MECHANICS:

A. Stopping

1. Personnel shall adhere to procedures taught during recruit and in-service training concerning all aspects of motor vehicle stops, pedestrian contacts, etc., and responding to complaints. Caution must be exercised at all times.
2. Division members shall not permit routine patrol contacts, i.e., aids, pedestrians, motor vehicle violators, to sit in troop transportation except under justifiable circumstances.
3. Motor vehicle stops may be initiated for any of the following reasons:

- a. A violation of motor vehicle law - Title 39
 - b. Highway checkpoints
 - c. B.O.L.O. - Be on Look-out Broadcast
 - d. Suspected criminal activity/suspicious vehicle
4. Patrol personnel should also be cognizant of the fact that motorist aids and pedestrian contacts also have the potential of turning into a motor vehicle stop.
 5. Under no circumstances will a motor vehicle stop be initiated based upon the race, ethnicity, sex or stereotyping of citizens.
 6. Spotlighting of vehicles to ascertain the occupant's race, ethnicity or sex will not be permitted.

B. Radio communications

1. Personnel shall adhere to policies and procedures related to radio communication procedures for the 800 MHz radio system (S.O.P. F7, "Radio Procedures").
2. On all motor vehicle stops, pedestrian contacts, aids to motorists, and other contacts, personnel shall prior to any contact, communicate the following information to their dispatch center or respective communication center which shall obtain a Signal 16 on all vehicle stops.
 - a. The location where stop is made and direction of travel will be provided.
 - b. A description of vehicle (registration number, and any other information which may aid in its identification, for example, damage, decals, color, etc.) will be provided.
 - c. A description of people (number of persons, race, sex, and any other distinguishing characteristics) will be provided. After contact with the vehicle's occupants, if the original information called in was incorrect, the dispatch center will be made aware of the correct information.
 - d. Any other available descriptive information will be provided.
3. Patrols shall request assistance when deemed necessary.
4. The member's final transmission indicating that assistance is not needed shall be given when the transaction is complete, i.e., the motorist and/or member has left the scene. This shall not preclude the transmission of an

interim status report, e.g., issuing summons, etc., in order that other patrols are aware of the situation and do not converge upon the scene unnecessarily.

5. Between 12 midnight and 8:00 a.m., each car in service that has not had communications with the station or other communications point for an hour, will be contacted by the member's respective station or other communications point each hour, using a Signal 21.

C. Approaching

1. Personnel shall adhere to procedures taught during recruit and in-service training concerning all aspects of motor vehicle stops, pedestrian contacts, etc., and responding to complaints. Caution must be exercised at all times.
2. Upon approaching driver, personnel will identify themselves and immediately advise the motorist of the reason for the stop.
3. Troopers will not utilize the external public address system to summon any motorist, occupant or pedestrian back to the troop car for any reason.

D. Activities pursuant to stop

1. The following actions may occur as a result of a motor vehicle stop
 - a. Enforcement action - Summons or Warning
 - b. Requesting that driver/passenger exit vehicle
 - c. Frisk or Pat Down
 - d. Consent Search
 - e. Probable Cause Search
 - f. Warrant Check
 - g. Arrest incident to stop
2. Personnel should adhere to proper procedures taught during recruit and in-service training regarding each element listed above.
3. Personnel will not use race, ethnicity, sex or stereotyping of individuals as a determining factor in taking any of the above listed actions.

E. Two-trooper patrols

1. Day and evening shifts

- a. The troop commander, or designee, shall determine the need for two-trooper patrols after evaluating the safety of personnel under direct command and the operational needs of the troop's area of responsibility. The troop commander, or designee, shall also be cognizant of current trends and attitudes affecting threats and assaults upon police officers in general, particularly within the troop area.
- b. Line type patrols such as assigned to the interstate system, New Jersey Turnpike, Garden State Parkway, and Atlantic City Expressway, which normally function with sufficient staffing to assure "back-up capability" may continue to operate one-trooper patrols. If the occasion should arise when available staffing is not sufficient to assure adequate "back-up capability," two-trooper patrols shall be utilized.
- c. The determination of area type patrol assignment at sub-stations in Troops A, B, and C shall be decided in like manner. For example, when sufficient staffing is available and patrol areas allow "back-up capability," single patrols may be utilized. In cases where sufficient staffing is not available to provide adequate "back-up capability," two troopers shall be assigned to one vehicle.
- d. "Back-up capability" means the ability to respond in a timely manner to a call by another member and render assistance. Since each station area has its own peculiarities, the respective station commander must make this determination.

2. Night shift

Station personnel assigned to patrol during the night shift shall ride two to a car. This shall not preclude the use of a one trooper patrol if, after partners are assigned, one trooper becomes an "extra" and "back-up capabilities" are available. This one trooper patrol will be limited to squad supervisors, acting squad supervisors or assistant squad supervisors only.

3. In any instance where a choice must be made between a two-trooper patrol and adequate patrol coverage, the safety of personnel shall have precedence.

F. Unmarked patrols

1. Members driving unmarked vehicles shall follow all previously enumerated patrol procedures.
2. Members effectuating stops in unmarked vehicles shall activate headlights and the red emergency light, which shall be placed on the roof or the center of the dashboard.
3. Members driving unmarked vehicles that are equipped with flashing lights, sirens, and/or audible external radios shall use one or more of these devices to safely conduct a motor vehicle stop.

NOTE: A mounting plate is provided with each red emergency light. The plate may be installed in troop vehicles to store the light securely when not in use. Permanent dashboard mounting or drilling is prohibited.

4. In addition, the State Police placard shall be made plainly visible to the motorist during the stop.
5. If a motorist fails to stop immediately, members will notify the dispatch center and request assistance from a marked State Police or local department unit. Await assistance and do not escalate the situation unless necessary for public safety (allow motorists all reasonable considerations during stops as they may be apprehensive/confused due to plain clothes or unmarked vehicle).
6. Pursuits in unmarked vehicles are not encouraged. If circumstances warrant a pursuit, all actions must be in full compliance with the Attorney General's Pursuit Guidelines (S.O.P. F15, "Vehicular Pursuits").
7. Personnel dressed in civilian attire shall display badges and/or identification cards in a manner that will allow motorists to observe the credentials while not jeopardizing member or motorist safety.

G. Assisting other police officers

All personnel shall be familiar and comply with S.O.P. F1, "Police Assistance Program."

- H. The primary purpose of this order is to maximize protection for all police officers observed stopping vehicles, pedestrians, etc.

- IV. In accordance with S.O.P. A1, "Orders," the Field Operations Section Supervisor shall notify the Planning Bureau Chief, via channels, of any changes that may be necessary in this order.

BY ORDER OF THE SUPERINTENDENT

Michael A. Fedorko, Lt. Colonel
Deputy Superintendent

Issue # 5. Development of Practical Stop Criteria.

The Interim Report addresses the issue of the establishment of practical stop criteria for all troopers on patrol duty. These criteria should be incorporated into the new SOP created pursuant to Issue #3 – Data Collection and Storage System, and should be a recurring block of instruction in all future in-service training sessions as well as incorporated into all future basic training classes. The SOP should clearly and precisely explain those criteria and factors that State Police members may NOT consider in selecting vehicles to be stopped, including race, ethnicity and national origin of occupants of the vehicle. Nor should the member consider that the driver or occupants do not appear to “match” the type of vehicle.

The Training Bureau has the burden of creating the lesson plan and course of instruction/training while the Planning Bureau has the task of creating the new SOP. The recommendations and suggestions of the Field Operations Committee are listed below to provide suggestion, assistance and input to those Bureaus. p.1

- A. Criteria are to be built into the lesson plans at the Academy and to be accomplished through In-Service training at Division and Troop levels. This is an area where the creation and implementation of Field Training Officers, “FTO’s” can have a great impact on timely and accurate dissemination of relevant information from training units to the road personnel.
- B. Discretion will still be used on motor vehicle stops but must be based solely on motor vehicle safety.

For example,

- (1) A speeding vehicle with many occupants creates a greater safety hazard than a speeding vehicle with one occupant.
- (2) Don’t use out of state plates as the reason to make a stop.
- (3) Race, sex, ethnicity or stereotyping can’t be used as a basis for a stop.

Issue # 6: Procedures Governing Consent Searches.

Currently, Standard Operating Procedures F-55 and F-31 address Consent Searches by sworn members. Although case law makes it clear that police do not need to articulate a reasonable suspicion before asking for consent to search, see further State v. Abreu, 257 N.J. Super. 549 (App. Div. 1992) and State v. Allen, 254 N.J. Super. 62 (App. Div. 1992), the current SOP's go well beyond the minimum requirements of the State and Federal Constitutions by requiring state troopers to have a reasonable, articulable suspicion to believe that the consent search would reveal evidence of a crime before members are authorized to request permission to search.

The SOP's addressing Consent Searches need to be revised to clearly state that a sworn member shall not rely to any degree on a person's race, ethnicity, or national origin in deciding whether or not to request permission to search. Before a member begins a consent search, notification must be made to CAD/RMS. At this time a back up patrol will also be requested. The revision of the SOP will also require that all members initiating a consent request will complete a Search Incident Form that contains:

1. All information necessary to document and record the search incident.
2. The Search Incident Form will provide that all consent searches require written authorization before the search is initiated and that authorization will be noted on the form.
3. In all instances, the Search Incident Form must be completed whether or not permission to search was granted and must include all circumstances which constituted the reasonable suspicion giving rise to the request.
4. No consent searches shall be conducted on the basis of verbal or implied consent.
5. Notwithstanding the holding in Ohio v. Robinette, 117 S.Ct. 417 (1996), all State Police members must advise any person being asked to give permission to search that he or she is free to leave when, in fact, such is the case.
6. The Search Incident Form should specifically inform the person being asked to give permission to search that he or she has the right to be present during the consent search. However, the right to be present will in no way jeopardize the trooper's safety while performing the search.
7. Where a State Police vehicle is equipped with a MVR., the entire consent search incident will be recorded both by video and narrated by audio.
8. This video will be available for a supervisor's immediate review of the incident within a reasonable period of time thereafter.

Furthermore, upon completion of the Consent Search, the member will be required to turn over a completed Search Incident Form to his immediate supervisor before the end of the work shift. The new Search Incident Form will eliminate the requirement to complete a Consent To Search Data

Form. A notation of any consent searches will also be made on the member's patrol chart. Once the Search Incident Form has been completed and turned in by the sworn member, it will be reviewed, along with the videotape, by the member's immediate supervisor. Once the supervisor initials his or her review of the Search Incident Form, the form will be forwarded to both the Station Detective Sergeant AND the Station Commander.

NOTE: A copy of the revised Search Incident Form is attached to this report.

Issue # 9: Criteria for Summoning Drug-Detection Canines or Equipment.

The State Police needs a clear and concise Standard Operating Procedure (SOP) to address when a trooper would be authorized to summon drug-detection canine personnel or equipment. Currently no SOP exists and it is the recommendation of the Field Operations Committee that a policy be developed that stresses that race, ethnicity or national origin clearly have no impact nor be any factor in a trooper's decision to request drug-detection canine personnel or equipment. To comply with the ruling in State v. Dickey, 152 N.J. 468 (1998), mandating that investigative detentions based upon reasonable suspicion be brief in duration, it is the further recommendation of the Field Operations Committee that additional personnel and canines be added to the Patrol Support Bureau. By increasing the numbers of canines and personnel, the ability of the requesting trooper to comply with the proscribed ruling in Dickey is greatly enhanced as availability of canines and canine personnel will be increased while response time by canine personnel will decrease.

It is further recommend that any requests for summoning drug-detection canines or equipment by sworn members must be conducted via troop radio, utilizing the CAD/RMS system. The member making a request for drug-detection canines or equipment will also request a back up as well as notify his immediate supervisor. Additionally, any activity conducted by the canine unit personnel after arrival at the scene shall be captured by Mobile Video Recorder, if available, and the tape will be reviewed by the member's immediate supervisor within a reasonable period of time thereafter.

SOP F55, Motor Vehicle Searches and Seizures, should be revised to add the subject of "Use of Narcotic Dogs To Conduct a Sniff". It should then refer the member to the SOP detailing the use of canines.

Issue # 10. Probable Cause Searches.

S.O.P. F55 establishes State Police procedures for searching and seizing motor vehicles. Section X authorizes members to search the motor vehicle when there is probable cause.

To comply with the Attorney General's directives, a new S.O.P. on probable cause searches must be drafted to require the member who is about to conduct a probable cause search to notify the CAD/RMS of the search before initiating the search, whenever practicable. At this time, a backup will also be requested.

Also the probable cause search must be documented by written report whether contraband was located or not. When contraband is detected, an investigation report shall be completed. A Search Incident Form will accompany the investigation report. A probable cause search which yields no

contraband will now be documented on a Search Incident Form rather than an operations report.

The probable cause search should be captured on MVR, whenever the troop car is so equipped.

Squad supervisors will review the member's patrol chart, reports, and videotapes of probable cause searches conducted by squad members and will provide guidance where appropriate.

Enhanced training will be required to effectively implement the new policy. This is also an area where the creation and utilization of the new Field Training Officers, "FTO's", would have an immediate and dramatic impact on the timeliness and quality of information distributed from the training and policy issuing units to the station personnel and supervisors who are ultimately responsible for compliance .

Issue # 11. Criteria for Making Custodial Arrests.

Currently, State Police S.O.P. F55 (June 7,1990) Section XI, Subsection B deals with custodial arrests for motor vehicle violations.

The SOP states "A member who has probable cause to believe that a person has violated a motor vehicle law may make an arrest for a motor vehicle violation committed in the member's presence." However, it goes on to state that the Division policy is for a member to issue a uniform traffic summons for the violation without taking the violator into custody, unless one of the following eight specific criteria exists. The criteria provide for arresting the motor vehicle violator when: 1) further tests for DWI are appropriate; 2) the person has previously failed to respond to a summons; 3) there is reason to believe that the person is dangerous to himself, others or property; 4) there is one or more outstanding warrants for the person; 5) prosecution of the offense or prosecution of another offense would be jeopardized by release; 6) the person cannot provide satisfactory evidence of personal identification; 7) there is reason to believe that the person will not appear in response to the summons; and, 8) the person is a juvenile not of age to legally drive in the state the person resides.

It is the recommendation of this committee that S.O.P. F55 Section XI, Part B, "Arrest", be rewritten to stress the Division policy from the onset that a member will issue a motor vehicle summons unless one of the listed criteria exists. The first line, which states that a member may make an arrest for a motor vehicle violation committed in his presence, should be removed. Although it conforms with New Jersey state law under 39:5-25, it may provide a member with a foundation for making a custodial arrest based on the use of impermissible discretion. Members should clearly understand the specific criteria for making custodial arrests for motor vehicle violations and uniformly apply them without regard to the violator's race.

This set of criteria will comply with the decision in State v. Pierce, 136 NJ 184 (1994)(permitting custodial arrests for serious traffic offenses) and the principles established in R. 3:3-1.

In addition, to comply with the comprehensive S.O.P. promulgated under Action Step 3, the revised S.O.P. F55, Section XI will require a member who makes a custodial arrest for a motor vehicle violation based on one of the eight enumerated reasons to notify the dispatcher of the action taken so the action can be documented in the CAD/RMS system. By way of further documentation, the arresting member will, where appropriate, be required to detail in the narrative section of the arrest report the specific criteria relied upon to effect the arrest for the motor vehicle violation. This

can include, where appropriate, articulation that the arrest was made to comply with the standing policy of the jurisdiction where the motor vehicle violation occurred which may require an arrest of or bonding by the violator in limited circumstances, so long as application of the jurisdiction's policy does not conflict with State Police policy.

Finally, it is recommended that the Training Bureau should be charged with assuring that all troopers are made aware of this change/update. Academy training and lesson plans will need to be adjusted accordingly. Training of current state police members should be undertaken through all existing modes, including annual in-service training, SPIRIT briefings, etc.

Issue#12. Availability of Legal Advisors.

Issue#13. System to Report Suppression of Evidence.

Issue#14. Development of Inventory and Impoundment System.

Issue#15. Interim Procedures Concerning Internal Affairs Investigations of Selective Enforcement Allegations.

Issue#16. Uniform Handling of Selective Enforcement Litigation Involving State Police Members.

Issue#17. Legislative Initiative.

Issue#18. Development of a Reliable Benchmark.

On issues 12 through 18, the Field Operations Committee has no input.

OFFICER'S COMMENTS

VIOLATION DESCRIPTION:

SUFFICIENT TO DOCUMENT DISCRETIONARY DECISION TO STOP THIS VEHICLE

REQUIRE ON FRONT OR BACK.

CIRCLE CHOICES

EXACT LOCATION OF STOP: (IF DIFF. FROM FRONT)

- 1. DRIVER: M / F
- 2. RACE: 1, 2, 3, 4, 5, 6
- 3. NCIC CHECK / WARRANT CHECK
- 4. DRIVER/OCCUPANT ORDERED OUT OF VEHICLE? Y/N
- 5. FRISK: Y / N
- 6. SEARCH:
 - PL SEARCH / CANINE REQUEST
 - CONSENT REQUEST / DENIED

SEE FURTHER:

WITNESSES: (NAME & ADDRESS)	SUBPOENA ISSUED	
	YES	NO
1. _____	<input type="checkbox"/>	<input type="checkbox"/>
2. _____	<input type="checkbox"/>	<input type="checkbox"/>
3. _____	<input type="checkbox"/>	<input type="checkbox"/>

RECOMMENDED LAYOUT
FOR
BACK OF YELLOW COPY AND WARNING

Gender: M F

Race: W B I A H-B H-W (Other)_____

Occupants: Operator Only Operator & 1 Pass. Operator & Multiple Pass. Unoccupied/Other

Actions: Driver Exit Occupants Exit Patdown Consent: Requested/ Denied

Warrant Check DMV Check P.C. Search Canine Requested None

Brief Description of Violation and Stop:

SEE FURTHER:

(EX. SUMMONS #
DUNK DRIVER REPORT #
INVEST. #)

NEW JERSEY STATE POLICE

SEARCH INCIDENT REPORT

(Check One)
 a. Consent Search b. Warrant
 c. Probable Cause Search d. Other

Why not other?
 Wilson ORDA

1. Station / Unit	2. Code	3. Area Code, Phone # and Extension		4. Division Case #
5. Premises / Vehicle / Item Owner's Name (First) (Middle) (Last)			6. Owner's Area Code and Phone #	
7. Premises/Vehicle / Item Owner's Complete Address (#, Street, Municipality, State)				
8. Vehicle Year	9. Make and Model	10. Registration # and State	11. Type of Contact (MV Stop / MVA / AID / BOLO /)	12. Reference #

DETAILS OF SEARCH						
13. Date	14. Location (Roadway, MP, Direction / #, Street)		15. Mun. Code	16. Time (2400) Started <input type="checkbox"/> Finished <input type="checkbox"/>	17. K-9 Asses <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>	18. MVR Used <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
19. Consent Form Completed?(Y/N)	20. Search Warrant #	21. County	22. Judge	23. Supervisor on scene	24. Supervisor Arrvs Time	

OCCUPANT/SUSPECT INFORMATION (if voluntarily given) (Attach additional sheets if necessary)						
25. Name/Address	26. DOB	27. Race	28. Sex	29. Role	29a. Consent (Y/N)	30. SSN

ARTICULABLE REASONABLE SUSPICION INDICATORS		
31a. <input type="checkbox"/> Evasive Demeanor <input type="checkbox"/> Undue nervousness <input type="checkbox"/> Physical trembling <input type="checkbox"/> Excessive sweating <input type="checkbox"/> No ID documents <input type="checkbox"/> Discrepancies in ID papers <input type="checkbox"/> Vehicle owner not present <input type="checkbox"/> 3 rd party rental vehicle	31b. <input type="checkbox"/> Conflicting statements (origin / destination) <input type="checkbox"/> Inability to identify other vehicle occupants <input type="checkbox"/> Vehicle owner / renter unknown <input type="checkbox"/> Obvious non-standard alterations to vehicle <input type="checkbox"/> Little / no luggage for a long trip <input type="checkbox"/> Strong odor of air freshener (masking agent) <input type="checkbox"/> Drug Paraphernalia in plain view <input type="checkbox"/> Untaxed cigarettes in plain view	31c. <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____

PROBABLE CAUSE PRESENT		
32a. <input type="checkbox"/> Furtive movements <input type="checkbox"/> Odor of marijuana <input type="checkbox"/> Forged ID documents displayed	32b. <input type="checkbox"/> Contraband in plain view <input type="checkbox"/> _____ <input type="checkbox"/> _____	32c. <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____

NARRATIVE / COMMENTS
33. (Briefly describe reason for stop, probable cause, or circumstances leading to request for consent to search for negative searches only.) _____ _____ _____ _____ _____ _____ _____ _____ _____ _____

34. Rank / Name (Print or Type)	35. Badge #	36. Date of Report	37. Page 1 of _____
38. Reviewer & badge #		39. Date & Time Reviewed	
40.		41.	

Signature: x

INCIDENT # 72 TO #12637

SEARCH INCIDENT REPORT GUIDE

- boxes A - B - C - D: check appropriate box describing type of search: check one box only.
- boxes 1 - 4: insert name of Station/Unit, applicable Unit Identification Number, phone number, and Division Case Number or Operations Report Number.
- boxes 5 - 7: insert full name, complete phone number, and address of the owner of premises, or vehicle, or item that is being searched.
- boxes 8 - 10: insert year, make and model, and registration plate number and state of vehicle being searched.
- box 11: insert reason/type of police action that originated the contact which resulted in search incident.
- box 12: insert reference number for this type of contact (summons number, warning number, accident report number, aid number, etc.).
- boxes 13 - 15: insert date, location, and municipal code of location of search.
- box 16: insert beginning and ending times of search, use military time.
- box 17: check 'Y' or 'N' block to indicate if K-9 unit assisted in search.
- box 18: check 'Y' or 'N' block to indicate if a mobile video recorder camera mounted in Troop Car was used to record search.
- box 19: insert 'Y' or 'N' to indicate if Consent to Search Form was completed for this search. If yes, attach Consent Search Form to this report.
- boxes 20 - 22: if warrant search, insert warrant number, the county of and name of judge that issued warrant.
- box 23: insert badge number of supervisor if on scene of search.
- box 24: insert supervisor arrival time at scene of search.
- box 25: insert name and address of occupants/suspects of vehicle or premises if voluntarily given.
- box 26: insert date of birth for each occupant/suspect of vehicle or premises if voluntarily given.
- box 27: insert race of each occupant/suspect of vehicle or premises

- box 28: insert gender of each occupant/suspect of vehicle or premises.
- box 29: insert seating designation of each occupant of vehicle.
Insert "D" for driver, "P" for passenger.
- box 29a: insert 'Y' or 'N' to indicate which individual(s) gave consent for the search.
- box 30: insert Social Security Number of each occupant/suspect of vehicle if voluntarily given.
- boxes 31a - 31b: check-off any block(s) which describe any/all articulable reasonable suspicion indicators observed.
- box 31c: insert and check-off any/all additional articulable reasonable suspicion indicator(s) observed which are not included in boxes 31a - 31b.
(DO NOT include probable cause in this area).
- boxes 32a - 32b: check-off any block(s) which identify probable cause present.
- box 32c: insert and check-off any additional sources of probable cause present which are not included in boxes 32a - 32b.
- box 33: provide a brief description of the reason for MV stop, observations made, actions taken and the circumstances leading to the request for consent to search
for negative searches only.
If this search incident results in an arrest or seizure describe your observations made and actions taken in the Investigation Report and insert "See Investigation Report".
- box 34: insert rank and name of person completing this report, and sign below same.
- box 35: insert badge number of person completing this report.
- box 36: insert date of report.
- box 37: insert appropriate number for pages in this report.
- box 38: insert name and badge number of supervisor reviewing this report.
- box 39: insert date and time report reviewed by supervisor. Use military time. (Must be within 24 hours after date and time of finish of search as indicated in block 16).
- boxes 40 and 41 : left blank intentionally.

XVI. USE OF NARCOTIC DETECTOR CANINE SERVICE:

A. The standards for using narcotic detecting canines are predicated upon case law in addition to Division policy. There are two categories of need when requesting the use of a canine.

1. Emergency requests

Emergency requests occur when the need for canine use is not known ahead of time, such as when road duty personnel conduct a motor vehicle stop. Every effort to afford a quick response by the canine team should be taken. Requests will be made in the following manner.

- a. All requests from road duty personnel should be made through the respective dispatch point utilizing the troop radio/CAD.
- b. The dispatch point or operational dispatch should call the Canine Unit Supervisor or their designee immediately upon the determination that a dog is necessary. During normal duty hours (0900 to 1700), contact the Canine Unit at (609)882-2000 extension 2922 or 6179.
- c. At times other than normal duty hours, contact Operational Dispatch Central, via channels, at (609)882-2000.
- d. In the event that a State Police canine team is not available, the Canine Unit ^{Head} Supervisor or their designee will make the determination when an outside agency should be used.

NOTE: Race, ethnicity, sex or national origin are not criteria to be used when requesting the services of a narcotic detector dog.

2. Non-emergency requests

Non-emergency requests occur when the canine need is known ahead of time, such as when a search warrant is scheduled to be executed. All requests will be made during normal duty hours to the Canine unit Supervisor or their designee.

B. Procedures governing the use of narcotic dogs

1. Scent detection of a vehicle's exterior

- a. Articulate, ^{clear} reasonable suspicion is required before scent detection can be attempted. Additionally, a combination of indicators must first be established before requesting the services of a narcotic detector dog.

Race, ethnicity, sex and national origin are not criteria that can be used to establish reasonable suspicion.

- b. The use of a narcotic detector dog does not constitute a search, since it is less inconvenient than more intrusive methods.
- c. An investigative detention based upon reasonable suspicion must be brief. Every effort should be made to afford a quick response, preferably within 45 minutes.

2. Scent detection of a vehicle's interior

- a. Scent detection of a vehicle's exterior which results in an alert by a trained narcotic detector dog is sufficient to create probable cause to conduct a warrantless vehicle search.
- b. When reasonable articulable suspicion has been developed to request a canine, and consent to search is also obtained, a canine could be used to conduct an interior search of the vehicle. An alert by the canine would result in the continuance of the search even if consent is withdrawn.

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New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
11/28/99	Captain L. L. Cartwright Acting Field Operations Officer via Lt. Colonel R. D. Dunlop Executive Officer	Lt. Colonel Michael A. Fedorko Acting Superintendent	<u>"INTERIM REPORT"</u> The requested information regarding the summoning and utilization of narcotic detector canines is attached.

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REQUESTS FOR NARCOTIC DETECTOR CANINE SERVICE

Requests for the utilization of the services of a narcotic detector dog in accordance with the guidelines of this policy are divided into two categories of need:

1) Emergency requests.

Every effort to afford a quick response by the canine team should be taken. All emergency requests shall be made in the following manner:

- a) All requests from road duty personnel should be made through communications utilizing troop radio/CAD.
- b) Communications should call the Canine Unit Supervisor or his designee immediately upon the determination that a dog is necessary. During normal duty hours (0900 to 1700), contact the Canine Unit at (609) 882-2000 extension 2922 or extension 6179.
- c) During off duty hours, contact the Division Headquarters Operational Dispatch Center, via channels, at (609) 882-2000.
- d) In the event that a State Police ^{then} canine team is not available, the Canine Unit Supervisor or ~~his~~ designee will make the determination when an outside agency should be used.

NOTE: Race, ethnicity, sex or national origin are not a factor in requesting the services of a narcotic detector dog.

2) Non-emergency requests.

- a) During normal duty hours, all requests will be made to the Canine Unit head or ~~his~~ designee.

Her

I. Procedures governing the use of narcotic dogs to conduct a sniff of the exterior of a vehicle.

- A) A canine sniff does not constitute a search. "The sniff is less intrusive and discloses only the presence or absence of narcotics. The owner is not subjected to the embarrassment and inconvenience entailed in less discriminate and more intrusive investigative methods."

U.S. v. Place, 462 U.S. 696, 706-07 (1983)

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- B) Reasonable suspicion is required for a dog sniff of the exterior of a vehicle.

U.S. v. Quinn, 815 F 2d 354 (1st Cir. 1987)

Articulate, reasonable suspicion and a combination of indicators must first be established before requesting the services of a narcotic detector dog. Race, ethnicity, sex or national origin have no impact on, nor are they a factor in establishing reasonable suspicion.

- C) An investigative detention based upon reasonable suspicion must be brief.

State v. Dickey, 152 N.J. 468 (1998)

Every effort to afford a quick response should be taken.

II. Procedures governing the use of narcotic dogs to conduct a sniff of the interior of a vehicle.

- A) An alert by a trained narcotic detector dog is sufficient to create probable cause to conduct a warrantless vehicle search.

U.S. v. Dovali-Avila, 895 F. 2d 206 (5th Cir. 1990)

- B) When reasonable articulate suspicion has been developed and a consent to search is obtained, a canine could be used to conduct an interior search of the vehicle. An alert by the canine would result in the continuance of the search even if consent is withdrawn.

New Jersey State Police

Interoffice Communication

Date	From	To	Subject
7-28-99	Major V. Modarelli S&TS Officer	Lt. Col. M. Fedorko Acting Superintendent	EARLY WARNING SYSTEM

The Division's "Early Warning System" should consist of three interdependent components: 1) oversight and assessment of patrol activities by front-line supervisors, 2) compilation and analyses of enforcement data from the CAD-RMS, and 3) tracking and early intervention of work-related complaints.

The foremost component in any early warning system should remain the front-line supervisor (squad sergeant). The line supervisor, by the very nature of the position, must be required to assess and improve activities on a daily, weekly, and monthly basis in a uniform and comprehensive manner.

However, supervisors should be mandated to complete a comprehensive monthly report that captures individual performance statistics, supervisory patrol information, critiques of activities captured on the MVR, and an assessment of individual achievement in comparison to other squad members.

The CAD-RMS should be utilized to compile the relevant objective information needed to establish the benchmarks necessary for measuring and improving individual, squad, and station performance. The data should be regularly utilized by inspecting officers to determine if operational problems or patrol discrepancies exist so that remedial action can be taken immediately.

The Division should track complaint information and provide training, guidelines, and support for early intervention to front-line supervisors.

This "Early Warning System" requires that three inter-related yet independent entities be utilized to ensure that individual and group performance is compatible with the Division's objectives *without diminishing the primacy of the front-line supervisor*.

The system requires the supervisor to supervise in a proactive, positive manner; provides supervisors and subordinates with the objective, performance-related data necessary to establish the benchmarks needed to monitor and improve performance; standardizes interventions for performance-related difficulties and complaints; and, if utilized in conjunction with the progressive training and discipline, ensures that individual and squad achievement is sustained.

Forwarded for your information.

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New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
<p>7/30/99 p att.</p>	<p>Major J. Mattos Jr. Supervisor Division Staff Section</p> <p>via</p> <p>LT. Colonel M. A. Fedorko Acting Superintendent</p>	<p>Lt. R. Richardson Asst. Bureau Chief Planning Bureau</p> <p>via</p> <p>Captain J. Schroth Bureau Chief Planning Bureau</p> <p>via</p> <p>Major B. W. Roberson Supervisor Administration Section</p>	<p><u>INTERIM REPORT RECOMMENDATION NO. 8: ENHANCED TRAINING TRAINING BUREAU PROPOSAL</u></p> <p>As requested, the attached Interim Report Recommendation from the Training Bureau is forwarded for your information and review.</p>

STATE POLICE 101-L

0104118

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
7/30/99 jam	Captain J. Brennan Bureau Chief Training Bureau	Major J. Martos Jr. Supervisor Division Staff Section	INTERIM REPORT RECOMMENDATION NO. 8: ENHANCED TRAINING TRAINING BUREAU PROPOSAL

The Training Bureau has been directed to respond to Recommendation No. 8 of the Interim Report. Recommendation 8 is displayed below in bolded text. The response follows each paragraph of the recommendation in plain text.

8. *Enhanced Training.*

The Superintendent should within 120 days (August 18, 1999) provide for the completion of steps required to compile curricula and conduct the training programs necessary to implement the provisions of this Report. Training efforts and activity should include:

1. **The content of all patrol-related and drug-interdiction training programs conducted or attended by State Police personnel should be reviewed to ensure that the message provided is consistent with the policies proposed in this Interim Report.**

Response:

As Bureau Chief, I certify that I have reviewed all current lesson plans for training conducted by the State Police Academy in the area of patrol-related training and drug interdiction training. Since April 20, 1999, the training and message provided has been consistent with the policies proposed in the Interim Report. Upon issuance of revised SOP's and policies, many of the patrol related lesson plans will need to be revised to address the specific procedural and policy changes currently being developed.

Training attended by State Police personnel that is offered by other than the Training Bureau cannot be tracked at this time. Nor do we have any authority to obtain and review training materials to ensure they comply with the aforementioned policies. It is therefore proposed that any request for training in patrol practices or procedures from outside sources be copied to the Training Bureau so that brochures can at least be reviewed.

2. Components of training programs that include discussions of the law regarding arrest, search and seizure, and custodial interrogations should be taught by a deputy attorney general, assistant attorney general or an assistant prosecutor.

Response:

The following blocks of instruction have been identified in response to the recommendation that a deputy attorney general, assistant attorney general or an assistant prosecutor instruct same. I have included Interview and Interrogation courses although I respectfully submit that I do not see the relevance between those blocks and the Interim Report. Please explain.

It is not believed necessary to have an attorney teach State Police policy and SOP on arrest, search and seizure. A distinction should be drawn between the application of the law as opposed to the application of State Police policy. The new SOP's should not cite cases. They should be clear statements of the bounds of arrest search and seizure determined to be Division policy.

Additionally, almost every block of law enforcement training can include discussions of arrest search and seizure or interview and interrogation. There are a multitude of courses and programs that touch on these topics. I have only included courses where the requested topics are included as primary blocks of instruction. Kindly advise whether the Division of Criminal Justice can staff the courses listed below.

Basic Training for State Police Recruits:

Lesson Title: Arrest, Search and Seizure
Total Time: 26 Hrs Future Dates: TBA

Lesson Title: Interview Procedures, Interrogation & Statements
Total Time: 4 Hrs Future Dates: TBA

Lesson Title: Child Abuse (Interview Procedures)
Total Time: .75 Hrs Future Dates: TBA

Advanced School: Traffic Law Enforcement:

Lesson Title: Issues in Motor Vehicle Law
Total Time: 2 Hrs Future Dates: 9/13/99

Lesson Title: Criminal Statutes Related to Motor Vehicle Operations
Total Time: 1 Hr Future Dates: 9/13/99

Lesson Title: Arrest, Search and Seizure
Total Time: 2.5 Hrs Future Dates: 9/14/99

Advanced School: Criminal Investigation Course:

Lesson Title: Arrest, Search and Seizure
Total Time: 2.5 Hrs Future Dates: 9/27/99

Lesson Title: Drug Interdiction
Total Time: 3 Hrs Future Dates: 9/30/99

Lesson Title: Interview and Interrogation
Total Time: 6 Hrs Future Dates: 9/29/99

Advanced School: Drug Enforcement Course:

Lesson Title: Arrest, Search and Seizure
Total Time: 2.5 Hrs Future Dates: TBA

Lesson Title: Drug Interdiction
Total Time: 3 Hrs Future Dates: TBA

Advanced School: Advanced Narcotic Investigation Course:

Lesson Title: Arrest, Search and Seizure
Total Time: 2.5 Hrs Future Dates: 10/25/99

3. As soon as practical after the issuance of the Standard Operating Procedures recommended in this Interim Report, an in-service training program should be provided to all State Police personnel assigned to patrol or dispatch duty. The program should provide orientation to the Traffic Stop and Search Standard Operating Procedures, Consent Searches Procedures, as well as any other operational issues arising from the Interim Report.
4. As soon as practical after the issuance of the Standard Operating Procedures recommended in this Interim Report, an in-service training program should be conducted for all personnel who supervise patrol activities. The program should communicate supervisory responsibilities to ensure compliance with the Standard Operating Procedures and the principles contained in this Report.

Combined Response to 3 and 4. above:

Following is a draft schedule and curriculum covering the training, proposed topics and times. The lesson plans cannot be developed until the new policies and SOP's are approved for distribution. The courses should be finalized along with the lesson plans upon completion of the policy changes. The below listed blocks of instruction currently add up to 13 hours. Since this is a rough draft and said hours do not include any breaks, it is suggested that the In-Service be covered in two 8 hour days.

For meaningful learning, it is proposed that the class size not exceed 50. While this will mean 25 two day training sessions, the course material demands smaller groups. Further, a graded examination on the material presented is proposed to determine the effectiveness of the training. Due to the significant changes required and the fact that the Field Operations Section will be most impacted, it is recommended that ranking officers from the section actively participate in the training as instructors. This will also serve to familiarize if not make said officers expert in the revised policies.

It is proposed that the same in-service course be given to separate classes of troopers and classes of supervisors. The supervisory course can be presented with emphasis on the supervisors role in the new procedures. Further, an expanded examination may be given to the supervisors covering their responsibilities.

Due to the criticality of the changes to be made, it is further recommended that all staff officers should attend the proposed training.

Along with the proposed topics are proposed designations of responsibility as to what entities should prepare the lesson plans and conduct the instruction:

PROPOSED CURRICULUM:

In-Service Training on Revised Patrol Procedures

Interim Report and Final Report of State Police Review Team (Staff Officer)		1 Hr.
Updated Drug Enforcement Strategy (Attorney General's Office)		
Early Warning System	(Attorney General's Office)	1 Hr.
Objectives		
System Operation	(Planning Bureau)	
Review of Updated/Modified Video Tape Procedures (Planning and Field Ops)		2 Hrs
What Must be Video Taped		
What Video Taped situations Must be Reviewed and Acknowledged By Supervisors		
Traffic Stop Procedures	(Field Operations)	1 Hr.
Practical Stop Criteria	Attorney General's Office and Field Operations)	
Traffic Stop Report		

Searches and Seizures	5 Hrs.
Legal Basis, Requirements and Issues (DAG)	
State Police Policies on Search and Seizure: Practical Application and Reporting Requirements (Planning and Field Operations)	
Use and Completion of Search Report	
Automobile Inventory Policy	
CAD/RMS Review of Updated/Modified Procedures (R&I , Field Operations and Planning)	1.5 Hrs
Examination and Examination Critique: (Training Bureau)	<u>1.5 Hrs</u>
Total Time:	13 Hrs

5. A training program should be developed for members assigned to conduct or review internal affairs investigations concerning the law of arrest, search and seizure, and custodial interrogation.

Response:

It is proposed that the members identified attend the In-Service Training on Revised Patrol Procedures. Additionally, blocks on Weingarten, Loudermill, Garrity and procedural due process issues relating to disciplinary matters should be developed by the appropriate personnel in IAB and the Department.

For your review.

**DIVISION STAFF SECTION:
INTERNAL AFFAIRS BUREAU**

**RE. INTERIM REPORT OF THE STATE POLICE REVIEW TEAM REGARDING
ALLEGATIONS OF RACIAL PROFILING**

PART V. REMEDIAL STEPS

C. SPECIFIC ACTION STEPS

**15. INTERIM PROCEDURES CONCERNING INTERNAL AFFAIRS
INVESTIGATIONS OF SELECTIVE ENFORCEMENT ALLEGATIONS (PAGE #108)**

Instructions: Research and assemble an SOP on handling complaints of racial profiling, selective enforcement or disparate treatment of minorities; in the interim all allegations of discriminatory practices will be reported promptly to the OAG Review Team and reviewed by a deputy attorney general.

Definitions :

“Racial Profiling”: (from page #five of Interim Report) . . . We chose to define racial profiling broadly to encompass any action taken by a state trooper during a traffic stop that is based upon racial or ethnic stereotypes and that has the effect of treating minority motorists differently than non-minority motorists.

“Selective Enforcement”: (formal definition not found in the Interim Report . . . the following is based upon information contained on pages #98 &99) . . . the practice of considering vehicles selected to be stopped, based upon race, ethnicity, and national origin of occupants of the vehicles. *

“Disparate Treatment”: (formal definition not found in the Interim Report . . . the following is based upon information contained on page #4) . . . the practice of treating minority motorists differently than non-minority motorists during the course of a traffic stop. *

* Since the definitions for “Selective Enforcement” and “Disparate Treatment” are not specified within the Interim Report, contact will have to be made with Ron Susswein, Deputy Director of Policy, Division of Criminal Justice, to determine the proper definitions for such.

Response :

The Internal Affairs Bureau has initiated the following procedures concerning complaints

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of disparate treatment:

1. As of April 1, 1999, all complaints of disparate treatment have been forwarded to Mr. Paul H. Zoubek, First Assistant Attorney General, for review prior to the initiation of any action by the Internal Affairs Bureau. The Internal Affairs Bureau Chief recommends a course of action to the First Assistant Attorney General.
2. Subsequent to this review, the Office of the Attorney General decides what course of action to be followed as to the complaint. Recommendations as to initiating an Internal Investigation, additional contact with the complainant to elicit further information, or no further action may be directed to the Internal Affairs Bureau.
3. Notification to the complainant is made as to the action to be followed. If an Internal Investigation is initiated, an investigator from the Internal Affairs Bureau is assigned to conduct such investigation.

Investigative Process:

The Internal Investigation Manual will remain the guide and standard during the investigative process (Internal Investigation Manual included as an attachment to this document).

Additional Investigative Steps to be accomplished re. Disparate Treatment allegations:

1. Conduct "Early Warning System" examination of the Trooper identified as principal.
*Note: This system is currently in the premature stages of development.
2. Conduct Internal Affairs Bureau history (synopsis) of the principal.
3. Conduct a pre-event and post-event audit of the principal's motor vehicle contacts.
TIME FRAME MUST BE DISCUSSED AND AGREED UPON
*This audit will be conducted utilizing an approved random sampling of contacts from the principal's Patrol Chart(s) in comparison with the existing C.A.D. records. Contact will be made with the selected sampling group to ascertain the circumstances of the encounter with the principal. Additionally, the racial compilation of the public encounters initiated by the principal will be examined and analyzed.
4. Prepare the Internal Investigation report without allegations and conclusions.
5. Forward the Internal Investigation report to the Division of Criminal Justice for review.
6. Upon the review of the Internal Investigation by the Division of Criminal Justice, the report will be returned to the Internal Affairs Bureau with their recommendations.

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7. The report will then be formally completed as per the Internal Investigation Manual and established procedures.

It is recommended at this time that rather than creating an entirely new S.O.P. on this investigation of racial profiling allegations, that the above be submitted as an addendum to the existing S.O.P. #B10, Internal Investigations Procedures". S.O.P. #B10 is so designed to reflect the investigative procedures to be followed from the Internal Investigation Manual. All investigations that are completed and answer Who, What, When, Where, Why, and How, with supporting documentation, will stand the test of an impartial and fair investigation.

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
7/27/99	Lt. Leon E. Brodowski, <i>LEB</i> Assistant Bureau Chief, Internal Affairs Bureau Via Captain Roy Van Tassel, Jr. <i>RV</i> Bureau Chief, Internal Affairs Bureau Via Major Juan Mattos, Jr. <i>JM</i> Supervisor, Division Staff Section	Lt. Randall A. Richardson, Assistant Bureau Chief, Planning Bureau Via Captain John Schroth, Bureau Chief, Planning Bureau Via Major Barry W. Roberson, <i>BR</i> Supervisor, Administration Section Via LTC Michael A. Fedorko, <i>MAF</i> Acting Superintendent	INTERIM REPORT OF THE STATE POLICE REVIEW TEAM REGARDING ALLEGATIONS OF RACIAL PROFILING. NJSP RESPONSIBILITIES FOR IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE OAG'S REVIEW TEAM PART V. REMEDIAL STEPS C. SPECIFIC ACTION STEPS 7. CASE-BY-CASE REVIEW OF 1997-1998 CONSENT SEARCH INCIDENTS

As directed by the "Interim Report of the State Police Review Team Regarding Allegations of Racial Profiling," in particular, Item #7 of the Specific Action Steps, a case-by-case review of the 1997-1998 Consent Search Incidents has been accomplished.

Item #7 reads as follows:

In light of the consent search data examined by the Review Team, State Police personnel designated by the Superintendent should review all available reports concerning all the consent searches that were conducted by State Police members assigned to the Turnpike in 1997 and 1998 to determine whether reporting requirements and Standard Operating Procedures were complied with and to verify that these consent searches were conducted after a written consent form has been signed by the person giving consent and to verify that an adequate factual basis for requesting permission to search (i.e., reasonable, articulable suspicion to believe the search would reveal evidence of a crime) was fully documented in accordance with Standard Operating Procedures. Apparent deviations from accepted practices should be reported to the Review Team.

STATE POLICE 101-S

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On June 11, 1999, a meeting was held concerning the Interim Report. In attendance at this meeting was Ron Susswein, Assistant Attorney General, Deputy Director of Policy, Division of Criminal Justice. A.A.G. Susswein was requested to review the instructions as per Item #7 and asked to determine if interviews were mandatory or could the review be limited to the actual consent forms. D.A.G. Susswein advised that personal interviews did not have to be undertaken and a review of the consent forms would suffice.

Prior to the release of the Interim Report, DSG. Stephen Serrao #3582, Analytical Unit, Intelligence Bureau, Intelligence Services Section, at the direction of LTC Robert Dunlop, had initiated an intensive study of consent search data. Included within the study conducted by DSG. Serrao was not only statistical analysis, but examination as to compliance of the consents to search with S.O.P. #F31.

* See attached analysis reports submitted by DSG. S. Serrao.

S.O.P. #F31, "Consent to Search," establishes the criteria and protocol to be followed by members of the New Jersey State Police in conducting consents to search. As reported within the S.O.P., in keeping with the laws of this State, consent is valid only if it is given knowingly and voluntarily. All of the following conditions shall be met:

- 1.) The member has made a valid stop or arrest;
- 2.) The member has requested consent to search in a manner that is neither threatening, harassing, coercive or intimidating;
- 3.) The member has clearly advised that the person has a right to refuse to consent;
- 4.) The member has clearly advised the person that he or she can withdraw consent at any time;
- 5.) The member immediately cease a search upon consentee's withdrawal of original consent;
- 6.) The person granting the consent has a sufficient apparent interest in the property searched to grant consent; and
- 7.) The scope of the search is limited to the permission granted by the consenting party.

In addition to the above conditions, as directed by S.O.P. #F31..."no member will request consent to search a motor vehicle or its contents unless the member *reasonably suspects* that the search will yield contraband or evidence of a crime."

and . . .

"...no member will perform a consent search unless the person granting consent has signed the Division's authorized consent to search form."

As DSG. Serrao continued his examination and research, certain individual consents to search were segregated as they indicated possible deviation and non-compliance with the S.O.P.. These consents to search were then turned over to the Internal Affairs Bureau for further examination.

DSG. Serrao examined a total number of 488 consents to search from Troop "D," for the 1997 calendar year.

The following three (3) reports characterize the lack of articulable reasonable suspicion:

- D010972-46R : This report was prepared by Tpr. I G. March #4547, Cranbury Station. Tpr. I March came upon a motorist aid on February 19, 1997, occupied by a Hispanic driver and a Hispanic female passenger. Tpr. I March indicates that neither occupant had identification and a search for a vehicle registration was negative. Ultimately, a consent to search was obtained and executed with negative results. Tpr. I March fails to indicate that he reasonably suspected that the search would yield contraband or evidence of a crime. As written, this report fails to satisfy the requirements of S.O.P. #F31.
- D020973-18R : This report was prepared by Tpr. I W.J. Blosser #4015, Moorestown Station. Tpr. I Blosser stopped a motor vehicle for "driving too fast for conditions" on March 10, 1997. In conversation with the driver, it was determined that he had an auto parts business in Venezuela and had traveled to Newark to search for parts to be shipped back to Venezuela. Tpr. I Blosser observed a large suitcase "stuffed" in the backseat which the driver identified as containing auto parts. Although two other passengers were in the vehicle, no identification or observations were noted as called for on the Consent to Search Data Form. Tpr. I Blosser conducts a consent to search but fails to elaborate that he reasonably suspected that the search would yield contraband or evidence of a crime. As written, this report fails to satisfy the requirements of S.O.P. #F31. Also this report was never reviewed (Block #30 of the data form) as indicated by the S.O.P.
- D020977-36R : This report was prepared by Tpr. J. Villamil #5110, Moorestown Station. Tpr. Villamil reports that he stopped a motor vehicle for tailgating on July 16, 1997. Aside from reporting that the driver had a "nervous demeanor," Tpr. Villamil fails to elaborate that he reasonably suspected that the search would yield contraband or evidence of a crime. As written, the Consent to Search Data form fails to establish a complete basis for the requested search and does not meet the dictates of the S.O.P.

DSG. Serrao examined a total number of 542 consents to search from Troop "D," for the 1998 calendar year.

The following report was found to lack articulable reasonable suspicion:

- D020989-76R : This report was prepared by Tpr. G. Noble #5384, Moorestown

Station. Tpr. Noble reports that he stopped a vehicle for a cracked rear tail lens. While conversing with the driver, Tpr. Noble noted a "large black object" between the rear seat and the side panel. Tpr. Noble reports that "due to a language barrier" the driver could not answer as to what the object was, however, the driver did understand the consent form (Spanish). After the form was signed, the search revealed the item to be an audio amplifier. Tpr. Noble fails to elaborate that he reasonably suspected that the search would yield contraband or evidence of a crime. As written, this report fails to satisfy the instructions as per S.O.P. #F31.

Continued scrutiny of the examined consents to search revealed incidents in which the form was utilized in a questionable manner. The following exhibit examples of such questionable procedures:

- D010971-12R : This consent to search form was executed by Tpr. E. Heitmann #5066, Cranbury Station. On January 7, 1997, Tpr. Heitmann stopped a vehicle for speeding, 95/55. The driver could not produce a valid driver's license and it was determined that the vehicle had been rented by a "third" party, not present in the vehicle. Tpr. Heitmann states that a consent to search form was prepared to search for "further documentation." It is unclear what documentation is being searched for as the Trooper does not indicate same is for the registration of the vehicle nor does the resulting enforcement action indicate a motor vehicle summons issued other than speeding. A search for "further documentation" does not indicate that the Trooper reasonably suspected that the search would yield contraband or evidence of a crime. If the Trooper was conducting a search for the registration of the vehicle then this type of search would be permitted absent the necessity to execute a consent to search form. The reporting requirements for a search for the registration of the vehicle would be satisfied via the proper completion of an Operations Report.
- D010972-78R : This consent to search form was completed by Tpr. J. Hogan #5068, Cranbury Station. On February 27, 1997, Tpr. Hogan stopped a motor vehicle for "impeding the flow and unsafe speed." Tpr. Hogan reported that "rolling papers and the faint odor of MJ" led to the consent to search. This search did prove negative. Having detected the odor of marijuana, Tpr. Hogan had established probable cause to conduct a search of this vehicle without having to complete a consent to search form. A probable cause search of the vehicle would have then been reported via the use of the Operations Report or if contraband had been found, the use of an Investigation Report. Although Tpr. Hogan had established probable cause, it is certainly quite possible that a consent to search form was requested as the Trooper was seeking permission to enter other areas of the vehicle not authorized via the previously described observations.
- D010974-10R : This consent to search form was completed by Tpr. E. Heitmann

#5066, Cranbury Station. Tpr. Heitmann stopped a motor vehicle "for similarity to an earlier B.O.L.O. and for expired (3-97) reg. sticker." (It is not explained as to what the original "B.O.L.O." [be on the look out for] had been). In conversation with the occupants, the Trooper received conflicting information as to identification, and travel itinerary, however Trooper Heitmann then indicates that he completed the consent to search form to "check for ID." The use of a consent to search form to "check for ID" fails to satisfy the dictates of S.O.P. F31 in that if the Trooper is searching for identification then he could not have reasonably suspected that the search would yield contraband or evidence of a crime. It is unclear if the driver ever produced the registration for the vehicle from the information provided; again, if no valid registration was produced, then the Trooper would have been within his rights to conduct a search for same after which he would have had to complete the proper Operations Report.

D010974-27R

: This consent to search was completed by Tpr. L. Nerbetski #5083, Cranbury Station. Tpr. Nerbetski stopped a motor vehicle on April 8, 1997 for "erratic operation" (violation not fully explained). The operator of the vehicle could not "provide identification or documents for the vehicle." Tpr. Nerbetski then reports that "A consent to search was granted and conducted with negative results for documents." As indicated previously, this Trooper also had the legal right to conduct a search for the registration without having to complete a consent to search form. The Trooper could have conducted a search for the registration and reported such on an Operations Report. A search such as reported in Tpr. Nerbetski's consent again does not meet the dictates of S.O.P. #F31 in that if the Trooper was searching for the registration, then he could not have reasonably suspected that the search would yield contraband or evidence of a crime.

D010975-37R

: This consent to search was completed by Tpr. I G. Vona #4589, Cranbury Station. Tpr. I Vona stopped a motor vehicle for "a violation of NJS 39:4-97", specific violation not elaborated upon. The narrative is much too brief, however, Tpr. Vona indicates that a "consent to search was granted for documents." Tpr. Vona fails to identify if the object of the search was the registration or other ownership paperwork. Again, as cited in the previous examples, if the search was for the registration, then the consent form was not necessary...an Operations Report would have sufficed.

D020989-12R

: This consent to search was completed by Tpr. E. Kesselman #5368, Moorestown Station. Tpr. Kesselman conducted a stop of a motor vehicle based upon the report of an erratic driver and then observed the vehicle to commit an unsafe lane change. Tpr. Kesselman reported that the driver had no identification but does not indicate if a registration was or was not produced. Tpr.

Kessleman reported that, "I asked for consent to look for documentation to identify the driver and it was granted." S.O.P. #F31 indicates that "no member will request consent to search a motor vehicle or its contents unless the member reasonably suspects that the search will yield contraband or evidence of a crime." In this case, Tpr. Kesselman specifically states that he is searching for documentation to identify the driver, not contraband. Again, if the exact circumstances involved the search for a registration, then the Trooper is within his right to conduct such search reporting same utilizing the Operations Report.

D0209810-06R : This consent to search was conducted by Tpr. J. Ioia #5360, Moorestown Station. Tpr. Ioia reported that he stopped a motor vehicle for careless driving. A registration look-up revealed that same was reported as stolen. Tpr. Ioia then requested a consent to search. With the information reported, Tpr. Ioia did not have to request a consent to search as he now had established probable cause. Ultimately, Tpr. Ioia was satisfied that the documentation was in order and that the registration should be removed from the system as being "stolen." It appears that more information should have been included within this report. It is not clear as to what the Trooper may have been searching for. It becomes difficult to speculate exactly as to the Trooper's actions. It is certainly quite possible that he was acting with caution as doubt existed as to the validity of the stolen registration alarm. As reported, however, the Trooper, at that time, possessed probable cause and did not have to execute the consent search.

The following report illustrates an unusual use of the consent to search form, however, it demonstrates that the duties encountered by a road Trooper are diversified and unexpected:

D010971-8R : This consent to search was completed by Tpr. I A. Kosco #4539, Cranbury Station. On January 6, 1997, while on routine patrol, Tpr. Kosco was motioned over by the driver of a tractor-trailer. The driver of the rig requested that the Trooper conduct a search of the vehicle as he (the driver) had heard over the C.B. radio from other drivers that someone had placed drugs in and upon his vehicle while the driver was at the service area. Tpr. Kosco completed the consent to search form and the driver signed same. A search was then conducted with negative results. Although quite unusual, this type of search satisfies the dictates of S.O.P. #F31 as the Trooper did reasonably suspect that the search would yield contraband or evidence of a crime.

The use of the New Jersey State Police Consent to Search form by its members is a powerful tool. Vigorous scrutiny of the aforementioned documents revealed that the overall use of this document was proper and in keeping with S.O.P. #F31. It is certainly recommended however that continued training in the use of the consent to search form be accomplished with attention to the required information being elaborated upon and the

proper review by supervisors and members of the Criminal Investigation Offices.

Submitted for your review.

STATE POLICE 101-S

GC 003636

SP 128404

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
6/22/99 gh	Lt. G. Holmberg Unit Head Data Processing Services	Captain F. P. McNulty Acting Supervisor R & I Section	INTERIM REPORT ASSESSMENT BY DATA PROCESSING SERVICES

As a result of a meeting held on June 11, 1999, it is the opinion of Data Processing Services that CAD/RMS with modifications would be capable of recording all data elements related to motor vehicle stops as outlined in the Interim Report of the State Police Review Team Regarding Allegations of Racial Profiling.

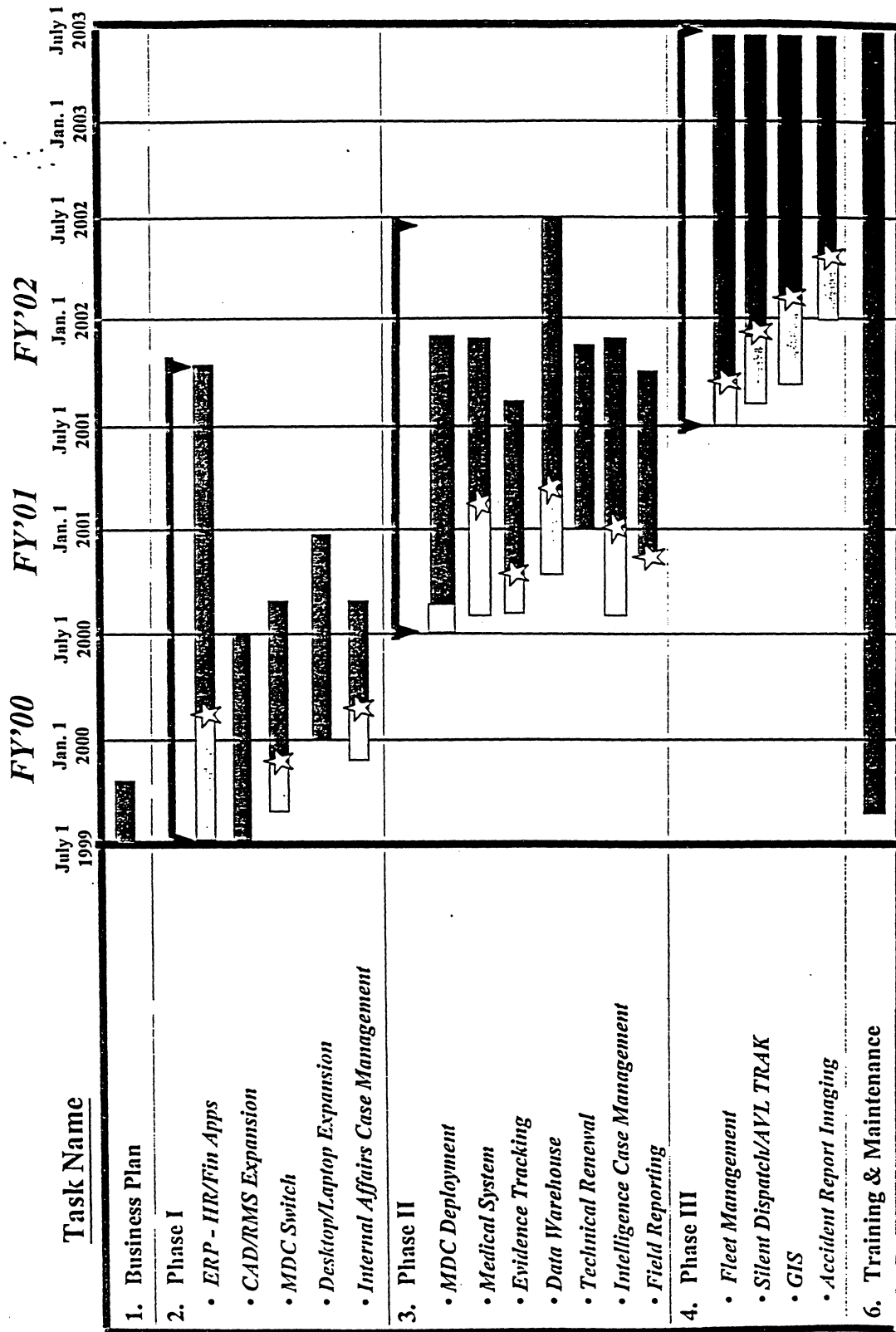
Additionally, it is the opinion of Data Processing Services that the proposed three year Information Technology Budget Resolution targeted to address the lack of automated systems within the Division of State Police. These systems along with CAD/RMS would be capable of feeding a future enlisted performance and review system.

A summary project plan for systems identified within the Information Technology Budget Resolution is attached. Please note the project plan encompasses four years of development/acquisition. The duration of the project plan is based on technical complexity, as well as, budgetary and human resource constraints. Therefore, the availability of systems to feed an enlisted performance and review system should not be expected prior to the dates shown on the attached project plan.

Finally, it should be noted that an enlisted performance and review system was not specifically identified in the IT Budget Resolution. It supplies the foundation upon which a performance and review system could be built, should the Division deem it appropriate.

For your information.

Information Technology Budget Resolution Project Plan for FY'00, FY'01 & FY'02



CAD/RMS RECOMMENDATIONS

It is clear to the CAD/RMS Unit that the paramount objective is to ensure that all necessary information is accurately recorded while minimizing unnecessary paperwork burdens on General Road Duty Troopers and Supervisors. A standard report will be developed to facilitate the quarterly publication of State Police statistics, 'this report will be a feasible, practical publication of statistics.'

The CAD system will be used to support an "early warning system". The CAD system will be changed so that all appropriate transactions can be easily and accurately recorded and produce a report that will enhance patrol supervision duties.

Through the development of the Standard Operating Procedure regarding Traffic stops it will be determined if a new field will be required to capture reason for stop. The CAD system will be edited to record all significant events that occurred during the course of the stop.

The requirement to inform dispatch of intention to conduct a probable cause search can be achieved through S.O.P. and additional unit transactions in the CAD system.

Specific Action Steps and the CAD/RMS recommendations to these steps are outlined in the following pages.

CAD/RMS RECOMMENDATIONS

C. Specific Action Steps (pg. 92)

#2. Quarterly Publication of State Police Statistics (pg.94)

The recommendation of this unit is to provide a standard application report at the cost of approx. \$20,000.00. The report should include, but not limited to, the following:

MOTOR VEHICLE STOPS

- by Race
 - A Asian
 - B Black
 - I American Indian
 - J White Hispanic
 - K Black Hispanic
 - W White
- by Disposition
 - Enforcement
 - No enforcement
 - Arrest
- by Duration of MV Stop
- by Transactions
 - Checks (NCIC, CCH, DMV, Warrant)
 - Out of Vehicle (driver or passenger)
 - Search (probable cause or consent)
 - Drug Dog summoned

#3. Establishment of an Early Warning System and Enhanced Computerization of Records (pg.94)

The Unit Transactions should be revised to capture the options mentioned in the AG's report.(See attached page) It is again recommended by this unit that this information can be collected in CAD and through a standard report to be reviewed by and used by the front line supervisor. This standard report can then be used to support the "early warning system". This canned report can satisfy the requirements of both #2 and #3 of the Attorney General's Report.

#4. Revised Standard Operating Procedure for Traffic Stops (pg.96)

If indeed it is determined that the reason for the stop must be captured prior to the stop a new field must be created at approx. \$15,000.00. The new field should include, but not limited to, the following:

Moving Non-moving Probable Cause Checkpoint

CAD /RMS RECOMMENDATIONS

C. Specific Action Steps (Continued)

#4 Revised Standard Operating Procedures for Traffic Stops (Continued)

It would be the recommendation of this Unit that there is not a need for a Traffic Stop Report for much of the information is captured in CAD. The duration of all stops is already recorded, the completed time is assigned when a disposition is entered. The race field can be edited and must be completed before giving a final disposition. These features and proposed changes to the CAD system answer specifically the concerns in the AG's report outlined in #4 - 1, 2, 5, 6, 7, & 8.

#10. Requirement to Inform Dispatcher of Intention to Conduct a Probable Cause Search

This information can be captured with "new" unit transactions such as, but not limited to:

- probable cause search
- assign back-up
- notify supervisor

M. V. STOP UNIT TRANSACTIONS

The following is a list of the transactions that are usually related to a motor vehicle stop, this list below includes existing and proposed options, but no list of options can be all encompassing.

0001	UNIT REMARKS		
0003	OK ON STOP		
0004	TRANSPORT		
DL 0015	D.M.V. LOOKUP	AG Report	
0016	N.C.I.C. CHECK	AG Report	
0017	CCH CHECK	AG Report	New Trans
0201	WARRANT CHECK	AG Report	
0018	DRIVER OUT OF VEH.	AG Report	New Trans
0019	PASS. OUT OF VEH.	AG Report	New Trans
0020	PAT DOWN (Frisk)	AG Report	New Trans
0030	PROBABLE CAUSE SEARCH	AG Report	New Trans
0031	ASSIGN BACK-UP		New Trans
0032	NOTIFY SUPERVISOR	AG Report	New Trans
0033	CONSENT TO SEARCH	AG Report	New Trans
0034	REQUEST DRUG DOG	AG Report	New Trans
0035	ARREST MADE		New Trans

AG Report - this item specifically appears in the Attorney General's Report.

New Trans - this does not appear in the present CAD environment and would need to be added.

Fines Used
 Y/N
 1. Physical
 2. Seizure
 3. Mechanical
 4. Traffic

SEARCH OF VEHICLE
 - 1. Plain View
 - 2. ~~RESISTANCE~~ PROOF OF OWNERSHIP
 - 3. FUGITIVE MOVEMENT
 - 4. PROBABLE CAUSE
 - 5. WARRANT
 - 6. INCIDENT TO ARREST
 - 7. CONSENT
 - 8. ABANDONED VEHICLE
 - 9. INVENTORY

M.V. STOP QUICK CALL SCREEN

The following is a list of the information that is captured in the present CAD environment:

- Incident Number
- Telecommunicator's Name and Number (call taker)
- Date, Day, Time (Rcv, Dsp, Enr, Arv, Cmp)
- Unit Number (car), Shift, Trooper's Name and Number
- Assigned Station
- Zone (library driven)
- Location
- License (State & Plate)
- Race (A, B, I, J, K, W) — Disposition
- Sex (M or F)
- Unit transactions
 See attached library
- Dispositions
 See attached library

RECORDS AND IDENTIFICATION SECTION
PROPOSAL TO IMPLEMENT
THE ATTORNEY GENERAL'S RECOMMENDATIONS

- #2, Page 94 - SFC K. Moore, Computer Aided Dispatch/Records Management System (CAD/RMS) Unit, and Lt. G. Holmberg, Data Processing Services, will implement as a standard application report from the CAD/RMS regarding traffic stops. Field Operations to assist in determining what statistics to report on a quarterly basis. Software vendor support will cost approximately \$10,000.00.
- #3, Page 94 - SFC K. Moore and Lt. G. Holmberg will coordinate any additional fields that will need to be captured in the CAD/RMS. Recommend against a separate Traffic Stop Report, since CAD can provide an automated version for the front line supervisor. Recommend against trying to capture all possible "incident transactions" because the Library Codes could become unmanageable, especially if all passengers must be accounted for also. Disagree with the Attorney General's report when it claims all "incident transactions" can be easily and accurately recorded. The CAD Transaction Record may have to be revised to include a checklist of options. The Disposition Field will also have to be revised. Software vendor support will cost approximately \$50,000.00, depending on how detailed the modifications will be.
- #4, Page 96 - Recommend exact reason for stop be limited to "Moving" or "Non-moving" violation, and perhaps "Suspicious" and "Wanted." Recommend against a Traffic Stop Report form since the information can be automated. Other information (duration of stop, inaccurate or incomplete vehicle/occupant information, stop outcome) already allowed for in CAD.
- #5, Page 98 - Officer discretion regarding Computerized Criminal History (CCH) and Warrant lookups is necessary. Recently, the Division of Criminal Justice sent a letter to the County Prosecutors and the R&I Section sent a Newsletter to the criminal justice community regarding CCH inquiries. Recommend CCH and Wanted not be required on everyone. A recent New Jersey Supreme Court decision limited the scope of a license plate lookup. The Criminal Justice Information System would have problems with processing CCH and Wanted on everyone.
- #6, Page 100 - Consent to Search form revised and forwarded to Division Staff for final review. Field Operations to forward completed forms to R&I for data entry. Software vendor support to RMS will cost approximately \$15,000.00
- #10, Page 104 - CAD to capture with an additional code.

Proposal to Implement the
Attorney General's Recommendations
R&I Section
page 2

#13, Page 106 - This could probably be handled in RMS with the Investigation Report function. Vendor software support will cost approximately \$15,000.00.

Software enhancements approximately \$90,000.00.
Upgrade storage capacity approximately \$25,000.00.

Additional Recommendations

Explore elimination of the Patrol Chart as currently used and consider an automated output from CAD.

Create an internal CAD clock to alert an operator when a car hasn't been in radio communication for 1 hour or less.

COMMENTS TO CAD/RMS PORTION
ATTORNEY GENERAL'S REPORT ON
RACIAL PROFILING

1. Final paragraph page 95: "The system should be designed so that all appropriate "incident transactions" (e.g., DMV lookup; NCIC check; ordering driver/passenger out of vehicle; frisk; summoning drug detection canines etc.)"

Page 94 #3 Establishment of an "Early Warning System" and Enhanced Computerization of Records.

The CAD/RMS system currently captures most of the data requested. The transaction records captures this data through library codes that are maintained by the State Police. If a unit requests a DMV look-up or an NCIC check or Warrant check, a code is placed in the transaction record which would then be retrievable through an Ad-Hoc query. Codes could be added without difficulty to include other types of transactions such as summoning drug detection canines. However, modifications would have to be made by the software vendor to make the system comply with what the AG's report requests. First, some method would be needed to differentiate between driver, passenger, victim, suspect, complainant, pedestrian and whatever other type of person a patrol may come in contact with. Secondly, a methodology needs to be developed to allow multiple options on a single transaction. Transaction codes could be added to the library, however, all possible combinations cannot be accounted for without making the library unmanageable. It is more likely that the software vendor will have to revise the transaction record to include a checklist of options. Thirdly, the disposition field of the incident record will have to be modified to include what happened to each person type involved in an incident. Each of these adjustments could have a cost of around \$10,000.00 associated with them. The types of person contacts and the types of transaction check-offs would have to be clearly defined as additions after the code is revised would create an additional cost. Lastly, while CAD captures the Race and Sex of the driver, it is impractical to believe the system could capture the Race and Sex of every combination of occupants in a vehicle.

2. Page 94 #2 Quarterly Publication of State Police Statistics

While this type of report could be run as an Ad-Hoc query, it would be better if it was a standard application report. This would have to be provided by the software vendor at an approximate cost of up to \$10,000.00.

3. Page 94 #3 Establishment of an "Early Warning System" and Enhanced Computerization of Records.

If the CAD/RMS system is modified to capture the data requested, what is the need for an Early Warning System database. This would require the Troopers to re-enter data that has already been captured in a different system keeping the Trooper away from patrol responsibilities. Also, having a Trooper fill out a Traffic Stop Report Form would be creating a paper report to repeat the data captured by CAD/RMS. Once the system is modified to capture the suggested data, an incident abstract report would reflect the same data as a Traffic Stop Report Form. Again, this would detract from a Trooper's patrol time and effectiveness. Creating an automated Traffic Stop Report Form in the CAD/RMS system could cost approximately \$10,000.00. The report mentioned in number 2 above would have qualifiers to allow running by Station, Squad, Trooper. Station Commanders and Squad Supervisors could run the report as part of a routine supervisory review of personnel work products. Costs associated with this report are mentioned above.

4. Revised Standard Operating Procedure for Traffic Stops (page 96)

To comply with this section a new field and associated library table would need to be created in the Quick Call Screen to capture the reason for the stop. The reason for the stop would have to be categorized in a rational method to ensure meaningful data could be retrieved (e.g. Haz. Violation, non-haz violation, B.O.L.O., Suspicious vehicle etc.) The cost to modify the Quick Call Screen could be as much as \$10,000.00. As stated above, it is not reasonable to believe a methodology could be developed to allow for the entry of the race and sex of each passenger in a motor vehicle. The inaccuracy of the driver's race and sex is already addressed by CAD and it will be entered before the record can be disposed of. The disposition of a record needs to be addressed. While this field is a library that is easily maintained, the data captured is generic. It does not nor can it provide for every possible outcome of a stop. What reasonable officer discretion criteria could be left after all this additional documentation.

5. Procedures Governing Consent Searches (page 100)

Planning for a Search Incident Form is being conducted to be included in the RMS portion of CAD/RMS. It will be designed to include all criteria mentioned in this report. There could be an additional cost for this function of up to \$15,000.00.

6. Requirements to inform dispatcher of intent to conduct probable cause search (page 104)

This would be handled as an additional code in a State Police administered library field in the Transaction Record with no additional costs. The report generated for this would either be an Operations Report or part of the Search Incident Form discussed above.

7. System to Report Suppression of Evidence (page 106)

This would probably be handled in RMS as part of the Investigation Report function.

Since it is not currently speced it could cost as much as \$15,000.00 to implement this capability.

The software enhancements needed to conform with the AG's Report could cost in the neighborhood of \$100,000.00. Another \$25,000.00 could be necessary to upgrade the storage capacity of the primary system to handle the storage of data not previously collected. Nothing in this report considers the impact of additional radio transmissions between patrols and dispatch centers to capture the recommended data, nor does it consider the additional time required to process each incident. The addition of fields and check boxes will require the dispatchers to take a longer time to handle each incident which will have an impact on the amount of jobs they can handle.

W. R. D.

8/12/99

RESPONSE TO COMPONENTS OF THE EARLY WARNING SYSTEM

- 1 **Motor Vehicle Stop Data:** The Computer Aided Dispatch (CAD) System currently provides the information requested as bulleted. There are no graphing options at this time, but these could be added for a cost.
- 2 **Enforcement Action Taken as a Result of MV Stops:** CAD currently captures the enforcement action taken as a disposition to the MV stop. The following disposition codes are currently used in CAD:

The screenshot shows a software window titled "Master Library System - Codes". The main area displays a list of "NUMERIC CODES" with the following entries:

0001	REAR/WRITTEN
0002	WARNING ISSUED
0003	SUMMONS ISSUED
0004	SUMMONS & WARNING
0005	NO ENFORCEMENT
0006	ASSIST
0007	COMPUTER ENTRY
0008	TOT. TO LOCAL P.D.
0009	G.O.A.
0010	UNFOUNDED
0011	ARREST/WARRANT
0013	ARREST/CRIMINAL
0014	ARREST/D.W.I.
0015	ADMINISTRATIVE ENTRY
0016	ARREST/DWI/CRIMINAL
0017	M.V. AID/SERVICE
0018	M.V. AID/OWN SERVICE
0019	M.V. AID/ABAND
0998	RELEASED CALL
0999	RELEASED UNIT

To the right of the list is a configuration panel for "COMPUTER ASSISTED DISPATCH" with the following fields:

- Code: 0000
- Literal: []
- Code Length: 3
- Text Length: 20

At the bottom of the window is a menu bar with options: New, Edit, Save, Delete, Cancel, Ent.

The CAD System can capture the type of enforcement action taken as a result of an MV stop. The disposition codes can be modified to capture whether 1 summons was issued or

multiple summonses were issued. Ad-Hoc query reporting should be able to determine the exact number of summonses issued once the Records Management System (RMS) has been completed. Current dispositions with small modifications could provide a general view of the requested data. Abnormalities in this general view could be further clarified through the use of Ad-Hoc Query Reporting and examination of individual incident records. Any attempts to modify CAD fields to reflect the specific data requested in this section would increase radio traffic over an already congested network increasing the workload of telecommunicators, increasing the possibility of communications errors and jeopardizing Trooper safety. Reports for the Distribution of Enforcement Action could be developed to provide a general overview of enforcement action taken based on race of driver.

3. **Treatment of Driver:** A transaction code will be generated to be used when a Trooper requests a driver exit the vehicle. Since it is common practice for Troopers on MV stops to advise dispatch when they are checking further, (i.e.: getting the driver out or searching a vehicle) having a Trooper specify what he/she is doing will not add additional air time and therefore not cause the problems stated above.
4. **Items 4, 5 and 6:** will be addressed in this paragraph. A transaction code will be generated to be used by Troopers conducting searches of motor vehicles. Since it is standard practice for a Trooper to advise dispatch when she/he will be out searching a vehicle, this will not generate additional radio traffic creating the problems listed above. A Search Report is being created and will be a part of RMS. From this report distributions of arrests and searches by race of driver will be obtainable in report form.
5. **Motor Vehicle Stop Related Arrests:** Based on disposition codes currently in CAD, a general overview of arrests by race of driver can already be obtained through CAD. A standard report can be created for a cost to provide this information. While the arrest is the disposition for the MV stop, there is no current way of linking the arrest to the driver. As with item 1, this report would provide an early warning of a possible problem and further investigation through Ad-Hoc reporting or individual incident record inspection would validate the original report.
6. **Items 8, 13 and 14:** It would appear that Use of Force, Evidence Suppressions and Case Dismissals could be a standard part of RMS. This would be explored as RMS is further developed. Items 9, 10, 11 and 12 do not appear to be CAD/RMS related.

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
7/30/99 JH/vsl	Captain K. Hayden Asst. Section Supervisor EMS via LTC R. D. Dunlop Executive Officer	LTC M.A. Fedorko Acting Superintendent MAA	INTERIM REPORT

The Emergency Management Section has no comment in reference to the Interim Report.

01 04118
STATE POLICE 101-S

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
8/03/99	Captain F. H. Madden Acting Investigations Officer Via Lt. Colonel R. D. Dunlop Executive Officer	Captain J. Schrott Bureau Chief, Planning Bureau Via Major B. Roberson Administration Officer Via	Re: Interim Report - Drug Enforcement Strategy

Lt. Colonel
M. Fedorko
Acting
Superintendent

In October 1996, the Governor announced a comprehensive program to combat drug trafficking and drug abuse. Governor Whitman pledged to provide the police and prosecutors with powerful new tools through innovative legislation. The Governor's Drug Enforcement, Education, and Awareness Program (DEEAP) was multifaceted and balanced to attack both the supply and demand for illegal drugs.

On October 30, 1996, the New Jersey Attorney General issued Directive 1996-3, outlining how police and prosecutors throughout the State will participate in the Governor's new drug program. The State was required by the DEEAP to develop and distribute both a drug enforcement strategy and a policy manual. Several meetings were conducted during 1997 and 1998 with a broad spectrum of public officials including representatives of the Narcotics and Organized Crime Bureau. The outcome was a lengthy document entitled "Vision 2000, The Statewide Drug Enforcement Strategy". The document contains policy directives, guidelines, and descriptions of model programs to be used by narcotics officers and prosecutors. This document was intended to replace the Statewide Narcotics Action Plans of 1987 and 1993. This plan has never been finalized.

STATE POLICE 101-S

0104324

GC 003652

SP 128420

Currently, a committee has been formed led by SDAG Ron Susswein, which is attempting to produce a reduced version of this report. The Division is represented on the Committee by Major Modarelli, Major McPartland, Lt. Hess and myself. At this juncture, it would be premature to memorialize the Division's strategy without having the benefit of the Department's report to rely upon.

Forwarded for your information and appropriate action.

FR:pah

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
8/2/99	LTC M.A. Fedorko Acting Superintendent <i>M.A.F.</i>	LTC R.D. Dunlop Executive Officer Major V. Modarelli S&TS Section Supervisor Major K. McPartland Intelligence Services Section Supervisor Major B. Roberson Administration Section Supervisor Major J. Mattos Division Staff Section Supervisor Capt. F. McNulty Acting R&I Section Supervisor Capt. L. Cartwright Acting Field Operations Section Supervisor Capt. F. Madden Acting Investigations Section Supervisor Capt. K. Hayden Assistant Emergency Management Section Supervisor	<p style="text-align: center;"><u>IMPLEMENTATION OF PERF AND ATTORNEY GENERAL'S INTERIM AND FINAL REPORT RECOMMENDATIONS</u></p> <p>To facilitate the coordination and implementation of the recommendations in the PERF and Attorney General's Interim and Final Reports, all staff officers and other working group members will comply with the following procedures:</p> <ol style="list-style-type: none"> 1. Lead members of each working group will prepare and submit a weekly progress report to this office. 2. Staff officers assigned to consult with working groups are expected to attend all working group meetings. In addition, staff officers will review and initial the weekly progress reports submitted by their assigned working group. 3. At the periodic staff meetings relating to this implementation project, staff officers will be prepared to discuss, in their entirety, all aspects of the work being addressed by their working group. <p>Also, note that the Division's coordinators will soon distribute copies of the following documents to all working group leaders:</p> <ol style="list-style-type: none"> 1. Both PERF Reports 2. Attorney General's Interim and Final Reports 3. Lafayette Group's Automation Assessment Report

c: Lt. Guida
 Lt. Bruncati
 Lt. Cosgrove
 Lt. Manney
 Lt. Campbell

STATE POLICE 101-L

6104270

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
<p>07/27/99 RR:jst att.</p>	<p>LTC M. A. Fedorko Acting Superintendent <i>MAF</i></p> <p>c: Lt. Guida Lt. Bruncati Lt. Cosgrove Lt. Manney Lt. Campbell</p>	<p>LTC R. D. Dunlop Executive Officer</p> <p>Major V. Modarelli S&TS Section Supervisor</p> <p>Major K. McPartland Intelligence Services Section Supervisor</p> <p>Major B. Roberson Administration Section Supervisor</p> <p>Major J. Mattos Division Staff Section Supervisor</p> <p>Capt. F. McNulty Acting R&I Section Supervisor</p> <p>Capt. L. Cartwright Acting Field Operations Section Supervisor</p> <p>Capt. F. Madden Acting Investigations Section Supervisor</p> <p>Capt. K. Hayden Assistant Emergency Management Section Supervisor</p>	<p><u>PERF AND OAG REPORTS</u></p> <p>In order to implement all the recommendations contained within the various PERF and OAG reports, the Office of the Attorney General has formed specific working groups that will be chaired by a member of the OAG. The Division has been directed to designate a lead person for each working group.</p> <p>Attached are the working groups and the Division's lead personnel. Some support staff is also identified. As the work load for each group becomes more clear, additional support may be assigned.</p>

STATE POLICE 101-L H:\PLANDATA\DOCUMENT\UOC\PERF.JS

104176

Group Name	Division Lead	Support Personnel
Human Resources	Lt. Hennon-Bell #3493	Sgt. H. McLeod #3912
Recruiting	SFC W. Anderson #3288	EEO/AA Staff
Promotions	Lt. R. Rich #2885	SFC T. Robinson #3573 Field Operations Representative
S.O.P./Policy	Capt. J. Schroth #2628	Lt. M. Kicki #3410
Consent Decree	Lt. R. Richardson #3211	DSFC T. Collins #3298
EEO	Major J. Mattos #3038	Capt. D. Blaker #2599
Facilities	Lt. P. Hinkle #2656	Lt. G. Cimorelli #3089 Lt. D. Dooner #3485
Information Technology	Lt. G. Holmberg #3312	R & I Staff
Budget	Lt. W. Hutnick #2868	Budget Operations Bureau
I.A.B.	Lt. L. Brodowski #2941	SFC K. Vuono #3285 DSG. G. Coleman #3369 Lt. A. Sacchetti #2985
Training	Capt. J. Brennan #3082	Training Bureau Staff Lt. C. Huertas #3251
Evaluations	Major V. Modarelli #2879	SFC D. Morocco #3654 Lt. R. Austin #2938 Field Operations Representative
Media	Mr. J. Haggerty	SFC W. Galloway #3700

So that the Superintendent's staff is fully informed of the issues and works in progress, each staff officer and several other officers will be assigned to consult with and support the Division member assigned as lead. These assignments are as follows:

Human Resource
Recruiting

Capt. F. Madden #3033
Capt. D. Blaker #2599

SP 128424

GC 003656

Promotions	Capt. L. Cartwright #2523
S.O.P./Policy	Capt. K. Hayden #2954
Consent Decree	" "
Facilities	Capt. R. Wilson #2896
Information Technology	Capt. F. McNulty #2878
Budget	Capt. R. Ruggeri #3054
I.A.B.	Major K. McPartland #2577
Training	Capt. J. Schroth #2628
Evaluations	Major V. Modarelli #2879
Media	Superintendent's Office

Major Roberson will oversee the work product from the following groups:

1. Human Resource
2. Promotions
3. S.O.P./Policy
4. Consent Decree
5. Facilities
6. Information Technology
7. Budget
8. Evaluations

Major Mattos will oversee the work product from the following groups:

1. Recruiting
2. EEO
3. I.A.B.
4. Training

Further directions will be forthcoming.

H:\PLANDATA\MEMBERS\RAR\PERF.RAR

DAILY RADIO LOG SYNOPSIS CONSENT AND PROBABLE CAUSE SEARCH SYNOPSIS

✓ 98

Date: 06/06/1997
 Received: 06/12/1997
 Office of Responsibility: Office of the Dep. Supt.
 From: Lt. A. Farinella Commanding Troop "D"
 To: SUPERINTENDENT
 Issue Date: //
 Effective Date: //
 Issued Date: 06/19/1997
 Issue Location: DSU
 Comments: DS - 6/19/97 - TROOP LTR ATTACHING RADIO LOG SYNOPSIS AND CONSENT TO SEARCH AND PROBABLE CAUSE SYNOPSIS FOR THE MONTH OF MAY 1997 FOR CRANBURY AND MOORESTOWN STATIONS, TROOP "D" - REVIEW AND FOR'D TO SGT. GILBERT, DSU;



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY

DIVISION OF STATE POLICE

POST OFFICE BOX 7066

WEST TRENTON NJ 08628-9066

CHRISTINE TODD WHITMAN
Governor

PETER VERNIERO
Attorney General

June 9, 1997

COLONEL CARL A. WILLIAMS
Superintendent
TELEPHONE: (609) 882-2000
FAX: (609) 882-6520

SUBJECT: TROOPER OF THE YEAR AWARD 1997

TO : Executive Officer, Section Supervisors, Division Headquarters; Commanders,
Troops "A", "B", "C", "D", "E" & "F"

1. In accordance with S.O.P. C16 "Awards System," section B.8., recommendations are being solicited for the Trooper of the Year Award, which is to be presented at the Annual Banquet. The recommendations must include supportive documentation demonstrating extraordinary valor, outstanding performance in a criminal investigation, exemplary service to the public, or exceptional performance in initiating a complex project or program.
2. The final selection will be made based on the degree of outstanding performance and the credit reflected on the Division. The period of consideration is from July 1, 1996 to June 30, 1997.
3. All members of the Division of State Police are eligible for the award, regardless of rank. Each Section Supervisor may recommend only one member from their Section. Troop Commanders may recommend no more than two members from their Troop.
4. Forward names and supportive documentation to the Executive Officer no later than July 16, 1997. Negative responses from all Sections and Troops are required.

BY ORDER OF THE SUPERINTENDENT

Lanny R. Roberson
Lanny R. Roberson
Lt. Colonel
Deputy Superintendent

mlb
0082254A



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GC 003659

SP 128427



State of New Jersey
 DEPARTMENT OF LAW AND PUBLIC SAFETY
 DIVISION OF STATE POLICE
 POST OFFICE BOX 7068
 WEST TRENTON, NJ 08628-0068

CHRISTINE TODD WHITMAN
Governor

PETER VERNERO
Attorney General

May 19, 1998

COLONEL CARL A. WILLIAMS
Superintendent
 TELEPHONE: (609) 882-2000
 FAX: (609) 530-0718

SUBJECT: TROOPER OF THE YEAR AWARD 1998

TO : Executive Officer, Section Supervisors, Division Headquarters; Commanders,
 Troops "A", "B", "C", "D", "E" & "F"

1. In accordance with S.O.P. C16 "Awards System," section B.8., recommendations are being solicited for the Trooper of the Year Award, which is to be presented at the Annual Banquet. The recommendations must include supportive documentation demonstrating extraordinary valor, outstanding performance in a criminal investigation, exemplary service to the public, or exceptional performance in initiating a complex project or program.
2. The final selection will be made based on the degree of outstanding performance and the credit reflected on the Division. The period of consideration is from July 1, 1997 to June 30, 1998.
3. All members of the Division of State Police are eligible for the award, regardless of rank. Each Section Supervisor may recommend only one member from their Section. Troop Commanders may recommend no more than two members from their Troop.
4. Forward names and supportive documentation to the Deputy Superintendent by July 17, 1998. Negative responses from all Sections and Troops are required.

BY ORDER OF THE SUPERINTENDENT

Michael A. Fedorko

Michael A. Fedorko
 Lt. Colonel
 Deputy Superintendent

mlb
 0096109A



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GC 003660

SP 128428



State of New Jersey

CHRISTINE TODD WHITMAN
Governor

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE
POST OFFICE BOX 7068
WEST TRENTON NJ 08628-0068

JOHN J. FARMER, JR.
Attorney General

July 23, 1999

SUBJECT: TROOPER OF THE YEAR AWARD 1999

TO : Executive Officer, Section Supervisors, Division Headquarters; Commanders, Troops "A", "B", "C", "D", "E" & "F"

1. In accordance with S.O.P. C16 "Awards System," section B.8., recommendations are being solicited for the Trooper of the Year Award, which is to be presented at the Annual Banquet. The recommendations must include supportive documentation demonstrating extraordinary valor, outstanding performance in a criminal investigation, exemplary service to the public, or exceptional performance in initiating a complex project or program.
2. The final selection will be made based on the degree of outstanding performance and the credit reflected on the Division. The period of consideration is from July 1, 1998 to June 30, 1999.
3. All members of the Division of State Police are eligible for the award, regardless of rank. Each Section Supervisor may recommend only one member from their Section. Troop Commanders may recommend no more than two members from their Troop.
4. Forward names and supportive documentation to the Acting Superintendent by August 18, 1999. Negative responses from all Sections and Troops are required.

BY ORDER OF THE ACTING SUPERINTENDENT

Michael A. Fedorko

Michael A. Fedorko
Lt. Colonel

mh



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GC 003661

SP 128429

[Redacted]
October 20, 2000

Capt. Robert Rich
HR Mgt. Bur Chf
Division of State Police
PO Box 7068 River Road
West Trenton, NJ 08625

RE: Certificate # OS001690, Notice Date 10.23.00

Dear Capt. Rich:

This is to inform you that I'm interested in the position of Auditor 3 per your notice dated 10.23.00.(copy attached).

You may contact me at 609-426-8942 any day and leave a message, and I'll call you to set up an appointment.

Thank you,

Sincerely,

[Redacted Signature]
Ma K. Daria



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE
POST OFFICE BOX 7068
WEST TRENTON NJ 08628-0068

STINE TODD WHITMAN
Governor

PETER VERNIERO
Attorney General

COLONEL CARL A. WILLIAMS
Superintendent
TELEPHONE: (609) 882-2000

ADDRESS REPLY TO:

June 6, 1997

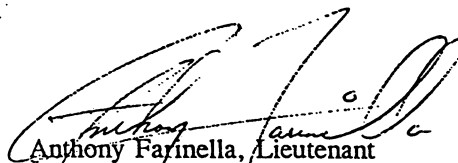
SUBJECT: Daily Radio Log Synopsis Consent and Probable Cause Search Synopsis

TO: Colonel Carl A. Williams, Superintendent
New Jersey State Police, West Trenton, New Jersey

ATTN.: Major Anthony J. Sparano, Field Operations Officer

FROM: Lieutenant Anthony Farinella, Acting Commanding, Troop "D"
New Jersey State Police, Cranbury, New Jersey

1. Attached find Radio Log Synopsis and Consent to Search and Probable Cause Synopsis for the month of May 1997 for Cranbury and Moorestown Stations, Troop "D".
2. For your information.


Anthony Farinella, Lieutenant
Acting Commander, Troop "D"

AF:dd
attms.



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0089871

GC 003663

SP 128431

MOORESTOWN STATION - TROOP D

CONSENT TO SEARCH AND PROBABLE CAUSE SEARCH SYNOPSIS

MONTHLY REPORT

MONTH: May 1997

CASE NUMBER	Consent "C" Probable Cause "PC"	Date	Time	Location	Trooper's Badge Number	*Race	Vehicle Registration (State Only)	Arrest (Yes/No)	Comments
D020 05-48R	PC	5-20-97	8:35 AM	19.5 NB	4686	2B	MA. 6283EO	NO	
D020 05-49R	C	5-20-97	5:37 AM	16.0 SB	4733	2B	CA. 345517	NO	
D020 05-50R	C	5-19-97	11:16 PM	00.4 SB	4015	2B	NC. KP0987Y	NO	
D020 05-52R	C	5-21-97	8:28 AM	33.5 SB	4526	2B	VA. UK7590	NO	
D020 05-61R	PC	5-24-97	7:20 PM	27.0 NB	4405	2B	VA	NO	
D020 05-64R	PC	5-26-97	8:00 AM	57.0 NB	4984	1A	NC. CP874C	NO	
D020 05-68R	C	5-28-97	2:05 PM	44.0 NB	4526	4B	FL. WTM28T	NO	
D02097145	C	5-28-97	10:30 AM	57.9 SB	4984	2B	NC	YES	
D020 05-70R	C	5-27-97	10:45 AM	25.3 SB	5063	1A	GA. AS14716	NO	
D020 05-72R	PC	5-27-97	2:08 PM	50.2 NB	4526	1B	NY. T3214A	NO	
D020 05-76R	PC	5-29-97	6:16 PM	12.2 NB	5053	2B	GA. 882633A	NO	

A - Hispanic
B - Not Hispanic

1 - White
2 - Black
3 - American Indian
4 - Asian

MOORESTOWN STATION - TROOP D CONSENT TO SEARCH AND PROBABLE CAUSE SEARCH SYNOPSIS

MONTHLY REPORT

MONTH: May, 1997

CASE NUMBER	Consent "C" Probable Cause "PC"	Date	Time	Location	Trooper's Badge Number	*Race	Vehicle Registration (State Only)	Arrest (Yes/No)	Comments
✓ 0620 05-77R	C	5-29-97	6:27pm	10.5 NB	4390	1B	PP394W ^{NS}	NO	
✓ 0620 05-65R	C	5-26-97	1:40am	PA 1.9 WB	4984	2B	BHR1027 ^{PA}	NO	
✓ 0620 05-80R	PC	5-31-97	2:23am	12.85B	5282	1A	KE3017 ^{TX}	NO	

A - Hispanic
 B - Not Hispanic

1 - White
 2 - Black
 3 - American Indian
 4 - Asian

MOORESTOWN STATION TROOP D

DAILY RADIO LOG SYNOPSIS

DATE: MAY 1997

RADIO LOG STARTING TIME	RADIO LOG COMPLETION TIME	TROOPER'S BADGE NO. <small>(AS ASSIGNED TO STATION RECORD)</small>	TOTAL NUMBER OF STOPS	RACIAL COMPOSITION				
				WHITE	BLACK	HISPANIC	ASIAN	OTHER

TOTALS	STOPS	WHITE	BLACK	HISPANIC	ASIAN	OTHER
	2939	1709	863	176	129	62

MOORESTOWN STATION - TROOP D

CONSENT TO SEARCH AND PROBABLE CAUSE SEARCH SYNOPSIS.

MONTHLY REPORT
MONTH: MAY 1997

CASE NUMBER	Consent "C" Probable Cause "PC"	Date	Time	Location	Trooper's Badge Number	*Race	Vehicle Registration (State Only)	Arrest (Yes/No)	Comments
✓ D02097129	C	5-1-97	0954A	25.4 SB	4849	1A	NY 71946SSC	Yes	
✓ D020 05-18	C	5-1-97	10:49 AM	33.0 SB	5015	2B	CT 216 XTF	No	
✓ D020 05-02R	PC	5-2-97	11:33 AM	27.0 SB	4526	1A	NY 87376P	No	
✓ D020 05-18R	PC	5-8-97	2:10 AM	22.0 SB	4015	1B	PA 48199SFL	No	
✓ D020 05-20R	PC	5-10-97	9:35 AM	16.0 NB	4686	1B	NY HCHESQ	No	
✓ D020 05-27R	C	5-11-97	2:10 PM	4.6 EXT.	5282	2B	NONE	No	
✓ D020 05-29R	C	5-12-97	8:10 PM	22.2 S/B	4849	1B	MD 6DC702	No	
✓ D020 05-31R	C	5-14-97	4:31 PM	33.5 S/B	4440	2B	MD VPH 110	No	
✓ D020 97137	C	5-15-97	11:21 AM	116087 Ave.	4409	1B	N/A	YES	
✓ P020 05-46R	C	5-20-97	7:03 AM	PA. 50 WB	4526	2A	PA ARR2779	No	
✓ D020 05-47R	C	5-20-97	1:10 PM	44.0 S/B	4526	1B	NY PTX772	NO	

1 - White
2 - Black
3 - American Indian
4 - Asian
A - Hispanic
B - Not Hispanic

CRANBURY STATION TROOP D

DAILY RADIO LOG SYNOPSIS

DATE: May 1-31, 1997

RADIO LOG STARTING TIME	RADIO LOG COMPLETION TIME	TROOPER'S BADGE NO. <small>(REFER TO RADIO LOG)</small>	TOTAL NUMBER OF STOPS	RACIAL COMPOSITION				
				WHITE	BLACK	HISPANIC	ASIAN	OTHER
0001 HRS 5-1-97	2400 HRS 5-31-97							

TOTALS	STOPS	WHITE	BLACK	HISPANIC	ASIAN	OTHER
	1571	965	371	112	73	50

SP 128436

GC 003668

CRANBURY STATION - TROOP D

CONSENT TO SEARCH AND PROBABLE CAUSE SEARCH SYNOPSIS

MONTHLY REPORT
MONTH: MAY 1997

CASE NUMBER	Consent "C" Probable Cause "PC"	Date	Time	Location	Trooper's Badge Number	Race	Vehicle Registration (State Only)	Arrest (Yes/No)	Comments
001097	C	5-2	9:43 A	ALJ TORNAKE	4776	25	NC	NO	
5-10 R	C	5-4	1:27 P	70.5 510	4981	80	PA	NO	
5-20 R	C	5-5	3:15 P	64.4 310	5063	10	PA	NO	
5-28 R	C	5-7	12:40 P	71.1 N6	5083	20	PA	NO	
5-37 R	C	5-10	7:56 A	92.9 N50	5004	1A	TX	NO	
5-39 R	C	5-10	4:10 P	95.6 N50	4589	10	PA	NO	
5-32 R	C	5-13	8:58 A	79.7 N50	5083	1A	FL	NO	
5-53 R	C	5-13	10:03 A	90.8 501	5083	10	NY	NO	
5-77 R	C	5-19	7:04 P	80.7 NSI	4499	20	PA	NO	
5-122 R	C	5-27	3:30 A	85.1 NSI	5066	20	NC	NO	
5-111 R	C	5-29	4:10 P	86.8 NSI	4462	20	NC	NO	

1 - White
2 - Black
3 - American Indian
4 - Asian
A - Hispanic
B - Non-Hispanic

AT FIDELLIA

CRANBURY STATION - TROOP D

MONTHLY REPORT

MONTH: May 1997

CONSENT TO SEARCH AND PROBABLE CAUSE SEARCH SYNOPSIS

CASH NUMBER	Content "C" Probable Cause "PC"	Date	Time	Location	Trooper's Badge Number	State	Vehicle Registration (State Only)	Arrest (Yes/No)	Comments
0010 97 81	C	5-5-97	7:44 A	78.1 StB	4468	IA	PA	Yes	
0010 97 118	C	5-8-97	8:50 A	79.6 05E	5063	IO	NY	Yes	
0010 97 117	C	5-11-97	9:51 P	Is. 31A	4589	IA	NJ	Yes	

1 - White
 2 - Black
 3 - American Indian
 4 - Other
 A - Hispanic
 B - Not Hispanic

A-Recent

Subject: AD HOC QUERY RE RACIAL COMPOSITION OF MOTORIST STOPPED - TPR. A. DONATO (#5582) & TPR. R. PANGBORN (#5765)

Document Date: 12/02/1999
Date Received: 12/13/1999
Office of Responsibility: Deputy Superintendent
From: IAB
To: CAD UNIT
Due Date: 11
Critical Date: 11
Closed Date: 01/27/2000
File Location: IAB

✓ 2


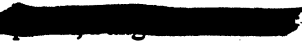
ATTACHED Mannady 5582 99-120 H
ATTACHED Mannady 5765 99-224 H 100 IOC major
Hornman 4195 99-085 H 10/12
ATTACHED WALKER 5288 99-249 H major 11/13
NO IOC

Actions: (SEE - 0106825) DS - 12/14/99 - IOC REQUESTING AN AD HOC QUERY BE CONDUCTED RE THE RACIAL COMPOSITION OF MOTORISTS STOPPED BY THE ABOVE LISTED MEMBERS - SENT INTO LT CAMPBELL;
DS - 1/14/2000 - IOC FROM IAB TO CAD REQUESTING AN AD HOC QUERY BE CONDUCTED RE THE RACIAL COMPOSITION OF MOTORISTS STOPPED BY TPR. I WALTER G. LAYTON, #4195 - SENT INTO LT. CAMPBELL; DS - SIGNED AND FOR'D TO R&I;
DS - 1/27/2000 - IOC FROM IAB REQUESTING AN AD HOC QUERY BE CONDUCTED RE THE RACIAL COMPOSITION OF MOTORISTS STOPPED BY TPR. C. KNUDSEN (#5288) FROM 7/1/99 TO 10/5/99 - SENT INTO LT. CAMPBELL, SIGNED AND FOR'D TO R&I ON 1/28;

New Jersey State Police**INTEROFFICE COMMUNICATION**

DATE	FROM	TO	SUBJECT
12/2/99 rr IOC 99-136	Capt. R. <i>RVT/EB</i> Van Tassel, Jr. Bureau Chief Internal Affairs Bureau Via Major J. Mattos, Jr. Supervisor Division Staff Section Via LTC Robert D. Dunlop, Acting Deputy Superintendent	SFC K. Moore Acting Unit Head CAD Unit Via Lt. L. Larsen Acting Bureau Chief CJRB Via Captain F. McNulty Acting R & I Section Supervisor	RE: Ad hoc query concerning racial composition of motorist stopped

As part of ongoing Internal Investigations (99-120H and 99-224H), it is requested an ad hoc query be conducted regarding the racial composition of motorists stopped by the following enlisted members:


- 1) 
Troop "B" - Perryville Station
5/1/99 - 7/31/99
- 2) 
Troop "C" - Bordentown Station
3/1/99 - 5/31/99

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
1/5/00 rr IOC 00-10	Capt. R. <i>RMB</i> Van Tassel, Jr. Bureau Chief Internal Affairs Bureau Via Major J. Mattos, Jr. Supervisor Division Staff Section Via LTC Robert D. Dunlop, Acting Deputy Superintendent	SFC K. Moore Acting Unit Head CAD Unit Via Lt. L. Larsen Acting Bureau Chief CJRB Via Captain F. McNulty Acting R & I Section Supervisor	RE: Ad hoc query concerning racial composition of motorist stopped

As part of ongoing Internal Investigation 99-085H, it is requested an ad hoc query be conducted regarding the racial composition of motorists stopped by the following enlisted member:


- 1) Tpr. 
Moorestown Station - D020
December 1, 1998 - February 28, 1999

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
1/24/00 rr IOC 00-16	Capt. R. <i>RW/1/24/00</i> Van Tassel, Jr. Bureau Chief Internal Affairs Bureau Via Major J. Mattos, Jr. Supervisor Division Staff Section Via LTC Robert D. Dunlop, Acting Deputy Superintendent	SFC K. Moore Acting Unit Head CAD Unit Via Lt. L. Larsen Acting Bureau Chief CJRB Via Captain F. McNulty Acting R & I Section Supervisor	RE: Ad hoc query concerning racial composition of motorist stopped

As part of ongoing Internal Investigation 99-249H, it is requested an ad hoc query be conducted regarding the racial composition of motorists stopped by the following enlisted member:

- 1) Tpr. 
 Troop "C" Wilburtha - C070
 July 1, 1999 through October 5, 1999

Task Report Reference # 0102310 (33739)

Subject: COMPLAINT AGAINST TROOPER BADGE NO. 4076

Document Date: 04/05/1999

Date Received: 04/13/1999

Office of Responsibility: Office of the Dep. Supt.

From: [REDACTED]

To: ACTING SUPERINTENDENT

Due Date: //

Critical Date: //

Closed Date: 04/13/1999

File Location: CF, IAB

Actions: CORRES. FROM [REDACTED] REGARDING AN INCIDENT WHEN HE WAS STOPPED, SUMMONS NUMBER 673528. IOC TO IAB TO FYAA, SIGNED AND FOR'D TO DIV. STAFF;

U3

99-0594

DATE	FROM	TO	SUBJECT
04/13/99 dab att.	Lt. Colonel M.A. Fedorko Acting Superintendent	Captain R. VanTassel Bureau Chief Internal Affairs Bureau via Major J. Matos Supervisor Division Staff Section	COMPLAINT AGAINST TROOPER - BADGE NO. [REDACTED]

The attached correspondence from [REDACTED] is self-explanatory. Forwarded for your review and appropriate action.

0102310A

GC 003676

SP 128444

To: Sgt [Redacted]

Please call to verify receipt of this fax

Thank you

[Redacted]
66 [Redacted]

COMPLAINT - SUMMONS Municipal Court

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT AND ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED

DRIVER'S LICENSE NUMBER [Redacted] EXP. DATE 7-20-01 STATE NJ Commercial License

Name [Redacted] Address [Redacted] City [Redacted] State NJ Zip [Redacted]

Sex M Height 5'06" Weight 140 lbs Eyes [Redacted] Hair [Redacted] Scars [Redacted]

VEHICLE MAKE [Redacted] YEAR 95 BODY TYPE [Redacted] COLOR [Redacted] Commercial Vehicle

LICENSE NO. [Redacted] STATE NJ EXP. DATE 2-20-00 Hazardous Material

OFFENSE DATE: Month 4 Day 5 Year 99 Time 5:15 AM

LOCATION OF OFFENSE: [Redacted] Description: [Redacted] Municipality: [Redacted] County: [Redacted] Min. Code (Offense): [Redacted]

AND YOU THEN AND THERE COMMIT THE FOLLOWING OFFENSE (ONE CHARGE PER COMPLAINT)

TRAFFIC OFFENSES - (check one) - TITLE 39:

(1) 3-4 Unregistered vehicle <input type="checkbox"/>	(7) 4-85 Improper passing <input type="checkbox"/>
(2) 3-29 Failure to exhibit documents <input type="checkbox"/> <input type="checkbox"/> D.L. or <input type="checkbox"/> REG or <input type="checkbox"/> INS	(8) 4-97 Careless driving <input type="checkbox"/>
(3) 3-33 Unclear plates <input type="checkbox"/>	(9) 4-124 Failure to turn <input type="checkbox"/>
(4) 3-65 Maintenance of lamps <input type="checkbox"/>	(10) 4-144 Failure to stop or yield <input type="checkbox"/>
(5) 3-78.2f Failure to wear seatbelt <input type="checkbox"/>	(11) 8-1 Failure to inspect <input type="checkbox"/>
(6) 4-81 Failure to observe signal <input type="checkbox"/>	(12) 8-4 Failure to make repairs <input type="checkbox"/>

(13) 4-88 Speeding _____ MPH in a _____ MPH zone

IN EXCESS OF SPEED LIMIT BY:

1-9 MPH 10-14 MPH 15-19 MPH 20-24 MPH 25-29 MPH 30-34 MPH

65 MPH Zone Construction Zone

PENALTY SCHEDULE ON REVERSE

OTHER TRAFFIC/PARKING OFFENSE (Describe): [Redacted]

Seizure No. [Redacted] Ordinance / Code No. [Redacted]

Diesel emissions violation Pursuant to N.J.S.A. 39-5-71, you are the agent for the owner, lessee or operator of this diesel vehicle and are being served with this complaint/summons. You must notify the owner, lessee or operator of this complaint/summons so that appropriate action may be taken.

THE DEFENDANT HEREBY ACKNOWLEDGES THAT HE OR SHE HAS READ AND UNDERSTANDS THE ABOVE COMPLAINT AND WANTS TO CONTEST THE COMPLAINT AND REQUESTS A COURT HEARING.

Signature of Co-Defendant: [Redacted] Officer's ID No. [Redacted]

Month 4 Day 5 Year 99

NOTICE TO APPEAR

COURT APPEARANCE REQUIRED

Truck Accident Personal Injury Property Damage

CONDITIONS: AREA Business School Residential Rural

ROAD Dry Wet Snow Ice

TRAFFIC Light Medium Heavy

VISIBILITY Clear Rain Snow Fog

Equipment Helicopter Pace VASCAR Radar Breathalyzer

Equipment Operator's Name _____ Operator ID No. _____ Unit Code [Redacted]

COMPLAINT - SUMMONS CP0171C35X

April 5, 1999

To the State Police Superintendent:

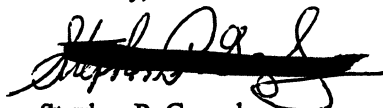
On today's date, April 5, 1999, my son, [REDACTED] Driver's License Number [REDACTED] was stopped on the NJ Turnpike for driving in the HOV lane. At the time he was pulled over, the trooper (Badge [REDACTED]) approached him from the passenger side of the vehicle and said to him, "Hey open your window . . . Do you speak English?" My son said, "Yes" and then gave him his insurance, registration, and license.

My question to you Superintendent, is this a standard procedure for a trooper stopping anyone for a suspected road violation? I am a member of the New Jersey Air National Guard and a civilian technician at McGuire AFB for the last 29 years. My name is [REDACTED] and I am the father of [REDACTED]. I have in the past been stopped by police officers and have never been asked the question if I could speak English.

I am a strong supporter of the state and local police departments, but I truly believe my son was a victim of racial profiling in this case. Why would the first statement of this trooper be, "Can you speak English?" Can you tell me what the contributing factor was for him to be asked this question?

His summons number is 673528. Thank you for your consideration. I'll await your reply.

Sincerely,


Stephen P. Gonzalez
[REDACTED]
[REDACTED]

cc:
Gov. Whitman

102310

Task Report Reference # 0082392- (14070)-

Subject: MERCER COUNTY SELECTIVE PROSECUTION MOTION-

Document Date: 06/12/1996-

Date Received: 06/13/1996

Office of Responsibility: Office of the Dep. Supt.

From: IAB

To: DEPUTY SUPERINTENDENT

Due Date: //

Critical Date: //

Closed Date: //

File Location: IAB

Actions: COPY OF MEMO FROM SDAG JOHN FAHY, DIVISION OF CRIMINAL JUSTICE, REFERENCE A MOTION PENDING IN MERCER COUNTY ALLEGING CERTAIN OFFICERS MADE RACIALLY SELECTIVE STOPS. REQUESTING IAB FOR ASSISTANCE IN OBTAINING RECORDS AND CONDUCTING REVIEW TO DETERMINE VALIDITY OF DEFENDANT'S ALLEGATIONS. SENT INTO LTC LITTLES FOR REVIEW

✓ 15
+
20
IDENTICAL
REQUEST

Task Report Reference # 0082392 (14070)

Subject: MERCER COUNTY SELECTIVE PROSECUTION MOTION-
Document Date: 06/12/1996-
Date Received: 06/13/1996
Office of Responsibility: Office of the Dep. Supt.
From: IAB
To: DEPUTY SUPERINTENDENT
Due Date: //
Critical Date: //
Closed Date: //
File Location: IAB
Actions: COPY OF MEMO FROM SDAG JOHN FAHY, DIVISION OF CRIMINAL JUSTICE, REFERENCE A MOTION PENDING IN MERCER COUNTY ALLEGING CERTAIN OFFICERS MADE RACIALLY SELECTIVE STOPS. REQUESTING IAB FOR ASSISTANCE IN OBTAINING RECORDS AND CONDUCTING REVIEW TO DETERMINE VALIDITY OF DEFENDANT'S ALLEGATIONS. SENT INTO LTC LITTLES FOR REVIEW

✓ 154
20



State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE
25 MARKET STREET
CN 085
TRENTON, NJ 08625-0085
TELEPHONE: (609) 984-6500

DEBORAH T. PORITZ
ATTORNEY GENERAL

TERRENCE P. FARLEY
DIRECTOR

June 20, 1996

Hon. Rosemarie R. Williams, J.S.C.
Superior Court of New Jersey
Mercer County Court House
P.O. Box 8068
Trenton, New Jersey 08650

Re: State v. Kirk Douglas
Indictment No. 95-98-00901

State v. Albert Busano
Indictment No. 95-06-0728

State v. Willie Tyler
Indictment No. 95-12-1463

State v. Kenneth Matthews
Indictment No. 95-09-01105

Dear Counselors:

Enclosed please find a proposed order granting preliminary discovery to the above-captioned defendants to determine whether they will pursue their selective prosecution motion. By letter dated June 11, 1996, I sent a copy of the proposed order to Assistant Prosecutors Matthew Regulski, Doris M. Galuchie and Arun Deshbandu, Assistant Deputy Public Defenders Robin Lord and Frank Farrell, and Steve Hallett, Esq. I received no objections or comments on the proposed order in response to my letter. On Thursday, June 20, 1996, I contacted Robin Lord, Esq., who indicated she reviewed the proposed order and consented to entry thereof. I have also consented to entry of the order on behalf of the State and have affixed my signature to the enclosed order.



New Jersey Is An Equal Opportunity Employer

GC 003681

SP 128449

Hon. Rosemarie Williams
Page Two
June 20, 1996

Enclosed please find an addressed, stamped envelope for your convenience. Please return a copy of the signed order to me and I will distribute a copy to all counsel of record.

Once the order is signed, the State Police will deliver the discovery to the Mercer County Prosecutor's Office. The discovery has already been assembled to avoid delay.

Very truly yours,



John M. Fahy
Senior Deputy Attorney General

hw

Enclosures

c: Matthew Regulski, Esq.

Doris M. Galuchie, Esq.

Arun Deshbandu, Esq.

Robin Lord, Esq.

Frank Farrell, Esq.

Steve Hallett, Esq.

Sgt. Keith Vuono, N.J.S.P. ✓

DEBORAH T. PORITZ
ATTORNEY GENERAL OF NEW JERSEY
BY: JOHN M. FAHY
SENIOR DEPUTY ATTORNEY
DIVISION OF CRIMINAL JUSTICE
CN 085
TRENTON, NEW JERSEY 08625
(609) 984-4461

DONALD F. PHELAN
CLERK OF SUPERIOR COURT
SUPERIOR COURT OF N.J.
MERCER COUNTY
RECEIVED & FILED

JUN 21 1996

Robert Reed
DEPUTY CLERK
SUPERIOR COURT

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, MERCER COUNTY

STATE OF NEW JERSEY :

v. :

KIRK DOUGLAS :

CRIMINAL ACTIONS
DISCOVERY ORDER

INDICTMENT NO: 95-08-00901

STATE OF NEW JERSEY :

v. :

ALBERT BUSANO :

INDICTMENT NO: 95-06-0728

DONALD F. PHELAN
CLERK OF SUPERIOR COURT

A True Copy

Robert Reed
DEPUTY CLERK OF SUPERIOR COURT

STATE OF NEW JERSEY :

v. :

WILLIE TYLER :

INDICTMENT NO: 95-12-1463

STATE OF NEW JERSEY :

v. :

STATE V. KENNETH MATTHEWS :

INDICTMENT NO. 95-09-0711-01105

This matter having come before the Court on the consolidated application of the Office of the Public Defender, by Robin Lord and Frank Farrell, Assistant Public Defenders, counsel for defendants Kirk Douglas, Albert Busamo and Willie Tyler, and by Steve Hallett, Esq., counsel for defendant Kenneth Matthews, and Deborah T. Poritz, Attorney General of the


State of New Jersey, by John M. Fahy, Senior Deputy Attorney General, having consented hereto and for good cause;

IT IS ORDERED this 21 day of June 1996, that the State shall provide the above-captioned defendants with the following items of discovery by June 30, 1996:

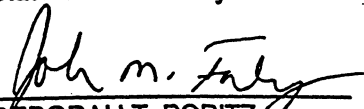
Copies of all radio logs and patrol charts applicable to Troopers JH and KG (whose names are known by the parties to this litigation and the Court) for the following 35 randomly selected days:

May 11, 1995	September 15, 1995	December 3, 1995
May 13, 1995	September 17, 1995	December 30, 1995
June 5, 1995	September 18, 1995	January 12, 1996
June 7, 1995	October 3, 1995	January 20, 1996
June 8, 1995	October 8, 1995	January 27, 1996
June 12, 1995	October 17, 1995	February 6, 1996
June 15, 1995	October 18, 1995	February 7, 1996
July 7, 1995	October 20, 1995	February 13, 1996
July 8, 1995	October 24, 1995	February 17, 1996
July 11, 1995	November 6, 1995	
August 19, 1995	November 19, 1995	
August 20, 1995	November 26, 1995	
August 29, 1995	December 1, 1995	

AND IT IS FURTHER ORDERED that if defendants intend to pursue a motion to suppress based upon racially selective prosecution that defendants papers are to be filed by Friday, August 2, 1996.


Rosemarie R. Williams, A.J.S.C.

Consent to entry
State of New Jersey


DEBORAH T. PORITZ
ATTORNEY GENERAL
By: John M. Fahy, SDAG

SP 128452

GC 003684



State of New Jersey

CHRISTINE TODD WHITMAN
Governor

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE
POST OFFICE BOX 7068
WEST TRENTON NJ 08628-0068

DEBORAH T. PORITZ
Attorney General

COLONEL CARL A. WILLIAMS
Superintendent
TELEPHONE: (609) 882-2000

June 20, 1996

ADDRESS REPLY TO:

Internal Affairs Bureau
Extension 2727

Office of Public Defender
Assistant Public Defender Frank Farrell
210 South Broad Street
Trenton, New Jersey 08625

Re: State v. Kirk Douglas et al

Dear Sir:

Enclosed please find the following documents pursuant to Honorable Rosemarie R. Williams', J.S.C., criminal discovery order with respect to the above captioned criminal matter. Patrol charts and radio logs applicable to Trooper K. G. are for the following dates: June 5, 8 & 12; July 11; September 17; October 3, 17 & 18; November 26, 1995; January 20 & 27; and February 7 & 13, 1996. The patrol charts and radio logs applicable to Trooper J. H. are for the following dates: May 11; June 8 & 15; July 8; August 29; September 18; October 3, 18, 20 & 24; November 6 & 26, 1995; and January 20, 1996.

If we can be of any further assistance please contact my office at the above listed number.

Very truly yours,

FOR THE SUPERINTENDENT
COLONEL CARL A. WILLIAMS

Captain Richard Touw
Bureau Chief
Internal Affairs Bureau

RT/KV/dr



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State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE
25 MARKET STREET
CN 085
TRENTON, NJ 08625-0085
TELEPHONE: (609) 984-6500

DEBORAH T. PORITZ
ATTORNEY GENERAL

TERRENCE P. FARLEY
DIRECTOR

June 20, 1996

Hon. Rosemarie R. Williams, J.S.C.
Superior Court of New Jersey
Mercer County Court House
P.O. Box 8068
Trenton, New Jersey 08650

Re: State v. Kirk Douglas
Indictment No. 95-98-00901

State v. Albert Busano
Indictment No. 95-06-0728

State v. Willie Tyler
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GC 003686


SP 128454

Hon. Rosemarie Williams
Page Two
June 20, 1996

Enclosed please find an addressed, stamped envelope for your convenience. Please return a copy of the signed order to me and I will distribute a copy to all counsel of record.

Once the order is signed, the State Police will deliver the discovery to the Mercer County Prosecutor's Office. The discovery has already been assembled to avoid delay.

Very truly yours,



John M. Fahy
Senior Deputy Attorney General

hw

Enclosures

c: Matthew Regulski, Esq.

Doris M. Galuchie, Esq.

Arun Deshbandu, Esq.

Robin Lord, Esq.

Frank Farrell, Esq.

Steve Hallett, Esq.

Sgt. Keith Vuono, N.J.S.P. ✓

DEBORAH T. PORITZ
 ATTORNEY GENERAL OF NEW JERSEY
 BY: JOHN M. FAHY
 SENIOR DEPUTY ATTORNEY
 DIVISION OF CRIMINAL JUSTICE
 CN 085
 TRENTON, NEW JERSEY 08625
 (609) 984-4461

DONALD F. PHELAN
 CLERK OF SUPERIOR COURT
 SUPERIOR COURT OF N.J.
 MERCER COUNTY
 RECEIVED & FILED

JUN 21 1996

Robert Reed
 DEPUTY CLERK
 SUPERIOR COURT

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION, MERCER COUNTY

STATE OF NEW JERSEY :

v. :

KIRK DOUGLAS :

CRIMINAL ACTIONS
DISCOVERY ORDER

INDICTMENT NO: 95-08-00901

STATE OF NEW JERSEY :

v. :

ALBERT BUSANO :

INDICTMENT NO: 95-06-0728
 DONALD F. PHELAN
 CLERK OF SUPERIOR COURT

A True Copy

Robert Reed
 DEPUTY CLERK OF SUPERIOR COURT

STATE OF NEW JERSEY :

v. :

WILLIE TYLER :

INDICTMENT NO: 95-12-1463

STATE OF NEW JERSEY :

v. :

STATE V. KENNETH MATTHEWS :

INDICTMENT NO. 95-09-0711-01105

This matter having come before the Court on the consolidated application of the Office of the Public Defender, by Robin Lord and Frank Farrell, Assistant Public Defenders, counsel for defendants Kirk Douglas, Albert Busamo and Willie Tyler, and by Steve Hallett, Esq., counsel for defendant Kenneth Matthews, and Deborah T. Poritz, Attorney General of the

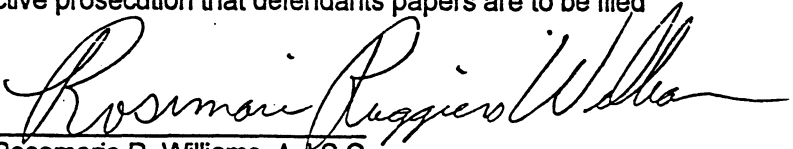
State of New Jersey, by John M. Fahy, Senior Deputy Attorney General, having consented hereto and for good cause;

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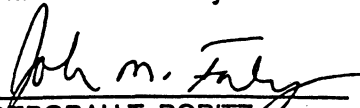
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Rosemarie R. Williams, A.J.S.C.

Consent to entry
State of New Jersey


DEBORAH T. PORITZ
ATTORNEY GENERAL
By: John M. Fahy, SDAG



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE
POST OFFICE BOX 7068
WEST TRENTON NJ 08628-0068

DEBORAH T. PORITZ
Attorney General

COLONEL CARL A. WILLIAMS
Superintendent
TELEPHONE: (609) 882-2000

CHRISTINE TODD WHITMAN
Governor

June 20, 1996

ADDRESS REPLY TO:

Internal Affairs Bureau
Extension 2727

Office of Public Defender
Assistant Public Defender Frank Farrell
210 South Broad Street
Trenton, New Jersey 08625

Re: State v. Kirk Douglas et al

Dear Sir:

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If we can be of any further assistance please contact my office at the above listed number.

Very truly yours,

FOR THE SUPERINTENDENT
COLONEL CARL A. WILLIAMS

Captain Richard Touw
Bureau Chief
Internal Affairs Bureau

RT/KV/dr



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Task Report Reference # 0109894- (41322)

Subject: SUBPOENA DUCES TECUM - SFC J.C. SENATORE, #3060-

Document Date: 05/04/2000-

Date Received: 05/05/2000

Office of Responsibility: Deputy Superintendent

From: Captain G. Miller Commander Troop A

To: IAB

Due Date: / /

Critical Date: / /

Closed Date: 05/10/2000

File Location: IAB

Actions: DS - 5/5/2000 - IOC ATTACHING SPECIAL REPORT OF SFC SENATORE WHO WAS SERVED WITH A SUBPOENA FROM THE LAW OFFICES OF PHILIP J. MORAN, ESQ IN THE MATTER OF GLYNN EDWARD MOORE VS. STATE OF NEW JERSEY ET AL. THE SUBPOENA COMMANDS SFC SENATORE TO GIVE TESTIMONY AND PROVIDE VARIOUS REPORTS, STATION LOGS, TT MESSAGES AND PHOTO DEPICTING GOVERNOR WHITMAN SEARCHING AND/OR ARRESTING AND/OR FRISKING A YOUNG BLACK MALE WITHIN THE CITY OF CAMDEN IN THE AREA OF WHITMAN PARK BETWEEN THE HOURS OF 8 PM AND 3AM DURING MARCH OR APRIL 1966 (NOTE: SFC SENATORE REQUESTS NO LEGAL REPRESENTATION) - SENT INTO LTC DUNLOP; DS - 5/5/2000 - SIGNED AND FOR'D TO COLONEL DUNBAR; S - 5/8/00 - SENT INTO COL. DUNBAR; S-5/10/00 SIGNED SENT TO MAJOR MATTOS, DIVISION STAFF;

✓
29

NEW JERSEY STATE POLICE

SPECIAL REPORT / CONTINUATION PAGE

(1) STATION / UNIT: Red Lion	(2) CODE A110	(3) CASE NUMBER	(4) REFERENCE NUMBER
(5) TO Captain Glenn M. Miller Troop "A" Commander Buena Vista Headquarters		(6) FROM Sgt. J.C.Senatore #3060 Acting Assistant Station Commander Red Lion Station	
(7) SUBJECT SERVICE OF SUBPOENA			
<p>On this date, May 3, 2000, at 10:19 am, the undersigned was served with a subpoena from the law offices of Philip J. Moran Esq. Of 224 West State St., Trenton N.J. Docket # L-4916-99. The subpoena was delivered in person at the Red Lion Station by Ed Forker, from Mr. Moran's office. No legal representation is requested.</p> <p>For Your Information</p>			
(9) REPORTING DATE 05/03/00	(8) NAME Sgt. J.C.Senatore	(10) BADGE NUMBER 3060	(11) STATION <i>[Signature]</i>
		(12) TROOP <i>[Signature]</i>	(14) DIVISION
PAGE 1 OF 1 PAGES			

[Handwritten Signature] 3060

PHILIP J. MORAN, ESQUIRE
224 WEST STATE STREET
TRENTON, N.J. 08608-1102
(609) 278 1500
Attorney for plaintiff

_____	:	SUPERIOR COURT OF NEW JERSEY
GLYNN EDWARD MOORE	:	LAW DIVISION
	:	MERCER COUNTY
Plaintiff,	:	
v.	:	DOCKET NO: L- 4916-99
STATE OF NEW JERSEY, ET ALS	:	CIVIL ACTION
Defendant.	:	SUBPOENA DUCES TECUM
_____	:	

STATE OF NEW JERSEY TO: SGT. JOSEPH SENATORE
NEW JERSEY STATE POLICE
Red Lion STATION
U.S. HWY. 206
VINCENTOWN N.J. 08088

YOU ARE HEREBY COMMANDED to attend and give testimony before the above named ATTORNEY FOR PLAINTIFF, at the Law offices of Philip J. Moran, 224 West State Street, Trenton, N.J. on May 15, 2000 at 3:00 p.m. on the part of the plaintiff, in the above entitled action, and that you have and bring with you and produce at the same time and place, the following:

1. All records, reports, incident reports, individual daily logs, statistical summaries of arrests or searches, internal memoranda, battle sheets, operational orders, daily patrol logs, or any other State Police records pertaining to State Police Operations in the City of Camden during March and April of 1996, commonly referred to as the Camden City initiative or as "C.C.I.";

2. All station logs and CAD system entries or teletype messages or other documentation produced at Bellmawr Station relating to the presence of Governor Christine Todd Whitman accompanying State Police units or individual members of the State Police in operations in Camden in March and April, 1996;

3. Any photographs or copies of photographs, depicting the Governor of New Jersey, Christine Whitman, searching and/or

arresting and/or frisking a young black male within the City of Camden, in the area of Whitman Park, between the hours of 8:00 p.m. and 3:00 a.m. during March or April, 1996.

Failure to appear according to the command of this Subpoena will subject you to a penalty, damages in a Civil Suit and punishment for contempt of Court.

DATED: May 2.2000.

PHILIP J. MORAN
Attorney for PLAINTIFF

CLERK of THE SUPERIOR COURT

PROOF OF SERVICE

On May ,2000, I, the undersigned, being over the age of 18, served the within subpoena by delivering a copy thereof to the person named therein at his place of business.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing is willfully false that I am subject to punishment.

DATED: _____

Address for Service: DIVISION HEADQUARTERS
W. Trenton, New Jersey 08628

NEW JERSEY STATE POLICE

SPECIAL REPORT / CONTINUATION PAGE

(1) STATION / UNIT: Red Lion	(2) CODE A110	(3) CASE NUMBER	(4) REFERENCE NUMBER
(5) TO Captain Glenn M. Miller Troop "A" Commander Buena Vista Headquarters		(6) FROM Sgt. J.C.Senatore #3060 Acting Assistant Station Commander Red Lion Station	
(7) SUBJECT SERVICE OF SUBPOENA			
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(9) REPORTING DATE 05/03/00	(8) NAME Sgt. J.C.Senatore	(10) BADGE NUMBER 3060	(11) STATION Red Lion
PAGE 1 OF 1 PAGES		(12) TROOP A	(14) DIVISION 1

SP 329 / SP 418A (Rev. 11-79)

PHILIP J. MORAN, ESQUIRE
224 WEST STATE STREET
TRENTON, N.J. 08608-1102
(609) 278 1500
Attorney for plaintiff

GLYNN EDWARD MOORE	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
Plaintiff,	:	MERCER COUNTY
	:	
v.	:	DOCKET NO: L- 4916-99
	:	
STATE OF NEW JERSEY, ET ALS	:	CIVIL ACTION
	:	
Defendant.	:	SUBPOENA DUCES TECUM

STATE OF NEW JERSEY TO: SGT. JOSEPH SENATORE
NEW JERSEY STATE POLICE
Red Lion STATION
U.S. HWY. 206
VINCENTOWN, N.J. 08088

YOU ARE HEREBY COMMANDED to attend and give testimony before the above named ATTORNEY FOR PLAINTIFF, at the Law offices of Philip J. Moran, 224 West State Street, Trenton, N.J. on May 15, 2000 at 3:00 p.m. on the part of the plaintiff, in the above entitled action, and that you have and bring with you and produce at the same time and place, the following:

1. All records, reports, incident reports, individual daily logs, statistical summaries of arrests or searches, internal memoranda, battle sheets, operational orders, daily patrol logs, or any other State Police records pertaining to State Police Operations in the City of Camden during March and April of 1996, commonly referred to as the Camden City initiative or as "C.C.I.";
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Failure to appear according to the command of this Subpoena will subject you to a penalty, damages in a Civil Suit and punishment for contempt of Court.

DATED: May 2, 2000.

PHILIP J. MORAN
Attorney for PLAINTIFF

CLERK of THE SUPERIOR COURT

PROOF OF SERVICE

On May 2, 2000, I, the undersigned, being over the age of 18, served the within subpoena by delivering a copy thereof to the person named therein at his place of business.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing is willfully false that I am subject to punishment.

DATED: _____

Address for Service: DIVISION HEADQUARTERS
W. Trenton, New Jersey 08628

Task Report Reference # 0105295- (36711)

**Subject: REQUEST FOR AD HOC CAD QUERIES REF: INTERNAL-
INVESTIGATIONS**

Document Date: 09/29/1999-
Date Received: 10/01/1999
Office of Responsibility: Office of the Dep. Supt.
From: IAB
To: CAD UNIT
Due Date: //
Critical Date: //
Closed Date: 10/01/1999
File Location: IAB
Actions:

REQUESTING AD HOC CAD QUERIES BE CONDUCTED ON TROOPER TO
DETERMINE THE RACIAL COMPOSITION OF MOTORISTS STOPPED; SENT
INTO LT BRUNCATI; FORWARDED TO R & I

✓
33

UNABLE TO
IDENTIFY - NO
BADGE# OR
CASE #.

?

Task Report Reference # 0103825- (35247)

Subject: INTERNAL COMPLAINT RE DET. I ROBERT J. SCHULTE, -
#4339

Document Date: 07/07/1999 -

Date Received: 07/08/1999

Office of Responsibility: Division Services Unit

From: Major K. McPartland Intelligence Servic

To: iab

Due Date: / /

Critical Date: / /

Closed Date: 07/09/1999

File Location: IAB

Actions: EO - 7/9/99 - IOC ATTACHING 251 REF COMPLAINT FILED AGAINST DET. I
[REDACTED] ALLEGING RACIAL PROFILING AND
COMPLAINING ABOUT DET. I SCHULTE'S ATTITUDE AND DEMEANOR -
SIGNED AND FOR'D TO LTC FEDORKO;DS - 7/12/99 - SENT INTO LT.
BRUNCATI, SIGNED AND FOR'D TO DIV. STAFF;

ATTACHED ✓ 40

INTERNAL
G9-1324

NEW JERSEY STATE POLICE – INTERNAL COMPLAINT

STATION UNIT Casino Gaming Bureau		CODE 1040	DATE RECEIVED 7-2-99	TIME (2400 Hours) 1320	INTERNAL CASE NO.
NAME OF COMPLAINANT [REDACTED]					
ADDRESS [REDACTED]					
STATE N.J.		ZIP CODE 08330	MUN. CODE 0112		
COMPLAINT AGAINST MEMBER(S) [REDACTED]					
ADDRESS Park Place & Boardwalk					
MUNICIPALITY Atlantic City		STATE N.J.	ZIP CODE 08401	MUN. CODE 0102	AREA CODE & PHONE NUMBER 609-340-2200
COMPLAINT AGAINST MEMBER(S) [REDACTED]		BADGE NO. [REDACTED]	STATION CODE 1051	NATURE OF COMPLAINT Attitude & Demeanor	COMPL. CODE I.A.B. ONLY
					CONCL. INVEST. I.A.B. ONLY
DATE OF INCIDENT 6-30-99	TIME (2400 Hours) 1317	LOCATION OF INCIDENT (Street, Road, Municipality, State) Indiana & Pacific Avenue, Atlantic City, N.J. 08401			MUN. CODE 0102
HOW COMPLAINT RECEIVED <input checked="" type="checkbox"/> Walk In <input type="checkbox"/> Mail <input type="checkbox"/> Phone	DUTY STATUS OF MEMBER(S) <input checked="" type="checkbox"/> On Duty <input type="checkbox"/> Off Duty	CRIMINAL COMPLAINTS SIGNED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	NAME OF COURT		COURT CODE
CRIMINAL COMPLAINT(S) FILED AGAINST MEMBER(S) None		STATUTE(S)	COURT DATE (I.A.B. Only)	COURT FINDING (I.A.B. Only)	
DATE RECEIVED 7-2-99	RECEIVED BY (Signature, Badge No.) <i>A. Madden</i> Lt. W. G. Madden #2752		STATION CODE 1040		
LIST AND IDENTIFY ADDITIONAL PRINCIPALS, COMPLAINTS, WITNESSES AND CORRESPONDING ADDRESSES AND PHONE NUMBERS BRIEFLY DESCRIBE COMPLAINT					
<p>July 2, 1999: This date the above complainant arrived at the Division of Gaming Enforcement office, 1601 Atlantic Avenue, Atlantic City, N.J. and filed the above complaint. Mr. [REDACTED] stated that he was stopped by Det. [REDACTED] at the above location and questioned regarding his identification. (This action was related to an ongoing armed robbery investigation being conducted by the Casino Gaming Bureau.)</p> <p>The complainant stated that he does not look like the robbery suspect and feels his civil rights were violated by being stopped. Mr. [REDACTED] also stated that he asked the detective if his actions were racial profiling. In addition to civil rights and profiling issues, Mr. [REDACTED] complained about Det. [REDACTED]'s attitude and demeanor during the stop.</p>					
(For Additional Space Use Back)					
I.A.B. CASE TRACKING (I.A.B. Only)					
RECEIVED I.A.B. DATE	RECEIVED BY BADGE NO.	REFERRED TO:	INVESTIGATED BY	LETTER TO COMP.	REPORT RECEIVED DATE
DATE RET. FOR ADD WORK	REV. REPORT RECEIVED	FORWARDED TO C.J.	RETURNED FROM C.J.	SENT TO A.I.P.U. 8-16-00	LEGAL REP. REQUESTED
INTERNAL CASE TRACKING NOTES MFA					

7-12-99
JEB #2941 7/12/99
JPS

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
7/7/99	Major K. Mcpartland Supervisor Intelligence Services Section via LTC R. D. Dunlop Executive Officer	Captain R. VanTassel Bureau Chief Internal Affairs Bureau via Major J. Matos Supervisor Division Staff	INTERNAL COMPLAINT AGAINST DET I.R. [REDACTED] DATED JULY 2, 1999

40

via

LTC M. Fedorko
Acting
Superintendent

Attached please find an internal complaint, dated July 2, 1999, from Lt. W. Madden, reference Det. I [REDACTED], Casino Gaming Bureau.

Forwarded for your information and appropriate action.

RW/jhs
atts.
99-369

Task Report Reference # 0096217 (27684)

Subject: AG REFERRAL - [REDACTED]
Document Date: 05/21/1998
Date Received: 05/26/1998
Office of Responsibility: Executive Officers Office
From: KRISTI GOLDEN
To: SUPERINTENDENT
Due Date: //
Critical Date: //
Closed Date: 12/07/1998
File Location: CF/IAB
Actions:

ATTACHED ✓ 52
INTERNAL
97-088D

EO - 5/27/98 - CORRES RE COMPLAINT AGAINST TROOPER [REDACTED] FROM TROOP D FOR ASSAULT AND RACIAL HARASSMENT - FOR'D TO DS FOR IAB'S REVIEW AND APPROPRIATE ACTION; DS-5/28/98 - SENT INTO LT BRUNCATI, SIGNED AND FOR'D TO DIV. STAFF;
EO - 6/10/98 - ADDITIONAL CORRES. FROM MR. [REDACTED] (RECEIVED AS AN AG REFERRAL) ATTACHING A RESPONSE HE RECEIVED FROM CAPT. VAN TASSELL INDICATING THE SP HAD MADE SEVERAL ATTEMPTS TO CONTACT HIM TELEPHONICALLY AND THAT ON JUNE 5, 1997, MR. ANTHONY SIMMONS ADVISED LT. DELLETTE THAT HE HAD NOT BEEN RETAINED TO REP MR. [REDACTED], AS MR. [REDACTED] HAD ADVISED. AS A RESULT CAPT. VAN TASSEL ADVISED MR. DUNLAP THAT NO FURTHER ACTION WOULD BE TAKEN. MR. [REDACTED]'S CORRES. STATES THAT HE NEVER RECEIVED ANY NOTICE TO CONTACT THE SP TO PROVIDE MORE INFORMATION - REVIEWED AND FOR'D TO IAB FOR THEIR APPROPRIATE ACTION (COPY TO CF); DS - 6/11/98 - SENT INTO TPR. KLOCK, SIGNED BY LTC FEDORKO AND FOR'D TO DIV. STAFF ON 6/12;
EO - 11/19/98 - A COPY OF AN IOC FROM TROOP "E" (DATED 9/30/98, WHICH WAS LOST IN THE CHAIN SOMEWHERE) REFERENCE INTERNAL INVESTIGATION 97-88D REGARDING [REDACTED] AND RECOMMENDING THAT NO FURTHER ACTION TAKE PLACE REF THIS INVEST. LT. DELLETTE SPOKE TO MR. [REDACTED] ON 5/30/97 AND HE STATED HE WOULD NOT TALK TO THE LT. WITHOUT CONFERRING WITH HIS ATTORNEY, MR. ANTHONY SIMMONS. ON JUNE 5, 1997, LT. DELLETTE SPOKE TO MR. SIMMONS WHO STATED SINCE HE WAS NOT PAID BY MR. [REDACTED], HE WOULD NOT REP HIM. ALL MEANS OF COMMUNICATION, I.E., PHONE CALLS, MAILING HAVE BEEN ATTEMPTED BUT WITHOUT MR. [REDACTED]'S TESTIMONY, THE ALLEGATIONS CANNOT BE SUBSTANTIATED - SIGNED AND FOR'D TO DS (COPY TO CF); DS - 11/20/98 - SENT INTO LT. BRUNCATI, SIGNED AND FOR'D TO DIV. STAFF;
EO - 12/4/98 - IOC TO IAB ATTACHING IOCS FROM FOS RECOMMENDING THAT NO FURTHER ACTION TAKE PLACE IN THIS INVESTIGATION. LT. L. DELLETTE, TROOP "E" OPERATIONS OFFICER SPOKE TO MR. DUNLAP ON 5/30/97 AND HE ADVISED HE WOULD NOT SPEAK TO LT. DELLETTE WITHOUT HIS ATTORNEY. MR. [REDACTED]'S ATTORNEY WOULD NOT SPEAK TO LT. DELLETTE BECAUSE HE STATED HE HAD NOT BEEN PAID. ALL INVESTIGATIVE AVENUE HAVE BEEN EXHAUSTED AND FOS TOGETHER WITH THE ADVISORY BOARD RECOMMENDS NO FURTHER ACTION - SIGNED AND FOR'D TO DS (COPY TO CF); DS - 12/4/98 - SENT INTO LT. BRUNCATI, SIGNED AND FOR'D TO DIV. STAFF ON 12/7;

DATE	FROM	TO	SUBJECT
12/4/98 sc	Lt. Colonel R.D. Dunlap Executive Officer	Capt. R. Van Tassel, Jr. Bureau Chief Internal Affairs Bureau via Major J. Mattos Supervisor Division Staff Section. via Lt. Colonel M.A. Fedorko Deputy Superintendent	AG REFERRAL - KINGLEE DUNLAP 12/9/98 <u>CLOSE CASE</u> 52

The attached interoffice communication from Capt. L. Cartwright regarding the Kinglee Dunlap investigation is self-explanatory.

This command concurs with the recommendation of Capt. Cartwright that no further action be taken in this matter.

For your information and appropriate action.



0096217B

GC 003703

SP 128472

NEW JERSEY STATE POLICE

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
12/2/98	Captain Lee L. Cartwright Acting Field Operations Section Supervisor 	LTC R.D. Dunlop Executive Officer 	Internal Investigation Internal Investigation

Attached correspondence was previously forwarded on October 6, 1998. IAB advises they never received it. It is being forwarded at their request in order to close out this case.

It is the opinion of this section that no further action should be taken in this matter. On the original complaint exhaustive attempts were made to contact the complainant and his attorney with negative results. No further contact has been made by the complainant since his letter dated May 18, 1998 advising that the case was closed.

This case has been reviewed by an advisory board and the superintendent with the determination that no further action will be taken.

For your consideration.

LLC:llc
Att.

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
9/30/98	Lt. L. Dellett Troop "E" Operations Officer VIA Capt. K. Wondrack Troop "E" Commander	Capt. R. Van Tassel Internal Affairs Bureau Chief VIA Major J. Mattos Division Staff Section Supervisor	Reference Internal Investigation: 97-88D [REDACTED]
	VIA Capt. L. Cartwright Acting Field Operations Section Supervisor	VIA Lt. Colonel M. Fedorko Deputy Superintendent	As a result of my investigation, I recommend that no further action should take place in the aforementioned investigation. This investigation has passed all review through the Advisory Board, with the same recommendation of No Further Action. I spoke to Mr. [REDACTED] on May 30, 1997 and he advised he would not speak to me without conferring with his attorney, Mr. Anthony Simmons. On June 5, 1997 I spoke to Mr. Simmons and he advised he had not been paid, therefore he was not representing Mr. [REDACTED] at this time.
	VIA Lt. Colonel R. Dunlop Executive Officer		I have exhausted all known means of contacting Mr. [REDACTED], i.e. phone calls and certified mailings (List of Attachments). Mr. [REDACTED] has avoided any and all contact with this investigator. Without Mr. [REDACTED]'s testimony, the allegations are not only less than credible, but can not be substantiated. This along with the fact that all investigative avenues have been exhausted, there is no further recourse in this matter other than recommending No Further Action.

KW/LD/ts

STATE POLICE 101-S

DATE	FROM	TO	SUBJECT
05/27/98 hm att.	Lt. Colonel R. D. Dunlop Executive Officer	Captain R. VanTassel Bureau Chief, Internal Affairs Bureau via Major J. Mattos Supervisor, Division Staff Section via Lt. Colonel M. A. Fedorko Deputy Superintendent	Attorney General Referral of May 21, 1998 - [REDACTED]

The attached correspondence from [REDACTED] New Jersey, is self-explanatory.

Forwarded for your review and appropriate action.

0096217A



Office of the Attorney General
Citizens' Services

Date: 05-21-1998

Received Date : 05-21-1998
Correspondence Date : 05-18-1998
Subject : Complaint Against State Trooper
Name : Mr. [REDACTED]
Affiliation :
Assigned to : Colonel Williams
Division of State Police
Due Date : 06-04-1998
Issue : complaint against Trooper [REDACTED] from Troop D for assault and racial harassment.
Comment :
Response Type : For your action - keep original
Response Date :

Forward with all drafts, response copies, and original correspondence to:

Kristi J. Golden
Citizens' Services
Office of The Attorney General
Richard J. Hughes Justice Complex
8th Floor, West Wing, CN-080
Trenton, NJ 08625

0096217

GC 003707

SP 128476

[REDACTED]
[REDACTED] 19

May 18, 1998

Peter Verniero
Attorney General's Office
25 Market Street
Trenton, NJ 08625

Dear Mr. Verniero:

I'm writing this letter to request a thorough investigation of my matter with Troop "D" Headquarters in Cranbury, NJ. This matter took place on April 28, 1997 on the NJ Turnpike. I was pulled over on the Turnpike at about 7:30 pm, on this date, A NJ State Trooper by the name of Kampo was the leading officer who pulled me over. I was assaulted and racially harassed and then maced by three to four other NJ State Troopers. Then a C.D.S. was planted on my person.

I was never allowed a telephone call to anyone, I also filed a complaint with Troop "D" headquarters and received a formal letter stating that the investigation was closed. May you note that noone from that office came down to talk to any person involved in this matter, and there was an eye witness. Along with letter you will find a copy of the original letter sent to me from that office. Thankyou for your time and consideration of this matter and I look forward to talking to you.

Sincerely,

[REDACTED]



State of New Jersey

CHRISTINE TODD WHITMAN
Governor

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE
POST OFFICE BOX 7068
WEST TRENTON NJ 08628-0068

PETER VERNIERO
Attorney General

COLONEL CARL A. WILLIAMS
Superintendent
TELEPHONE: (609) 882-2000

ADDRESS REPLY TO:

Troop "D" Headquarters
278 Prospect Plains Road
Cranbury, N.J. 08512
609-860-9000

April 20, 1998

CERTIFIED MAIL R.R.R.

Mr. [REDACTED]

Dear Mr. [REDACTED]

This letter is to inform you that your complaint of assault and racial harassment against members of the Division of State Police and the resultant internal investigation has been reviewed by the Deputy Superintendent of the New Jersey State Police.

The Deputy Superintendent, Lt. Colonel Michael A. Fedorko, has concluded that your allegations could not be substantiated.

As a result of these findings, no further action will be taken.

Sincerely,

R. H. Franz, Captain
Commanding Troop "D"
New Jersey State Police

DEFENDANT'S
EXHIBIT
4-21-98



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DATE	FROM	TO	SUBJECT
06/10/98 sc	Lt. Colonel R.D. Dunlop Executive Officer	Capt. R. Van Tassel Bureau Chief Internal Affairs Bureau via Major J. Mattos Supervisor Division Staff Section via Lt. Colonel M.A. Fedorko Deputy Superintendent	Attorney General Referral of June 8, 1998 - [REDACTED] The attached correspondence from [REDACTED] M. [REDACTED] 349, is self- explanatory. Forwarded for your appropriate action.

STATE POLICE 101-L 0096217



Office of the Attorney General
Citizens' Services

Date: 06-09-1998

Received Date : 06-08-1998
Correspondence Date : 06-04-1998
Subject : Complaint Against State Trooper
Name : Mr. [REDACTED]
Affiliation :
Assigned to : Colonel Williams
Division of State Police
Due Date : 06-22-1998
Issue : encloses a copy of a response received from Capt. Van Tassel indicating the investigation into his complaint against Trooper [REDACTED] has been completed. He alleges he never received any notice to contact State Police to provide more information.
Comment :
Response Type : For your action - keep original
Response Date :


Forward with all drafts, response copies, and original correspondence to:

Kristi J. Golden
Citizens' Services
Office of The Attorney General
Richard J. Hughes Justice Complex
8th Floor, West Wing, CN-080
Trenton, NJ 08625

OFFICE
MAY 20 1998

0096217

JUNE 4, 1998


Captain Roy Van Tassel, Jr. and
Peter Verniero-Attn Gen

Dear Sirs;

I am writting this letter in a follow up from your letter I received on June 3, 1998 regarding your conclusion in the matter with officer Kampo and the other state police. On April 28, 1997.

May you note that I did speak to Lt. Dellett on several occasions in June of 1997, Lt. Dellett told me that Anthony Simmons advised him that he was not retained to represent me, wich is not so. I have a copy of a receipt from his office saying so! Following on a different date Lt. Dellett advised me that I needed to speak to an attorney when I contacted him within ten days of the letter, he sent to me.

On June 10, 1997 I then advised Lt. Dellett that I had a appointment with Attorney Jaime Kaigh and Rodney D. Ray of Cherry Hill, NJ. May you note that was on June 23, 1997. I told Lt. Dellett to contact their office so that he could talk to myself and to Candice Holland who was a the passenger in my vehichle on April 28, 1997.

There was no other information sent to me or any other telephone calls made, until I received a formal letter from Trooper "D" headquarters on April 21, 1998. May you note that my Attorney Jaime Kaigh has the the letter that was signed for by Darlene Holland.

There was no other information told to me regarding this matter although I asked. I was later told to contact the NAACP, I spoke to Marie Jones of Trenton, NJ and was advised to write to Peter Verniero, and I did so. I really hope that you consider these facts and follow through to do a thourough investigation into this matter, Thankyou in advance for your time and I look forward to hearing from you.

Sincerely,


GC 003712

SP 128481

Winkler, Rosemead Summit, PC

Date <u>4/29</u> 19 <u>97</u> No. <u>7018</u>	
Received Of <u>Jacqueline Sharon Cohen ^{Co Kinglee Dunlap}</u>	
Address _____ \$ <u>1000.⁰⁰</u>	
One <u>Thousand</u> ⁰⁰ / ₁₀₀	
For <u>CDS</u>	
HOW PAID	BALANCE DUE
<u>Paid in</u>	
By <u>[Signature]</u>	
REDIFORM 81820 carbonless	



State of New Jersey

CHRISTINE TODD WHITMAN
Governor

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE
POST OFFICE BOX 7068
WEST TRENTON NJ 08628-0068

PETER VERNIERO
Attorney General

COLONEL CARL A. WILLIAMS
Superintendent
TELEPHONE: (609) 882-2000

ADDRESS REPLY TO:

June 2, 1998

Mr. [REDACTED]
[REDACTED]
PO [REDACTED] 49

Dear Mr. [REDACTED]

Your letter to the Attorney General dated May 18, 1998, regarding your complaint concerning Tpr. Kampo has been forwarded to this office for a response.

A review of the case file indicated Lt. Dellett made several attempts to telephonically contact you in May, 1997. On May 30, 1997, you spoke with Lt. Dellett on the telephone and advised him all inquiries should be directed to your attorney, Mr. Anthony Simmons. Lt. Dellett contacted Mr. Simmons on June 5, 1997, and Mr. Simmons advised Lt. Dellett he had not been retained to represent you. In order to proceed with this matter, a registered letter was sent to you which was delivered on June 10, 1997 (signed for by Darlene Holland) which advised you had ten days to contact Lt. Dellett or the investigation would proceed without any input from you. Since Lt. Dellett did not hear from you during that time and other attempts to contact you were unsuccessful, the investigation was conducted without your input. You were advised of the outcome of this investigation via a certified letter dated April 20, 1998. As such, no further action will be taken in this case. Thank you for bringing this matter to our attention.

Sincerely,

Roy Van Tassel, Jr.
Captain Roy Van Tassel, Jr.
Bureau Chief
Internal Affairs Bureau



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Task Report Reference # 0090182 (27650)

Subject: INTERNAL AFFAIRS BUREAU RECOMMENDATIONS RE:
DOCUMENTATION OF PROPER CONDUCT OF MEMBERS

Document Date: 05/21/1998 ✓

Date Received: 05/22/1998

Office of Responsibility: Office of the Dep. Supt.

From: Major J. Mattos Div. Staff Sec

To: DEPUTY SUPERINTENDENT

Due Date: //

Critical Date: //

Closed Date: //

File Location: IAB

Actions: RECOMMENDATIONS FROM INTERNAL AFFAIRS BUREAU TO ENHANCE
DIVISION'S ABILITY TO MONITOR CONDUCT OF ITS MEMBERS, I.E.
DETAILED COMPILATION OF RACIAL STOP STATISTICS; DASH MOUNTED
VIDEO/AUDIO CAMERAS; RECORDING TELEPHONIC COMMUNICATIONS;
INCREASE RESPONSIBILITIES OF INSPECTION UNIT; AND INTEGRITY
TESTING; SENT INTO LT BRUNCATI; REVIEWED BY LTC FEDORKO,
RETURNED TO LT BRUNCATI WITH NOTE - LT JIMBO, SET UP MEETING
WITH IAB AND MAJ MATTOS ON THIS

✓
53

UNABLE TO LOCATE

?

TASK REPORT REFERENCE # 0098574 (30025)

Subject: MANDATORY LISTING OF RACE & SEX IN PATROL CHARTS-

Document Date: 09/23/1998 -

Date Received: 09/23/1998

Office of Responsibility: Office of the Dep. Supt.

From: IAB

To: DEPUTY SUPERINTENDENT

Due Date: //

Critical Date: //

Closed Date: 10/13/1998

File Location: IAB

Actions: IOC FROM IAB TO DS RE REVIEW OF SOP C22 AND MANDATORY LISTING OF RACE AND SEX PATROL CHARTS. SENT INTO LTC FEDORKO, FULL DISTRIBUTION IOC SENT OUT ON 10/13; S-10/13/98 RECEIVED IN COL. W. OFFICE, INITIALED AND COPY DISCARDED.

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58

UNABLE TO LOCATE

?

Subject: REPORTING OF COMPLAINANT'S RACE AND SEX ON-
INTERNAL COMPLAINT FORM (SP 251)

Document Date: 01/07/1998-
Date Received: 01/12/1999
Office of Responsibility: Office of the Dep. Supt. *ATTACHED ✓ 60*
From: IAB
To: DEPUTY SUPERINTENDENT
Due Date: / /
Critical Date: / /
Closed Date: 01/19/1999
File Location: IAB-
Actions: IOC TO SECTION SUPVRS ADVISING THAT IT IS IMPERATIVE THE
COMPLAINANT'S RACE AND SEX BE IDENTIFIED ON SP INTERNAL
COMPLAINT FORM; SENT INTO LT BRUNCATI, SIGNED BY LTC FEDORKO
AND RET'D TO DIV. STAFF FOR DISTRIBUTION ON 1/13; S-01/15/99 RECEIVED
IN COL. W. OFFICE, INITIALED AND COPY DISCARDED; EO - 1/19/99 -
REVIEWED BY LTC DUNLOP AND COPY DISCARDED;

?

DATE	FROM	TO	SUBJECT
1/7/99 IOC/99-02 bs	LT Colonel M.A. Fedorko Deputy Superintendent C:Col. C. Williams LT J. Guida Lt. J. Bruncati Lt. D. Cosgrove Lt. R. Manney DSFC J. Campbell	LT Colonel R.D. Dunlop Executive Officer Major V. Modarelli S&TS Section Major K. McPartland Intelligence Services Section Major T.P. Davies Emergency Management Section Major B.W. Roberson Administration Section Major J. Mattos Jr. Division Staff Section Major R.E. Touw Investigations Section Captain F.P. McNulty R & I Section Captain L.L. Cartwright Field Operations Section	Reporting of Complainant's Race and Sex on Internal Complaint Form (S.P. 251) For reporting purposes, it is imperative the complainant's race and sex be identified and reported on the State Police Internal Complaint Form (SP 251) and also reported in the Internal Investigation Report as mentioned on page 2 of the Internal Investigation Manual. Please ensure all personnel under your command comply with this directive.

STATE POLICE 101-L

DATE	FROM	TO	SUBJECT
1/7/99	Captain Roy <i>RS</i> Van Tassel, Jr. <i>1/7/99</i> Internal Affairs Bureau Chief Via Major Juan Mattos, Jr. Division Staff Section Supervisor	LTC M. A. Fedorko Deputy Superintendent	Distribution of Interoffice Communication entitled "Reporting of Complainant's Race and Sex on Internal Complaint Form (S.P. 251)" <div style="text-align: right;"><i>60</i></div>

It is requested the attached Interoffice Communication entitled "Reporting of Complainant's Race and Sex on Internal Complaint Form (S.P. 251)" be signed by the Deputy Superintendent and distributed to all Section Supervisors.

Forwarded for your information.

Subject: REQUEST TO MODIFY INTERNAL COMPLAINT FORM (SP-251)

Document Date: 01/25/1999

Date Received: 01/28/1999

Office of Responsibility: Office of the Dep. Supt.

From: IAB

To: PRINT SHOP

Due Date: / /

Critical Date: / /

Closed Date: 01/29/1999

File Location: IAB

Actions: CREATION OF BOX MARKED SEX TO DENOTE THE SEX OF COMPLAINANT;
CREATION OF BOX MARKED RACE TO DENOTE RACE OF COMPLAINANT;
SENT INTO LT BRUNCATI, SIGNED BY LTC FEDORKO AND FOR'D TO ADMIN.
ON 1/29;

ATTACHED ✓ 61

2

DATE	FROM	TO	SUBJECT
1/8/99	Captain Roy <i>[Signature]</i> Van Tassel, <i>[Signature]</i> Internal Affairs Bureau Chief	Lt. E. Sarin Printing Unit Supervisor	Request to modify Internal Complaint form (form SP-251)
	Via	Via	61
	Major Juan Mattos, Jr. Division Staff Section Supervisor	Lt. R. Rich Acting HRMB Chief	
	Via	Via	
	LTC M. A. Fedorko Deputy Superintendent	Major B. Roberson Administration Section Supervisor	

It is requested the following modifications be made to the New Jersey State Police Internal Complaint form (form SP-251 rev. 12/93):

- 1) Creation of a box marked "sex" to denote the sex of the complainant
- 2) Creation of a box marked "race" to denote the race of the complainant

See attached sample indicating requested changes.

Submitted for your information.

STATION/UNIT		CODE	DATE RECEIVED	TIME (2400 Hours)	INTERNAL CASE NO.	
NAME OF COMPLAINANT				SEX	RACE	ADDRESS
MUNICIPALITY	STATE	ZIP CODE	MUN. CODE	AREA CODE & PHONE NUMBER		
COMPLAINANT'S EMPLOYER			ADDRESS			
MUNICIPALITY	STATE	ZIP CODE	MUN. CODE	AREA CODE & PHONE NUMBER		
COMPLAINT AGAINST MEMBER(S)		BADGE NO.	STATION CODE	NATURE OF COMPLAINT	COMPLT CODE IAB ONLY	CONCL. INVEST. IAB ONLY
DATE OF INCIDENT		TIME (2400 Hours)	LOCATION OF INCIDENT (Street, Road, Municipality, State)			MUN. CODE
HOW COMPLAINT RECEIVED	DUTY STATUS OF MEMBER(S)	CRIMINAL COMPLAINTS SIGNED	NAME OF COURT		COURT CODE	
<input type="checkbox"/> Walk In <input type="checkbox"/> Phone	<input type="checkbox"/> On Duty <input type="checkbox"/> Off Duty	<input type="checkbox"/> Yes <input type="checkbox"/> No				
CRIMINAL COMPLAINT(S) FILED AGAINST MEMBER(S)		STATUTE(S)	COURT DATE (I.A.B. Only)	COURT FINDINGS (I.A.B. Only)		
DATE RECEIVED	RECEIVED BY (Signature, Badge No.)		STATION CODE			
LIST AND IDENTIFY ADDITIONAL PRINCIPALS, COMPLAINTS, WITNESSES AND CORRESPONDING ADDRESSES AND PHONE NUMBERS BRIEFLY DESCRIBE COMPLAINT						
(For Additional Space Use Back)						
I.A.B. CASE TRACKING (I.A.B. Only)						
RECEIVED I.A.B. DATE	RECEIVED BY BADGE NO.	REFERRED TO:	INVESTIGATED BY	LETTER TO COMP.	REPORT RECEIVED DATE	
DATE RET. FOR ADD WORK	REV. REPORT RECEIVED	FORWARDED TO C.I.	RETURNED FROM C.I.	SENT TO A.I.P.U.	LEGAL REP. REQUESTED	
INTERNAL CASE TRACKING NOTES						

SP-251 (Rev. 12/93)

GC 003722

SP 128491

Subject: 1997 AND 1998 TROOP D POSITIVE AND NEGATIVE -
CONSENT SEARCH REPORTS

Document Date: 03/06/2000-
Date Received: 03/09/2000
Office of Responsibility: Deputy Superintendent
From: ANALYTICAL UNIT
To: IAB
Due Date: //
Critical Date: //
Closed Date: 03/10/2000
File Location: IAB -
Actions:

DS - 3/9/00 - IOC FROM ANALYTICAL UNIT TO IAB ATTACHING
PHOTOCOPIES OF 1,030 1997 & 1998 TROOP D POSITIVE AND NEGATIVE
CONSENT SEARCH REPORTS . - SENT INTO LT CAMPBELL; DS - 3/10/2000 -
SIGNED AND FOR'D TO DIV. STAFF;

✓
64

STAFF INSPECTION UNIT

2
-
STAFF INSP?

Subject:

**TROOP D AUDIT - REQUEST FOR INVESTIGATION
REPORTS INITIATED BY CRANBURY STATION PERSONNEL
FROM JANUARY 1, 1998 THROUGH APRIL 15, 1998**

Document Date: 03/02/1999
Date Received: 03/03/1999
Office of Responsibility: Office of the Dep. Supt.
From: IAB
To: CJRB
Due Date: //
Critical Date: //
Closed Date: 03/30/1999
File Location: IAB; CF
Actions:

SENT INTO LT BRUNCATI;
EO - 3/30/99 - IOC FROM STAFF INSPECTION UNIT TO LTC DUNLOP
PROVIDING AN UPDATE OF THE TROOP "D" AUDIT - REVIEWED BY LTC
DUNLOP AND FILED IN CF;
EO - 3/31/99 - REQUEST FOR CONSENT SEARCH & DAILY RADIO LOG FOR
MOORESTOWN & CRANBURY STATIONS MEMO DIRECTED TO FIRST ASS'T
AG PAUL H. ZOUBEK INDICATING THAT THE SP IOC DATED 12/20/98 FROM
MAJOR SPARANO TO COLONEL WILLIAMS REFERRED TO STATISTICS
THAT WERE COMPILED MANUALLY AT THE INDIVIDUAL STATIONS FOR
SIX MONTHS BEGINNING APRIL 1997 THRU SEPTEMBER 1997 AND THEN
WAS CONSOLIDATED BY SFC MOROCCO WHO UTILIZED THE SOFTWARE
PROGRAM, "WORD PERFECT," AND THAT THE ONLY OTHER
CONSOLIDATED REPORT WAS FOR'D TO COLONEL WILLIAMS BY CAPT.
CARTWRIGHT ATTACHED TO AN IOC, DATED 11/25/98, COVERING THE
PERIOD APRIL 1998 TO SEPTEMBER 1998. THE REPORT WAS CONSOLIDATED
BY TPR. NAPRAWA WHO UTILIZED THE "MICROSOFT EXCEL"
SPREADSHEET. THIS MEMO FURTHER ADVISED FAAG ZOUBEK THAT THE
ISS AND R&I SECTION ARE PRESENTLY PRODUCING A COMPUTER
DATABASE TO CAPTURE THE CONSENT AND PROBABLE CAUSE INFO FROM
1996 TO DATE - FOR'D TO LT. GUIDA FOR MAILING TO FAAG ZOUBEK (COPY
TO CF);

✓ 70

STAFF
INSP
UNIT

Subject: AUDIT OF MOTOR VEHICLE STOPS - BELLEMAWR STATION -
& NETCONG STATIONS

Document Date: 10/08/1997
Date Received: 10/09/1997
Office of Responsibility: Executive Officers Office
From: IAB
To: SUPERINTENDENT
Due Date: //
Critical Date: //
Closed Date: 10/14/1997
File Location: IAB
Actions:

IOC W/ATTACHED RESULTS OF MOTOR VEHICLE STOPS CONDUCTED BY
THE STAFF INSPECTION UNIT FROM JUNE 1, 1997 THROUGH AUGUST 31,
1997. AUDITS CONDUCTED AT THE NETCONG AND BELLEMAWR STATIONS.
SENT IN TO EO;
EO - 10-14-97 - SIGNED AND FOR'D TO DS; DS - 10/14/97 - SIGNED AND FOR'D
TO COL WILLIAMS, INITIALED AND RETURNED TO DIV. STAFF SECTION
THIS DATE WITH A COPY TO SGT. T. GILBERT, DIV. SERVICES UNIT FHL.

✓ 74

STAFF INSPECTION UNIT

Subject: ORDER OF CONSOLIDATION & DISCOVERY - -
HOTEL/MOTEL SQUAD

Document Date: 12/23/1999-
Date Received: 12/29/1999
Office of Responsibility: Deputy Superintendent
From: N.O.C.B.
To: STAFF INSPECTION UNIT
Due Date: / /
Critical Date: / /
Closed Date: 12/29/1999
File Location: IAB-

Actions: DS - 12/29/99 - IOC ATTACHING TRAINING & OPERATIONAL GUIDELINES
UTILIZED BY MEMBERS OF THE HOTEL/MOTEL SQUAD. (THE GUIDELINES
ARE PROVIDED IN RESPOSE TO A COURT ODER FROM SUPERIOR COURT OF
NJ, BURLINGTON COUNTY) - SENT INTO LT CAMPBELL; DS - 12/30/99 -
SIGNED AND FOR'D TO DIVISION STAFF;

✓
95

STAFF INSP. UNIT

Searching In: Subject FOR: Stop
Between: / / and 08/04/2000

Ordered By:

Ref. #: 0094195

Subject:

BRUNCATI; SIGNED BY LTC FEDORKO; FORWARDED TO HRM BUREAU

Ref. #: 0094520

Subject: MOTOR VEHICLE STOP - [REDACTED]

Doc. Date: 02/26/1998

Sent To: SUPERINTENDENT

Due Date: / /

Closed Date: 03/04/1998

File Location: IAB

From: ALBERT NEVINS

Action: CORRES. FROM ATTORNEY REFERENCE MV STOP. IOC TO IAB. SIGNED AND FOR'D TO DS.; DS - 3/4/98 - SENT IN TO LT. BRUNCATI, SIGNED AND FOR'D TO DIV. STAFF;

✓
183

Ref. #: 0094963

Subject: APPLICATION REVIEW COMMITTEE - STOP
VIOLENCE AGAINST WOMEN SUBGRANT
PROGRAM - REQUEST FOR DSG P. REILLY

Doc. Date: 03/24/1998

Sent To: SUPERINTENDENT

Due Date: / /

Closed Date: 03/25/1998

File Location: CF

From: GAIL FAILLE, CHIEF, VICTIM

Action:

REQUEST FOR DSG P. REILLY TO PARTICIPATE ON COMMITTEE FOR VAWA SUBGRANT PROGRAM. MEETINGS ARE SCHEDULED FOR APR. 1&2, 1998 AT JUSTICE COMPLEX.; S-03/25/98 COL. W. INITIALED AND FORWARDED TO LTC FEDORKO FOR ADMIN-AUDITING UNIT WITH NOTE "OK WITH ME - YOUR CALL. CAW" ALSO COPY TO LTC DUNLOP FHI.; DS-3/24/98 -IOC TO ADMIN SEC ADVISING THIS REQUEST HAS BEEN APPROVED BY COL; EO - 3/25/98 - VIEWED BY LTC DUNLOP AND COPY DESTROYED;

Ref. #: 0095364

Subject: TRAFFIC STOP STUDIES

Doc. Date: 04/06/1998

Sent To: DEPUTY

Due Date: / /

Closed Date: 04/17/1998

File Location: EXEC OFF

From: Director of Administration Thomas

Action: COPY OF NATIONAL CRIMINAL JUSTICE ASSOCIATION "JUSTICE BULLETIN" RE TRAFFIC STOPS STATISTICS ACT; SENT INTO LT BRUNCATI

✓
12

DATE	FROM	TO	SUBJECT
03/4/98 ro att.	Col. G. A. Williams Superintendent via LTC M. A. Fedorko Deputy Superintendent	Lt. R. Van Tassel Acting Bureau Chief IAB via Major J. Mattes Supervisor Division Staff Section	MOTOR VEHICLE STOP - A #3 (98-243) 183

The attached correspondence from [REDACTED] is self-explanatory and forwarded for your information and appropriate action.

0094520A

Searching In: Subject FOR: Racial
Between: / / and 08/03/2000

Ordered By:

Ref. #: 0105319

Subject:

DSO -7/21/00 - SIGNED AND FOR'D TO SUPT'S OFFICE; S-07/21/00 REC'D IN SUPT.
OFFICE; 7/24/00 INITIALED BY SUPT. AND FORWARDED TO CAPT. MCCABE.

Ref. #: 0105839

Subject: RACIAL ISSUES CONCERNING STATE POLICE -
LETTER OF COMPLAINT

Doc. Date: 10/28/1999

Sent To: SUPERINTENDENT

Due Date: / /

Closed Date: 11/09/1999

30

File Location: CF

From: JEANNE DAMMANN

Action:

WIFE OF A TROOPER WHO IS VOICING HER CONCERNS REGARDING THE
RACIAL ISSUES AND MORALE WITHIN THE NJSP. 11/3/99 GIVEN TO COL.
DUNBAR; 11/8/99 LTR. OF RESPONSE FORWARDED TO MRS. DAMMANN
PREPARED AND SENT INTO COL. DUNBAR FOR SIGNATURE, SIGNED AND
FORWARDED 11/9/99.

Ref. #: 0105836

Subject: RACIAL PROFILING MATERIALS

Doc. Date: 11/03/1999

Sent To: SGT. KLOCK

Due Date: / /

Closed Date: 11/03/1999

31

File Location: CF

From: PAUL HEINZEL, DAG

Action: LETTER FAXED TO SGT. KLOCK REQUESTING MATERIALS THAT SFC GILBERT
COLLECTED RELATED TO THE ISSUE OF RACIAL PROFILING. THESE WERE
TO BE TURNED OVER TO PAUL HEINZEL AS SOON AS THEY WERE COMPILED.
THIS DATE MANAGEMENT REVIEW WILL PICK UP COPIES AND FOR'D TO MR.
HEINZEL.

Ref. #: 0106085

Subject: HUNTERDON COUNTY RACIAL PROFILING
DISCOVERY REQUESTS

Doc. Date: 11/10/1999

Sent To: HRMB

Due Date: / /

Closed Date: 12/01/1999

UNABLE TO
LOCATE

199

File Location: IAB

From: IAB

Action:

D - 11/15/99 - IOC FROM IAB TO HRMB ADVISING THAT AS A RESULT OF A

Searching In: Subject FOR: Stop
Between: / / and 08/04/2000

Ordered By:

Ref. #: 0080015 Subject: REQUEST FOR RADIO LOG OF ALL STOPS MADE
Doc. Date: 03/08/1996 BY STATE TROOPERS ON RT. 80W NEAR
Sent To: NJSP PARSIPPANY EXIT AND RT. 46 W IN PARSIPPANY
Due Date: / / Closed Date: 03/18/1996
File Location: IAB; CF From: DOROTHY T. GURRY
Action:

UNABLE TO
LOCATE

✓
186

GIVEN TO SFC BLAKER 03/12/96 FOR'D TO IAB FYI
D-3/18/96 - CORRESPONDENCE TO DOROTHY T. GURRY INFORMING HER THAT
HER REQUEST FOR INFORMATION IS NOT AVAILABLE FOR PUBLIC
CONSUMPTION. CANNOT ACCOMMODATE REQUEST (FILED IN CF)

Ref. #: 0080261 Subject: REQUEST TO RETIRE - DSFC CHRISTOPHER
Doc. Date: 03/14/1996 JOHNSTON #2660
Sent To: SUPERINTENDENT
Due Date: / / Closed Date: 03/21/1996
File Location: PERSONNEL From: CENTRAL SECURITY BUR
Action:

REQUEST TO RETIRE EFFECTIVE JULY 1, 1996; FORWARDED TO DSU TO DO
NECESSARY CHECKS 03/21/96 DSU CHECKED WITH IAB AND EEO/AA AND
FOUND NO PENDING CHARGES AGAINST DSFC JOHNSTON. IOC TO SUPT
STATING SAME. 03/22/96 REVIEWED AND SIGNED BY DS. ; S-03/22/96 RECEIVED
IN COL. W. OFFICE, APPROVED AND FORWARDED TO PERSONNEL THIS DATE.

Ref. #: 0080518 Subject: APPLICATIONS FOR RENEWAL OF HELISTOP AND
Doc. Date: 03/20/1996 HELIPORT LICENSES
Sent To: SUPERINTENDENT
Due Date: / / Closed Date: 04/17/1996
File Location: AVIATION UNIT From: AVIATION UNIT
Action:

SIGNED, FORWARDED TO DS; D-3/28/96 - SENT INTO LTC LITTLES FOR
REVIEW, FORWARDED TO COL WILLIAMS; S-03/28/96 RECEIVED IN COL. W.
OFFICE FOR SIGNATURE, SIGNED AND FORWARDED TO LTC ROBERSON WITH
A NOTE: ARE WE GOING TO APPLY FOR A LICENSE AT OUR NEW TROOP A
HDQTRS., BUENA TWSP??
EO - 4/1/96 - IN RESPONSE TO THE SUPERINTENDENT'S QUESTION,
"ARE WE GOING TO APPLY FOR A LICENSE AT OUR NEW TROOP A HDQTRS,
BUENA TWSP??", LT. DENNIS, AVIATION UNIT, ADVISED DSFC MEDDIS THEY
ARE CHECKING WITH THE CONTRACTOR TO SEE IF THE CONTRACTOR

Search Results

Searching In: Subject FOR: Racial

Ordered By:

Between: / / and 08/03/2000

Ref. #: 0093435

Subject:

DISCRIMINATION INVESTIGATION IS BEING CONDUCTED CONCERNING TROOPER I ARSENIO N. GONZALEZ; SENT INTO LT BRUNCATI; FORWARDED TO EXEC OFF
DS-2/5/98 - IOC FROM EEO/AA BUR TO LTC FEDORKO RE ALLEGATION OF DISCRIMINATION BY TROOPER I ARSENIO N. GONZALEZ; SENT INTO LT BRUNCATI; FORWARDED TO LTC FEDORKO; SIGNED AND REVIEWED BY LTC FEDORKO; RETURNED TO EEO/AA BUREAU ; EO - 2/9/98 - SIGNED AND FOR'D TO FOS;
(SEE ALSO 0094911)

Ref. #: 0096119

Subject: REQUEST FOR MEETING FROM THE BLACK MINISTERS COUNCIL OF NEW JERSEY RE: RACIAL PROFILING

Doc. Date: 05/12/1998

Sent To: SUPERINTENDENT

Due Date: / /

Closed Date: 05/26/1998

File Location: CF

From: REGINALD JACKSON, BMC

Action:

REQUEST FROM REV. JACKSON FOR MEETING WITH COL. W. TO COVER A "HOST OF CONCERNS" REGARDING THE NJSP.; S-05/26/98 MTG. SCHEDULED WITH AG VERNIERO AND COL. W. FOR WED., MAY 27, 1998 AT 10:00 AM IN AGO. FILE.

✓
206

Ref. #: 0096675

Subject: RACIAL PROFILING ALLEGATION

Doc. Date: 06/17/1998

Sent To: DEPUTY

Due Date: / /

Closed Date: 06/18/1998

File Location: IAB

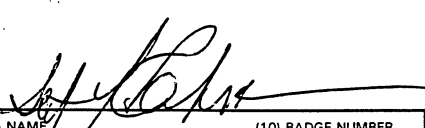
From: IAB

Action: SPECIAL REPORT PREPARED BY SGT. THOMAS ROBINSON; REVIEWED BY LTC FEDORKO

~~THOMAS ROBINSON~~
ATTACHED
✓
207

NEW JERSEY STATE POLICE

SPECIAL REPORT / CONTINUATION PAGE

(1) STATION / UNIT: AFIU		(2) CODE R023	(3) CASE NUMBER		(4) REFERENCE NUMBER	
(5) TO Lt. Albert J. Sacchetti Staff Inspection Unit Internal Affairs Bureau			(6) FROM Sgt. Thomas D. Robinson #3573 Automated Fingerprint Identification Unit State Bureau of Identification / R & I			
(7) SUBJECT <p>Subject : Racial Profiling</p> <p>I standby my original special dated 5/18/98. At no time did I bother recording the date, time, location or badge number of the troopers(s) making the stop. I have never had a desire to bring any member up on charges of profiling.</p> <p>Forwarded for your information.</p>						
(8) REPORTING DATE 03/10/99	(9) NAME  Sgt. Thomas D Robinson	(10) BADGE NUMBER 3573	(11) PAGE 1 OF 1 PAGES	(12) STATION M2985	(13) TROOP	(14) DIVISION

SP 329 / SP 418A (Rev. 11-79)

NEW JERSEY STATE POLICE

SPECIAL REPORT / CONTINUATION PAGE

(1) STATION / UNIT:		(2) CODE	(3) CASE NUMBER	(4) REFERENCE NUMBER		
(5) TO Major Juan Mattos Supervisor Division Staff Section			(6) FROM Sergeant Thomas D. Robinson #3573 207 Expungement Unit SBI / Records and Identification Section			
(7) SUBJECT						
<p style="font-size: 2em; font-weight: bold; transform: rotate(-10deg); opacity: 0.5;">CONFIDENTIAL</p>						
<p>Subject: Racial Profiling</p> <p>The only thing I will gain by revealing the following information is peace of mind and a target on my back. I can face my children and tell them I stood up and told the truth. I am very happy with my present duty assignment and promotional opportunities. I HOPE, YOU WILL LIVE UP TO YOUR WORD AND NOT ALLOW THIS SPECIAL TO AFFECT MY CAREER. This information is not for general dissemination outside the outfit. I present it with the hope that someday all people will be treated equally by the New Jersey State Police.</p> <p>I am a member of the 97th class. I have been a member of the New Jersey State Police (NJSP) for more than seventeen years. During these seventeen years I have been stopped on the New Jersey Turnpike (NJTPK) more than forty times. This number may seem high however, when you are stopped two or more times a year, you reach this number very quickly.</p> <p>*Why are you on the NJTPK so much?</p> <p>I am a very active member of a Masonic lodge in Plainfield, New Jersey. My involvement in this charitable organization requires me to be in Plainfield at least two nights a week. I live in Marlton (exit 4) and regularly travel to exit 10.</p> <p>*There had to be a reason for the stops. You must have been doing something wrong to be stopped.</p> <p>Sometimes yes, and sometimes no: A trooper on patrol has a tremendous amount of discretion on who is stopped for a violation of the law. There were times when I was the fourth vehicle in a line of five exceeding the speed limit. I was the only one stopped. It doesn't take long to realize that you (the minority) are the choice of the day.</p> <p>At no time did I bother recording the date, time, location or badge number of the troopers(s) making the stop. I have never had a desire to bring any member up on charges of profiling. Whenever I was the victim of profiling, the trooper(s) making the stop was made aware of feelings on this activity. In my mind the matter was resolved then and there. The majority of the stops occurred late at night after I passed a fishing hole, where the trooper was parked perpendicular to traffic with the high beams shining on passing traffic. (A review of the arrests made on the pike will show that most are made a short distance from a good</p>						
(8) REPORTING DATE	(9) NAME	(10) BADGE NUMBER	(11)	(12) STATION	(13) TROOP	(14) DIVISION
05/18/98	<i>Sgt J. Robinson</i>	3573	PAGE 1 OF 3 PAGES			

SP 329 / SP 418A (Rev. 11-79)

NEW JERSEY STATE POLICE

SPECIAL REPORT / CONTINUATION PAGE

(1) STATION / UNIT:	(2) CODE	(3) CASE NUMBER	(4) REFERENCE NUMBER			
(5) TO Major Juan Mattos Supervisor Division Staff Section		(6) FROM Sergeant Thomas D. Robinson #3573 Expungement Unit SBI / Records and Identification Section				
(7) SUBJECT fishing hole.) *Its just good police work. Those people arrested were violating the law. Anyone who violates the law should be arrested. However, innocent people should have the right to travel on the pike without having to worry about being stopped for being a minority. It happens all the time. Only about one out of twenty people that I have seen sitting on the guard rail while their car is being searched is not a minority. (A review of consent to search forms will prove this point) *Why do troopers do it? Troopers are under a tremendous amount of pressure to produce. They want a specialist assignment. Your statistics are used as an indicator of your productivity. Some troopers do it subconsciously. They simply chose to stop more minorities and attempt to search these vehicles once stopped. Almost no attempt is made to search the vehicles of white motorists. There is a small group of troopers that just don't care. They will stop almost any minority they want and search the vehicle. If the person should protest the stop, they will be given a ticket for almost anything. Their car is searched, their personal belongings are thrown all over the place and there they stand, repacking the car and hating the NJSP. This is not right and must stop. There is a general perception in minority communities that the NJSP does not care. Why complain? They won't do a thing to stop it. The profiling slowed down in the mid 90s. The division took a bold step and transferred a lot of troopers off the NJTPK. This only slowed down the problem and shipped it to the troops. The true cause of the problem was never addressed. The NJSP does not encourage profiling. However, nothing is done to stop it from being passed on from one member to another. The only real solution is to hold troopers accountable for theirs actions. Their enforcement activities should be consistent with the racial make up of the population in their area of assignment. There was no real need for me to jeopardize my career to admit something that can be determined by						
(8) REPORTING DATE 05/18/98	(9) NAME <i>Sgt J. Robinson</i>	(10) BADGE NUMBER 3573	(11) PAGE 2 OF 3 PAGES	(12) STATION	(13) TROOP	(14) DIVISION

CONFIDENTIAL

NEW JERSEY STATE POLICE

SPECIAL REPORT / CONTINUATION PAGE

(1) STATION / UNIT:	(2) CODE	(3) CASE NUMBER	(4) REFERENCE NUMBER			
(5) TO Major Juan Mattos Supervisor Division Staff Section		(6) FROM Sergeant Thomas D. Robinson #3573 Expungement Unit SBI / Records and Identification Section				
(7) SUBJECT <p style="text-align: center;">CONFIDENTIAL</p> <p>reviewing our own internal records.</p> <p>The accusation has been made in the past. Before standing up and denying something, we should review our own records. A review of our records will prove the point that so many minorities already know. THERE ARE MEMBERS OF THE NJSP THAT PROFILE. These few make it bad for us all.</p>						
(8) REPORTING DATE 05/18/98	(9) NAME <i>Sgt J. Robinson</i>	(10) BADGE NUMBER 3573	(11) PAGE 3 OF 3 PAGES	(12) STATION	(13) TROOP	(14) DIVISION

SP 329 / SP 418A (Rev. 11-79)

Searching In: Subject FOR: Race
Between: / / and 08/03/2000

Ordered By:

Ref. #: 0105380 Subject: RACE CODE STATISTICAL REPORT
Doc. Date: 10/04/1999
Sent To: INTELLIGENCE
Due Date: / / Closed Date: 05/01/2000
File Location: INTELLIGENCE From: CAD

Action: IOC FROM R&I TO INTELLIGENCE ATTACHING RACE CODE STATISTICAL REPORT FROM JANUARY 1999 TO AUGUST 1999. SENT INTO LT. BRUNCATI, SIGNED BY LTC DUNLOP AND FOR'D TO INTELLIGENCE ON 10/8; DS - 5/1/2000 - IOC AND RELATED INFO FROM DSG S.G. SERRAO TO LTC DUNLOP INDICATING THAT HE HAD REVIEWED THE RACE CODE STAT REPORT, AS REQUESTED BY LTC DUNLOP, AND IT DID NOT COMPARE FIRST QUARTER 1999 TO FIRST QUARTER 2000, THUS DSG SERRAO EXTRACTED DATA FOR THE FIRST QUARTER OF 1999 AND COMPARED IT TO THE FIRST QUARTER OF 2000 - SENT INTO LT. CAMPBELL;

✓
188

Ref. #: 0105488 Subject: CIVIL ACTION ALLEGING DISCRIMINATION ON BASIS OF RACE BY SGT. WENDELL DAVIS #3620
Doc. Date: 10/07/1999
Sent To: ACTING
Due Date: / / Closed Date: 10/14/1999
File Location: EEO/AA BUREAU From: EEO/AA BUREAU

Action:
SENT INTO LT BRUNCATI, SIGNED BY LTC DUNLOP AND RET'D TO EEO/AA;

Ref. #: 0105664 Subject: RACE CODE REPORT BY BADGE NO. 5049
Doc. Date: 10/20/1999
Sent To: IAB
Due Date: / / Closed Date: 10/26/1999
File Location: IAB From: CAD/RMS

Action: IOC FROM CAD/RMS TO IAB RESPONDING TO THEIR REQUEST DATED 9/29/99 FOR RACE CODE REPORT BY BADGE NO. 5049. SENT INTO LT. BRUNCATI, SIGNED BY LTC DUNLOP AND FOR'D TO DIV. STAFF;

*SHOULD BE
CAN / RMS
REPORT* ✓
212

SEARCH RESULTS

Searching In: Subject FOR: Data

Ordered By:

Between: / / and 08/03/2000

Ref. #: 0102184	Subject: PROPOSAL FOR THE REORGANIZATION OF DATA
Doc. Date: 04/06/1999	PROCESSING SERVICES FUNCTIONS INTO THE
Sent To: DEPUTY	INFORMATION TECHNOLOGY BUREAU
Due Date: / /	Closed Date: 08/23/1999
File Location: CF	From: Capt. F. McNulty Acting Supv. R&I
Action:	

SENT INTO LT BRUNCATI; APPROVED BY LTC FEDORKO AND DATA PROCESSING SERVICES IS PREPARING A DRAFT SOP DS - 6/14/99 - IOC W/ATTACHED DRAFT SOP SENT INTO LT. BRUNCATI, SIGNED AND MARKED "APPROVED" BY LTC FEDORKO AND RET'D TO R&I ON 8/9; DS-8/23/99 - IOC FROM R & I TO PLANNING BUR ATTACHING DRAFT SOP; FORWARDED TO ADMIN

Ref. #: 0102295	Subject: INTERNAL AFFAIRS DATABASE
Doc. Date: 04/06/1999	
Sent To: ACTING	
Due Date: / /	Closed Date: 04/13/1999
File Location: IAB; CF	From: FAAG PAUL H. ZOUBEK
Action:	

UNABLE TO LOCATE - 222 ✓

REQUESTING ELECTRONIC REPRODUCTION OF FOXPPO DATABASE FILE USED IN INTERNAL AFFAIRS UNIT FOR REVIEW BY OAG; SENT INTO LT BRUNCATI; IOC TO IAB - FYAA. ADVISE THIS OFFICE WHEN COMPLETED

Ref. #: 0102275	Subject: REQUEST TO CREATE 4 NEW POSITIONS
Doc. Date: 04/07/1999	TECHNICIAN, MANAGEMENT INFORMATION
Sent To: HRM BUREAU	SYSTEMS, FUNDED BY THE USER FEE ACCOUNT
Due Date: / /	Closed Date: / /
File Location: HRM BUREAU	FOR THE DATA PROCESSING SERVICES
Action:	From: Capt. F. McNulty Acting Supv. R&I

SENT INTO LT BRUNCATI; SIGNED BY LTC FEDORKO; FORWARDED TO ADMIN

Subject: NEW JERSEY STATE POLICE PROFILE INVESTIGATION

Document Date: 06/08/1999

Date Received: 06/10/1999

Office of Responsibility: Executive Officers Office

From: Capt. S. Maggio Commanding Troop "B"

To: IAB

Due Date: 08/11/1999

Critical Date: / /

Closed Date: 06/23/1999

File Location: IAB

Actions: EO - 6/10/99 - IOC AND ATTACHING SPECIAL REPORT SUBMITTED BY SFC J. BARBER, ACTING STATION COMMANDER, PERRYVILLE STATION, RE CORRESPONDENCE RECEIVED FROM NORTH HUNTERDON MUNICIPAL COURT REGARDING THE FIRM OF INVESTIGATIVE RESOURCES CONDUCTING A PROFILE INVESTIGATION - REVIEWED BY LTC DUNLOP AND FOR'D TO DS; DS-6/10/99 - SENT INTO LT BRUNCATI, SIGNED BY LTC FEDORKO AND FOR'D TO DIV. STAFF ON 6/11;
EO - 6/22/99 - IOC FROM FOS TO DS AND ATTACHING SPECIAL REPORT SUBMITTED BY SFC J. BARBER RE A REQUEST FOR COPIES OF MOTOR VEHICLE SUMMONSES FROM INVESTIGATIVE RESOURCES - SIGNED AND FOR'D TO DS; DS - 6/22/99 - MEMORANDUM TO ANNE PASKOW, W/ATTACHED PACKAGE, FOR HER REVIEW. REFERRED BY DAG FLAHEVE, SIGNED BY LTC FEDORKO AND FOR'D ON 6/23;

UNABLE TO
LOCATE

✓
-242

Task Report Reference # 0110463

Subject: **AD HOC QUERY CONCERNING RACIAL COMPOSITION OF
MOTORIST STOPPED**

Document Date: 05/15/2000

Date Received: 05/30/2000

Office of Responsibility: Superintendent

From: IAB

To: CAD

Due Date: / /

Critical Date: / /

Closed Date: 05/31/2000

File Location: IAB

Actions: SA - 5/30/00 - IOC RE: INTERNAL INVEST. 00-053HX, REQUESTING AD HOC
QUERY BE CONDUCTED REGARDING THE RACIAL COMPOSITION OF
MOTORIST STOPPED BY THE FOLLOWING ENLISTED MEMBER: TPR. R.
ZULINSKI, #5815 - SENT INTO MAJOR BRENNAN; SA - 5/31/00 - SIGNED &
FOR'D TO R&I;

PATROL RELATED CRIMINAL ARRESTS

LESSON PLAN

Prepared by:
Sergeant First Class Richard Rosell #3665
New Jersey State Police

INTRODUCTION:

Police Officers can not and should not wait for crimes to be committed before they take action to protect the public. Every day in every part of the Country, pro-active police officers stop crimes from being committed by encountering prospective criminals during routine motor violations.

Officer safety is without question the most important aspect of a motor vehicle stop. Police Officers receive intense field and academy training that prepares them for potentially violent confrontations that might occur. However, the average Police Officer does not receive adequate advanced training that will assist him or her in the proper and legal methods of affecting a patrol related criminal arrest.

This lecture is designed to supplement patrol related criminal arrest tactics and techniques possessed by relatively inexperienced Officers. It is also helpful as a refresher for more experienced Officers.

At the onset of this lecture, it will be stressed that successful patrol related criminal arrests are and always have been accomplished by aggressive enforcement of the State motor vehicle laws, not by racially or ethnically profiling. Officers will be instructed and will see for themselves that the more people they legally contact during the course of their patrol, the greater the chance will be that one of those people might be a criminal in-transit. This emphasis on lawful police practice as opposed to profiling is repeated throughout the lecture.

PATROL DRUG INTERDICTION

I. Arrest, Search and Seizure

- A. Delaware vs Prouse
 - 1. Random MV stops are illegal
 - 2. Must have a lawful reason for contact
- B. New York vs Belton
 - 1. Search incident to lawful arrest
 - 2. Must be done immediately
 - 3. Includes the passenger compartment/excludes trunk
 - 4. Includes opened/closed containers
 - 5. Search is for weapons or additional evidence of the crime
- C. US vs Ross
 - 1. If probable cause exists, the search may be as thorough as it would be would a warrant.
 - 2. Limited by the nature of the article for which probable cause existed in the first place
- D. Ornelas vs US
 - 1. Due weight must be given to an officers "own experience" in deciding whether probable cause exists
- E. NJ vs Guerra
 - 1. Odor is probable cause absent of alternate source
 - 2. Automobile exception (US vs Carroll)
 - 3. Telephonic warrant only for emergencies
- F. NJ vs Sarto
 - 1. Much like Belton, Ross and Ornelas
 - 2. Odor is probable cause to search the trunk absent of alternate source
- G. NJ vs Carter
 - 1. Furtive movement protective frisk of a vehicle
 - 2. Observation of contraband during a "Terry" search is ok
 - 3. Scope of the search is where movement is observed
- H. NJ vs Jones
 - 1. Vehicle search for registration
 - 2. Search only where registration might be expected
- I. PA vs Mimms
 - 1. May order driver from the car
 - 2. Suspicious bulges may be checked
- J. NJ vs Johnson
 - 1. Consent searches/Criteria to be met
 - 2. Voluntarily
 - 3. Intelligently

4. Right to refuse
 5. Right to terminate
 6. NJSP must have reasonable suspicion
 7. NJSP written only
- K. NJ vs Santana
1. Joint or superior control
 2. W/O passengers consent
 3. Right to terminate be waived
 4. Complete search may be done
- L. NJ vs Nunez
1. Hidden compartment
 2. Totality of the circumstances
 3. Troopers training and experience helped in the development of PC
- M. NJ vs Smith
1. Removal of passenger not automatic
 2. Must articulate reason
- N. MN vs Dickerson
1. Pat down for weapons
 2. Soft bulges readily identifiable may be seized
 3. Pat down must be non-intrusive
- O. NJ vs Valentine
1. Pat down
 2. Must have proper initial contact
 3. Total picture taken into account
 4. Must have an element of fear
 5. Not necessary to know a weapon is present
- P. Probable Cause
1. Facts or circumstances within the officers knowledge and in which they have reasonably trustworthy information sufficiently in themselves to warrant a man of reasonable caution to believe that an offense has been or is being committed.
 2. Training and experience dictate probable cause
- Q. Fourth Amendment
1. Limits the search and seizure powers of the police
 2. Mandates all searches and seizures must be reasonable

II. Initial Motorist Contact

- A. Starts with routine MV stop
 1. No such thing as a 6th sense
 2. Racial or ethnic profiling is unconstitutional
- B. Aggressive MV law enforcement
- C. Any stop can be a seizure
- D. Know your average motorist

1. People traveling should know details of their trip
 - a. People/places to visit
 - b. Addresses
 - c. Use their own car
 - d. Possess proper amount of luggage
 - e. Duration of trip
 - f. Read this indicators in clusters, not individually
 - g. See part VII "Conversation"
2. Truckers will have basic info
 - a. Current bills of lading
 - b. Knowledge of commodity
 - c. Names and addresses regarding delivery
 - d. Proper loading and packaging of commodity

III. Approaching the Motor Vehicle

- A. Select a safe location
 1. View obstruction in center median
 2. Overpasses limit radio transmissions
 3. Wide shoulder
- B. Is backup available
 1. Never search alone

IV. Observe occupants actions

- A. Furtive movement.
 1. Weapons only
 2. Protective frisk of the vehicle
 3. Only area where movement made
- B. Mirrors
 1. Take a wide angle if safe
 2. Is the driver watching you approach?
- C. Unseen occupants
 1. Hiding
 2. Sleeping
- D. Driver exits the vehicle in a hurry
- E. Exercise Caution
 1. Approach from passenger side is usually safest
 2. Keep an eye on the traffic

V. At the Motor Vehicle

- A. Observe the interior for indicators
 1. Weapons

2. Drugs or drug paraphernalia
 3. Fireworks
 4. Odors
 - a. CDS
 - b. Chemicals
 - c. Masking agents
 5. Ledgers
 - a. Drug
 - b. Gambling
 6. Tools used for concealing drugs
 7. Items indicating routes of travel
- B. Appearance of Passengers
1. Fatigue
 2. Extreme nervousness

VI. Engage Occupants in Conversation

- A. Isolate them first, if possible (remember St v Smith)
- B. Use a laid-back approach
- C. Determine a few key things (non-intrusive)
 1. Purpose of trip
 2. Duration of trip/stay
 3. Names/addresses of people to visit
 4. Owner/renter of vehicle
 5. Passenger(s) names
- D. Check credentials
 1. Discrepancies
 2. Third party ownership
- E. Rental vehicles
 1. Rentee in the car?
 2. Date, location, starting mileage
 3. Authorized operator
- F. Consent Searches
 1. Recommend reasonable suspicion (Necessary for SP)
 - a. Explain why
 2. Recommend written (Necessary for SP)
 - a. Explain why
 3. Bring up St. v Johnson again

VII. Detecting Deception

- A. Verbal indicators
 1. Direct

- a. Honestly/truthfully
- b. I swear to God etc.
- c. I wouldn't lie to you
- d. Changes the subject
- 2. Indirect
 - a. Any hesitation/reluctance/inability to speak
 - b. Repeats your question
 - c. Responds with unrelated info
 - d. Excessive yawning
- B. Visual Indicators
 - 1. Head/Face
 - a. Head positioning
 - b. Eye direction
 - c. Eyes closed or covered with hands
 - d. Profuse sweating
 - e. Extreme nervousness
 - f. Goose bumps/hair standing on end
 - g. Crying
 - 2. Body Language
 - a. Fidgety
 - b. Arms flailing
 - c. Picking lint or grooming
 - d. Hands close to groin
 - 3. Read indicators in cluster, not individually
- C. Masking
 - 1. Excessive smiling
 - 2. Hand shaker
 - 3. Asks you questions while you ask him questions
 - a. Wants to see how much you know
 - b. Might be trying to put you on the defensive
- D. Miscellaneous
 - 1. Most liars lie specifically
 - 2. Vocal changes indicate deception/anxiety

VIII. Drug Couriers

- A. Transport from point A to point B
- B. Anyone can be a drug courier
- C. Any profession can be a drug courier

IX. Concealment techniques

- A. Interior cavities

- B Exterior cavities
- C Trunk
- D Under the dashboard
- E Engine compartment

X. Hidden Compartments

- A. Interior
 - 1. Tools usually present
 - 2. Extra trunk release
 - 3. Jumper screws
 - 4. Panels crooked
- B. Exterior or Trunk
 - 1. Excess paint or body putty
 - 2. Sloppy welds
 - 3. Road debris stuck in strange places
- C. Always pay attention to detail
 - 1. Unusual after market alterations
 - 2. Does it look like your car?

Conclusion:

Patrol related drug arrests are an effective tool in law enforcement's effort to stem the flow of drugs into the State. Perhaps the primary task a police officer has in his daily routine is interaction with the motoring public. By possessing the basic knowledge contained in this lesson, police officers can greatly improve the possibilities of affecting lawful arrests subsequent to lawful motor vehicle stops.

CONSENT SEARCHES

"There's no harm in asking." These words of wisdom, although usually used in other contexts, are also quite pertinent to police work. "Asking" for consent to search is usually not only harmless, it is often very smart.

Probable cause searches are fine, but they are useless when probable cause does not exist, and they are dangerous when probable cause is questionable. But it is not always necessary to take chances or wait until probable cause can be established. Sometimes all an officer needs to do is—ask.

As the United States Supreme Court has observed, properly conducted consent searches are not only "constitutionally permissible," they are a "wholly legitimate aspect of effective police activity":¹

In situations where the police have some evidence of illicit activity, but lack probable cause to arrest or search, a search authorized by a valid consent may be the only means of obtaining important and reliable evidence... And in those cases where there is probable cause to arrest or search, but where the police lack a warrant, a consent search may still be valuable. If the search is conducted and proves fruitless, that in itself may convince the police that an arrest with its possible stigma and embarrassment is unnecessary, or that a far more extensive search pursuant to a warrant is not justified.²

Police officers may tend to discount the usefulness of consent searches because they cannot believe a suspect would actually consent to a search which would turn up evidence against him. Believe it! Casebooks contain scores of accounts of defendants who have consented themselves into state prison.

Sometimes a suspect is simply bluffing. For example, in one case a murder suspect not only gave consent to search his apartment for the murder weapon, he told the officers, "You can search the shit out of it. I'll even help you." The murder weapon was found hidden-behind a speaker.³ And in the recent case of *People v. Carvajal*,⁴ a defendant, who police believed was a major Colombian trafficker of cocaine, consented to the search of a pick-up truck. Inside, officers discovered more than 400 pounds of cocaine!

The California Supreme Court has noted there may be a number of "rational reasons" for a suspect to consent to a search even though he knows the premises contain incriminating evidence:

[F]or example, he may wish to appear cooperative in order to throw the police off the scent or at least to lull them into conducting a superficial search; he may believe the evidence is of such a nature or in such a location that it is likely to be overlooked; he may be persuaded that if the evidence is nevertheless discovered he will be successful in explaining its presence or denying any knowledge of it; he may intend to lay the groundwork for ingratiating himself with the prosecuting authorities or the courts; or he may simply be convinced that the game is up and further dissembling is futile.⁵

Having stated our case in support of consent searches, we will now examine some of the legal issues which commonly appear in consent search cases. There are generally only a few: Was consent given voluntarily? Did the consenting person have authority to permit the search? And, did officers search places or things which the consenting person did not or could not permit to be searched?

VOLUNTARINESS

When the prosecution attempts to introduce evidence obtained during a consent search, it must prove consent was given voluntarily, and was not the result of duress or coercion, express or implied.⁶ In the words of the United States Supreme Court, "Where there is coercion there cannot be consent."⁷

Although "voluntariness" is a question of fact to be determined from the totality of circumstances,⁸ certain "circumstances" seem to get the most attention:

- Was the consenting person told he had a right to refuse consent?
- Was the consenting person advised of his *Miranda* rights?
- Was the consenting person in custody?
- Was consent given in response to an express or implied assertion of authority?

¹ *Schreckloth v. Bustamonte* (1973) 413 U.S. 218, 228.

² *Id.* at pp. 227-228.

³ *People v. Whamler* (1971) 25 Cal.App.3d 390.

⁴ (1988) 202 Cal.App.3d 487.

⁵ *People v. James* (1977) 19 Cal.3d 99, 144.

⁶ *Schreckloth v. Bustamonte*, *supra*, at p. 248.

⁷ *Bumper v. North Carolina* (1968) 391 U.S. 543, 550.

⁸ *Schreckloth v. Bustamonte*, *supra*, at p. 248-249.

POINT OF VIEW

- Did consent follow an illegal arrest or other unlawful police activity?
- Did the consenting person's mental or emotional state preclude a "voluntary" consent?

WAS THE CONSENTING PERSON TOLD HE HAD A RIGHT TO REFUSE CONSENT?

Police officers are *not* required to inform the consenting person of his right not to consent to a search of his property. As the California Supreme Court has noted, "In a long line of decisions beginning at least a decade ago...the Courts of Appeal developed the rule that a warning of the right to refuse permission to search is not a precondition to a valid consent."⁹ This rule has also been adopted by the United States Supreme Court.¹⁰ Accordingly, it is not necessary for police officers to provide a *Miranda*-like warning such as, "You have the right not to consent to a search of your property."

"Where there is coercion there cannot be consent."

This does not mean police officers should never provide such a warning. In fact, it is often a good idea. This is because advising or failing to advise a person of his right not to consent is one of the circumstances regularly considered by the courts in determining whether consent was voluntary. Thus, the California Supreme Court stated:

While we reject an absolute requirement of a warning of the right to refuse permission as a precondition to a consent search, we do not intend to discourage the giving of such advice in appropriate cases. In view of the settled rule that the lack of such a warning is a factor to be taken into account in applying the totality of the circumstances test...the police would be well advised in close cases to "make a record" by expressly giving the admonition...¹¹

WAS THE CONSENTING PERSON ADVISED OF HIS *MIRANDA* RIGHTS?

It is also unnecessary to advise a person of his *Miranda* rights before seeking consent to search, even when the suspect is in custody.¹² This is because consent is "neither testimonial, nor communicative in the Fifth Amendment sense."¹³

For the same reason, after a suspect invokes his *Miranda* rights, officers may nevertheless request he consent to a search.¹⁴ If, however, a suspect invokes his rights and police continue to interrogate him in violation of *Miranda*, any consent given thereafter will likely be invalid. In such cases, a court may find consent was involuntary, or that the evidence was obtained as the result of unlawful police activity.¹⁵

Even though *Miranda* warnings are not required before seeking consent from a person in custody, it is often a good idea to do so. Like advising a suspect of his right to refuse consent, providing *Miranda* warnings is an additional factor tending to show voluntary consent.¹⁶

WAS THE CONSENTING PERSON IN CUSTODY?

A person who is in police custody can voluntarily give consent to search. As the United States Supreme Court has observed, "[T]he fact of custody alone has never been enough in itself to demonstrate a coerced confession or consent to search."¹⁷ Still, the fact the consenting person was in police custody is not only one of the circumstances to be considered in determining voluntariness, it is "of particular significance."¹⁸

Similarly, a person who is handcuffed, whether or not he is under arrest, can give voluntary consent to search. Thus, the California Supreme Court has stated, "the fact that defendant was handcuffed when his consent was sought does not demonstrate that his consent to a search was involuntary. Instead, that fact is to be weighed in the balance along with all other circumstances bearing on this issue."¹⁹

⁹ *People v. James*, *supra* at p. 118.

¹⁰ See *Schwartzloth v. Burmanis*, *supra* at p. 327.

¹¹ *People v. James*, *supra* at p. 118.

¹² *Id.* at pp. 114-115; *People v. Carvajal* (1948) 203 Cal.App.3d 487, 497.

¹³ *People v. Thomas*, (1970) 13 Cal. App.3d 1103, 1110.

¹⁴ *People v. Kuzner* (1978) 16 Cal.3d 690, 700; *People v. Sherry* (1986) 124 Cal.App.3d 899, 906.

¹⁵ See *People v. Superior Court (Kendley)* (1975) 13 Cal.3d 406.

¹⁶ See *People v. Whicker* *supra* at p. 305; *People v. McClure* (1974) 39 Cal.App.3d 64, 70.

¹⁷ *United States v. Patton* (1978) 423 U.S. 411, 424.

¹⁸ *Carzada v. Superior Court* (1963) 59 Cal.3d. 459, 443; *People v. James*, *supra* at p. 109; *People v. Garcia* (1964) 227 Cal.App.3d 345, 350.

¹⁹ *People v. Raliff* (1986) 41 Cal.3d 675, 686; also see *People v. McClure*, *supra* at p. 70.

WAS CONSENT GIVEN IN RESPONSE TO AN EXPRESS OR IMPLIED ASSERTION OF AUTHORITY?

When the prosecution attempts to introduce evidence obtained as the result of a consent search, it must prove "that the defendant's manifestation of consent was the product of his free will and not a mere submission to an express or implied assertion of authority."²⁰ This issue may be pivotal when the officers requesting consent had guns drawn, or several officers were present at the time consent was given, or the officers claimed they had authority to conduct an immediate search.

Guns Drawn

In *People v. Challoner*²¹ the court stated consent given to an officer whose gun is drawn "is suspect." Actually, this is an understatement. It may be safely stated that consent given at gunpoint is never voluntary. However, a person who has been arrested or detained at gunpoint may nevertheless give voluntary consent to search if he is not being held at gunpoint at the time consent was given.

Like advising a suspect of his right to refuse consent, providing *Miranda* warnings is an additional factor tending to show voluntary consent.

For example, in *People v. Ratliff*²² the California Supreme Court stated, "Assuming that the officers initially drew their weapons, the evidence did not indicate that any of them kept their guns drawn when...the actual request for consent to search was made." The court concluded, "We decline to hold that as a matter of law, a consent to search is invalid solely because the officers originally drew their guns when confronting defendant."²³

Consent given to officers who are holding, but not pointing, shotguns or rifles may also be "suspect." For example, in *People v. McKelvy*²⁴ it was argued the defendant gave voluntary consent to search while

"standing in a police spotlight, surrounded by four officers all armed with shotguns or carbines." Under such circumstances, according to the court, the defendant's consent was not voluntary.

Number of Officers Present When Consent was Given

In the absence of other factors tending to show coercion, consent given in the presence of several officers has been held to be voluntary.²⁵ Thus, in *People v. Munoz*,²⁶ the court stated, "The fact there were four officers does not in itself carry an implied assertion of authority that the occupants should not be expected to resist." And in *People v. Gurstein*²⁷ the court stated, "[T]here is nothing in the record to indicate that the presence of seven to eight officers' contributed to defendant giving his consent. The record shows that [the officer who obtained consent] was the only officer who spoke to defendant about a search."

Still, when several officers are present it is a good idea to be alert for other factors which, in combination with the number of officers, might tip the scale.

Claim Of Authority To Search

Consent is involuntary when it is given after police officers represent they possess a search warrant which entitles them to immediately conduct the search they are requesting. This was the holding of the United States Supreme Court in *Bumper v. North Carolina*.²⁸

In *Bumper*, four officers went to the home of defendant's grandmother, and one of the officers told her, "I have a search warrant to search your house." Defendant's grandmother responded, "Go ahead," and opened the door. During the subsequent search, officers found a rifle which was introduced in evidence at the defendant's trial.

It was unclear whether the officers actually had a search warrant. Regardless, the prosecution did not contend the search was conducted pursuant to a warrant. Instead, the rifle was admitted into evidence on grounds the grandmother consented to the search. The United States Supreme Court ruled such consent was involuntary.

²⁰ *People v. James*, *supra* at p. 106.

²¹ (1942) 136 Cal.App.3d 779, 782.

²² *Supra*, (1986) 41 Cal.3d 678, 686.

²³ Accord *People v. Williams* (1980) 114 Cal.App.3d 67, 71; *People v. Parker* (1975) 46 Cal.App.3d 24, 31.

²⁴ (1972) 23 Cal.App.3d 1027.

²⁵ Consent held voluntary in the presence of three officers (*People v. James* [1977] 19 Cal.3d 99); six officers (*People v. Camillo* [1966] 64 Cal.3d 387).

²⁶ (1972) 34 Cal.App.3d 900, 905.

²⁷ (1977) 99 Cal.App.3d 441, 461.

²⁸ (1968) 391 U.S. 843.

POINT OF VIEW

When a law enforcement officer claims authority to search a home under a warrant, he announces in effect that the occupant has no right to resist the search. The situation is instinct with coercion—albeit colorably lawful coercion. (At p. 550.)

It is important to remember the officers in *Bumper* claimed they actually possessed a search warrant. In other words, they represented they had legal authority to conduct an immediate search. There can be no voluntary consent to search under such circumstances because the "consent" was "no more than acquiescence to a claim of lawful authority."²⁹

Thus, when officers obtain "consent" after stating they possess a search warrant, the validity of the search will depend on the validity of the search warrant. And if the search warrant is invalid or, as in *Bumper*, the prosecution does not rely on the warrant to justify the search, the search is unlawful.³⁰

Likewise, a statement that a search warrant is "on the way," while not implying immediate authority to search, implies a search is imminent. Thus, the rule in *Bumper* was applied in *People v. Baker*,³¹ where the defendant consented to a search of his house after officers told him a search warrant "was on the way" and that he "could either let them in now or wait another 20 minutes, they'd go in anyways." The court concluded, "Baker's consent cannot be disentangled from the news that a search warrant was imminent," and ruled the search would be valid only if the search warrant was valid.

On the other end of the spectrum are those cases in which officers only stated they would "apply for" or "seek" a search warrant if the defendant refused to give consent to search. For example, in *People v. Guterstein*,³² an officer stated he "could either apply for a search warrant or have defendant's consent to search the house." And in *People v. Ward*,³³ the officer told Ward that if he did not give consent to search "the police would have to apply to the district attorney's office and possibly get a search warrant which would involve a wait." In both cases, the courts held consent was voluntary because the officers were merely telling the defendant what they had a legal right to do.

But what would be the result if police state they will obtain a search warrant if consent is not given? So far, California courts have upheld consent searches in such cases.

In *People v. McClure*,³⁴ for example, officers arrested McClure on narcotics charges at his apartment. An officer offered him a choice of "consenting to a search or waiting until they obtained a search warrant." The court concluded the officer's statement to the defendant "threatened nothing more than what the officers had a legal right to do," and that McClure's consent was voluntary.

Similarly, in *People v. Ruper*,³⁵ officers went to the home of a burglary suspect and asked, "How about letting us look around the house?" When the defendant hesitated, one of the officers told the other, "If she doesn't want us to look around, why don't we go back outside? I'll wait outside and you can go ahead and get a search warrant." The defendant's subsequent consent to search was voluntary, said the court, because "There was no threat of the officers' doing anything other than what they had a legal right to do." And in *People v. Ruste*,³⁶ the court concluded the defendant voluntarily consented to a search after officers told him, "Gary, we are impounding your car and we are obtaining a search warrant for it. We will be able to hold the car until we search it..."

The courts in *McClure* and *Ruper* were, however, wrong when they stated the officers threatened nothing more than what the officers had a legal right to do. The officers did not have a legal right to "get" or "obtain" a search warrant. They had only a legal right to seek a search warrant. There is an important difference. A statement that officers can simply "obtain" or "get" a search warrant falsely implies that a warrant will be automatically issued, and that a search is inevitable. Of course this is not true because a search warrant cannot be issued until a magistrate determines probable cause to search exists.

In *McClure* the court skirted this issue by concluding the "police in good faith believed they could obtain a search warrant," implying that a search warrant would, in fact, be obtained and that a search was inevitable. But the fact remains a statement to the effect that a search warrant will be "obtained" is misleading and arguably more coercive

²⁹ *Id.* at p. 549.

³⁰ *Ibid.*

³¹ (1986) 187 Cal.App.3d 862.

³² *Supra.* (1977) 69 Cal.App.3d 441.

³³ (1972) 27 Cal.App.3d 218.

³⁴ (1974) 39 Cal.App.3d 64.

³⁵ (1966) 244 Cal.App.2d 690.

³⁶ (1976) 16 Cal.3d 690.

than a statement that a search warrant will be sought. And, although not binding on California courts, one federal court concluded, "Any intimation that the warrant will automatically be issued should be considered as coercive as the announcement of an invalid warrant in *Bumper*."³⁷

In our opinion, therefore, officers in such situations would be wise to simply state they will "seek" or "apply for" a search warrant.

DID CONSENT FOLLOW AN ILLEGAL ARREST, ILLEGAL DETENTION OR OTHER UNLAWFUL POLICE ACTIVITY?

As a general rule, consent induced by, or given immediately following an unlawful detention, arrest or search will be invalid. "The rule is clearly established that consent induced by an illegal search or arrest is not voluntary, and that if the accused consents immediately following an illegal entry or search, his assent is not voluntary because it is inseparable from the unlawful conduct of the officer."³⁸

Most of the cases in which this issue has been discussed involved consent given immediately, or almost immediately, after the illegal detention, arrest or search. Thus, without much discussion, the courts have ruled the consent was invalid.

For example, in *Florida v. Royer*³⁹ the defendant consented to a search of his suitcase after he was unlawfully detained at an airport. The suitcase contained drugs. The United States Supreme Court disposed of the consent issue by stating, "Because we affirm the...conclusion that Royer was being illegally detained when he consented to the search of his luggage, we agree that the consent was tainted by the illegality and was ineffective to justify the search."

Likewise, in *People v. Bailey*⁴⁰ after concluding the defendant had been unlawfully detained, the court stated, "He was seized ... without the necessary basis therefor, and his consent was therefore involuntary."

When consent does not flow so immediately from the unlawful detention, arrest, or search, a court should examine the totality of circumstances to determine whether the consent was the product of free will or the illegal police activity.⁴¹ In such cases, the court will consider, among other things, "the purpose and flagrancy of the official misconduct," whether *Miranda* warnings had been

given before consent was obtained, and the presence of other intervening circumstances.⁴²

DID THE CONSENTING PERSON'S MENTAL OR EMOTIONAL STATE PRECLUDE VOLUNTARY CONSENT?

If police obtain consent to search from a person who is under the influence of alcohol or drugs, or who is mentally impaired or emotionally distraught, the issue may arise whether the person's consent was, in fact, voluntary. In *Schneckloth*, the United States Supreme Court rejected the argument that a consent search will be valid only if there has been a "knowing and intelligent" waiver of the right to refuse consent.⁴³ But the Court also stated, "In examining all the surrounding circumstances to determine if in fact the consent to search was coerced, account must be taken of...the possibly vulnerable subjective state of the person who consents." Elsewhere, the Court stated, "The traditional definition of voluntariness we accept today has always taken into account evidence of minimal schooling, low intelligence..."

Courts have not, however, announced any clear rules or guidelines to be employed in determining if and when the consenting person's mental condition precluded voluntary consent. Instead, such a condition is just one of the circumstances which may be considered. For example, the consent of a person who was under the influence of a narcotic was held to be voluntary even though he was also in custody at the time.⁴⁴ And, in what appears to us to be a "close" case, one court found the defendant's consent was voluntary even though he was under the influence of drugs and alcohol and was "hysterical" after having injected his wife with a fatal overdose of heroin.⁴⁵ There was, however, no evidence of any police coercion.

It must be remembered that a person in a vulnerable state may be more susceptible to coercion. Thus, the existence of coercive circumstances, such as custody, handcuffing, and the presence of several officers, while not sufficient in and of themselves to preclude voluntary consent, might tip the scale if, in addition, the consenting person was in a vulnerable state.

³⁷ *United States v. Purdie* (2nd Cir. 1974) 508 F.2d 490.

³⁸ *Burrows v. Superior Court* (1974) 13 Cal.3d 234, 251.

³⁹ (1983) 460 U.S. 491.

⁴⁰ (1985) 176 Cal.App.3d 402.

⁴¹ See *Brown v. Illinois* (1978) 423 U.S. 809.

⁴² *Id.* at pp. 803-804.

⁴³ *Schneckloth v. Bustamonte*, *supra*, at pp. 235-246.

⁴⁴ *People v. Garcia* (1964) 227 Cal.App.2d 345.

⁴⁵ *People v. Gurley* (1972) 23 Cal.App.3d 836.

SCOPE OF CONSENT

A person who gives officers consent to search can expressly limit the scope of the authorized search. "[I]t is the government's burden to prove that a warrantless search was *within* the scope of the consent given."⁴⁶ For example, if consent is specifically limited to a particular room or container, a search which exceeds such scope cannot be based on consent.

"[I]t is the government's burden to prove that a warrantless search was *within* the scope of the consent given."

The scope of a consent search can also be limited by the reasonable expectations of the consenting person. Thus consent to search for cocaine and money would not authorize police officers to intercept telephone calls received while the search was being conducted.⁴⁷ However, consent to search for drugs would authorize the search of containers which officers reasonably believed might contain drugs or paraphernalia, including a locked bank bag.⁴⁸ And unrestricted consent to search a suitcase impliedly authorizes officers to open all compartments and containers within, including "sealed mailing envelopes."⁴⁹

Courts have also held an unconditional consent to search a car impliedly authorizes the search of the trunk and closed containers,⁵⁰ but does not allow the search of property which officers know belongs to someone other than the consenting person.⁵¹ And in the recent case of *People v. Carvajal*,⁵² the court held the unconditional consent to search a pick-up truck with a camper shell authorized officers to open sealed boxes in the rear of the truck.

CONSENT BY SPOUSES, CHILDREN, AND CO-OCCUPANTS

In many cases, the premises or property which police want to search is jointly owned or occupied by a suspect and another person or persons. Sometimes officers cannot, or do not want to, seek consent to search from the suspect. For example, the suspect may be at-large, or officers may not want to let him know he is a suspect, or officers may feel the suspect is unlikely to consent to the search. The question arises: Under what circumstances can a co-occupant consent to a search of the property?

As a general rule, voluntary consent by a joint owner or occupier is valid when the joint-owner or occupier has "common authority" over the property. This was the ruling of the United States Supreme Court in *United States v. Madlock*.⁵³

[W]hen the prosecution seeks to justify a warrantless search by proof of voluntary consent, it is not limited to proof that consent was given by the defendant, but may show that permission to search was obtained from a third party who possessed common authority over or other sufficient relationship to the premises or effects sought to be inspected. (At p. 171.)

Despite a footnote, in which the Court attempted to clarify the concept of "common authority,"⁵⁴ the Court did not provide much guidance for determining when "common authority" exists. The concept of "common authority," however, was applied by California courts in third-party consent cases before *Madlock*,⁵⁵ so prior and subsequent California case law is quite helpful in understanding this issue.

First, however, it is important to understand that "common authority" is not based on the law of real property,⁵⁶ or whether the consenting person "thought" he had authority to consent.⁵⁷ Instead, as the California Supreme Court has stated, the test is whether the police officers "reasonably and in good faith" believed the consenting person had the

⁴⁶ *People v. Harwood* (1977) 74 Cal.App.3d 460, 466.

⁴⁷ *Id.* at p. 468.

⁴⁸ *People v. Jahnson* (1980) 108 Cal.App.3d 178.

⁴⁹ *People v. Shandoff* (1981) 170 Cal.App.3d 373, 384.

⁵⁰ *People v. Williams* (1980) 114 Cal.App.3d 67.

⁵¹ *People v. Stage* (1970) 7 Cal.App.3d 681.

⁵² *Supra.* (1988) 203 Cal.App.3d 487.

⁵³ (1974) 415 U.S. 164.

⁵⁴ In the footnote the Court stated: "The authority which justifies the third-party consent...rests...on mutual use of the property by persons generally having joint access or control for most purposes, so that it is reasonable to recognize that any of the cohabitants has the right to permit the inspection in his own right and that the others have assumed the risk that one of their number might permit the common area to be searched." (At p. 172, fn. 7.)

⁵⁵ See *In re Scott K.* (1979) 24 Cal.3d 396, 404.

⁵⁶ *United States v. Madlock*, *supra*, at p. 173 fn. 7.

⁵⁷ *People v. Escudero* (1979) 23 Cal.3d 800, 806.

authority to consent to the search.⁵⁸

This means a consent search may be upheld even if it turns out the consenting person did not have "common authority" to authorize the search, so long as the officer reasonably and in good faith believed such authority existed. But as the California Supreme Court has noted, an officer had better have some good reasons for concluding the consenting person had "common authority":

The operative word in the rule is "reasonably"; thus, there must be some *objective evidence* of joint control or access to the places or items to be searched which would indicate that the person authorizing the search has the authority to do so.⁵⁹

For instance, it has been held police officers could not reasonably believe that a room clerk could consent to a search of a guest's room.⁶⁰

...the test is whether the police officers "reasonably and in good faith" believed the consenting person had the authority to consent to the search.

Another important issue is the scope of the search which a joint occupant can authorize. For instance, if the consenting person has "common authority" over a house, does such authority extend to every room in the house? And, as is more commonly the issue, does such "common authority" extend to particular places or items which are locked or otherwise secured, or which are readily identifiable as belonging to the non-consenting occupant? Courts often frame this issue in terms of whether the non-consenting person "assumed the risk" that a joint-occupant might consent to a search of this particular room or item. As the California Supreme Court has observed:

We have recognized that the assumption of risk inherent in co-occupancy has its limits. An entry or search, even though authorized by a co-occupant, may be so intrusive that it belies the conclusion that the parties assumed or even contemplated the risk of its occurrence by deciding to jointly inhabit the subject residence.⁶¹

We will now explore this issue as well as the issue of what "objective evidence" is sufficient to constitute a reasonable good faith belief that "common authority" exists.

CONSENT BY HUSBANDS AND WIVES

As a general rule, either a husband or wife can give lawful consent to search the family residence. This is because in most cases both the husband and wife have "common authority" over their home and its contents. As the California Supreme Court has observed, "since a wife normally exercises as much control over the property in the home as the husband, police officers may reasonably assume that she can properly consent to a search thereof..."⁶²

Thus, if officers want to search a family home or apartment jointly occupied by a husband and wife, the officers' determination that the consenting person is either the husband or wife will, absent indications to the contrary, probably warrant a "reasonable good faith belief" that the consenting person had authority to permit a search.

The scope of a search which can be authorized by a spouse appears to be greater than searches authorized by other joint occupants. Again, this is because each spouse normally exercises equal control over the family home.

There are, however, limits to the scope of a search authorized by a spouse, but those limits are not too clear. For example, in *People v. Reynolds*⁶³ the court upheld a search authorized by the defendant's wife which included the defendant's darkroom, which was located in the garage. The defendant kept the darkroom locked, but his reasons for doing so were related more to securing chemicals in the room and keeping people out while he was developing photographs, than preventing entry by his wife. Although the defendant contended the darkroom was not subject to his wife's joint control, the court observed, "This type of arrangement is not uncommon in a family home, but does not lead to the conclusion, as between a husband and wife, that such areas are beyond either spouse's control." Furthermore, the court upheld the wife's consent search of a box which she thought contained her husband's papers, but which actually contained pornography.

The question remains whether it is reasonable for

⁵⁸ *Ibid.*

⁵⁹ *People v. Jacobs* (1987) 43 Cal.3d 473, 481. Emphasis added.

⁶⁰ See *Stoner v. California* (1964) 376 U.S., 483, 489.

⁶¹ *People v. Hastes* (1982) 30 Cal.3d 841, 857.

⁶² *People v. Duren* (1973) 9 Cal.3d 318, 341.

⁶³ (1978) 55 Cal.App.3d 357.

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officers to believe a spouse can consent to a search of sealed or locked containers which are readily identifiable as belonging exclusively to the non-consenting spouse. In *People v. Terry*,⁶⁴ the court observed, "There is no evidence that the murder weapon was in a sealed box or other container belonging to Terry, which Mrs. Terry might not have had authority to permit to be searched." It would appear, especially in light of *Matlock* and *Reynolds*, that a box merely "belonging to" the non-consenting spouse may, nevertheless, be subject to "joint control." But a sealed or locked container used exclusively by the non-consenting spouse may be treated differently by the courts. Unfortunately, all we can do is alert officers that this issue is unsettled.

Also unsettled is how courts will approach third-party consent cases involving a man and a woman who are living together but are not married. Are they to be treated the same as spousal consent cases, joint occupant cases, or something in-between? Until the courts provide some guidance on this issue, we suggest officers determine whether the parties' living arrangements indicate joint control over the premises. If not, officers should determine the limits of the consenting person's control, and proceed accordingly.⁶⁵

CHILDREN AND PARENTS

Here we will consider two situations: A parent's consent to search for evidence against a child, and a child's consent to search for evidence against a parent.

In most cases, a parent's control over the family home is such that the parent has the authority to allow police to enter his child's bedroom and conduct a search, even when the child is not a minor. As the court stated in *People v. Daniels*,⁶⁶ "The search of the bedroom used by a son living with a parent who owns the premises of which the bedroom is a part, when made with the consent of the parent, is reasonable, absent circumstances establishing the son has been given exclusive control over the bedroom." The court then elaborated on the concept of "exclusive control":

Parents with whom a son is living, on premises owned by them, do not ipso facto relinquish exclusive control over that portion thereof used

by the son. To the contrary, the mere fact the son is permitted to use a particular bedroom, as such, does not confer upon him exclusive control thereof. [Citation] His occupancy is subservient to the control of his parents. (At p. 44.)

There are, however, limits to the scope of a search which a parent may authorize. As the California Supreme Court has observed, "Common authority over *personal property* may not be implied from the father's proprietary interest in the premises."⁶⁷ In *Daniels*, for example, the court held the mother was authorized to consent to a search of a dresser, dresser drawers, and her adult son's bed, but she was not authorized to consent to a search of a suitcase "over which the mother had no actual control, and the evidence does not support a conclusion the officers in good faith, although mistakenly, reasonably believed she had such control."

Similarly, it has been held that parents could not authorize the search of a zipped-up bag⁶⁸ or a locked toolbox⁶⁹ belonging to their sons and found in their son's bedrooms.

In contrast to parents' broad "common authority" over the family home, a child's authority to consent to a search of the home is limited. In *People v. Jacobs* the California Supreme Court observed, "Other courts that have considered the authority, or capacity, of a minor child to consent to a police entry of the family home generally have refused to uphold the admissibility of evidence found therein in a criminal action against the parent. The reasoning of these cases is sound: a child cannot waive the privacy rights of her parents."⁷⁰

In *Jacobs* the court held an 11-year old girl did not have authority to allow officers to enter the family home to search for her father. But the court was careful to point out it was not saying a minor can never effectively consent to a search of the family home:

We do not suggest that consent by a minor will be ineffective in all cases in which no adult occupants are present. As a child advances in age she acquires greater discretion to admit visitors on her own authority. In some circumstances, a teenager may possess sufficient authority to allow the police to enter and look about common areas. (At p. 483.)

⁶⁴ (1970) 3 Cal.3d 382.

⁶⁵ In *Matlock* the Court noted the officers who obtained consent to search a bedroom from Mrs. Graf determined, not only that she and Matlock lived together in the house, but jointly occupied the bedroom in which evidence was found.

⁶⁶ (1971) 18 Cal.App.3d 36, 43.

⁶⁷ In *re Scott K.* (1979) 34 Cal.3d 396, 404-406. Emphasis added.

⁶⁸ *People v. Egan* (1967) 250 Cal.App.3d 433.

⁶⁹ In *re Scott K.* *supra*, at p. 406.

⁷⁰ *Supra*, (1987) 43 Cal.3d 472, 482.

JOINT OCCUPANTS

When the consenting person is the suspect's roommate or other person who occupies the premises, police must be able to prove they reasonably and in good faith believed the consenting person had authority to permit the search.

For example, in *People v. Parker*,⁷¹ officers went to a hotel room where Parker, a murder suspect, was registered. They knocked on the door and identified themselves. A man inside said, "Come on in." The officers entered and saw a man, Williams, lying naked in bed watching TV. No one else was in the room. Williams said he knew Parker, and gave officers permission to search the room. Evidence was found which was used in Parker's trial. On appeal, the court upheld the consent search:

A search is not unreasonable if made with the consent of an occupant of premises who the officers reasonably and in good faith believe has authority to consent to their entry. [Citation] Here Williams was the only occupant of the room. His presence naked in bed and watching television strongly indicated that he lived there. The record thus supports the implied finding that the officers reasonably and in good faith believed that Williams was the occupant of the room and authorized to consent to the search. (At p. 31.)

Under such circumstances it would be better for officers to inquire into the living arrangements between the joint occupants rather than take a chance the circumstances surrounding the consent, e.g., naked man, lying on bed, watching TV, will later establish "common authority."

"A search is not unreasonable if made with the consent of an occupant of premises who the officers reasonably and in good faith believe has authority to consent to their entry."

In joint occupancy cases, like all third-party consent search cases, there may be a question whether the consenting person had authority to permit a search of particular rooms, places or things. This was the issue in *People v. McClelland*.⁷²

It seems McClelland needed a place to stay, so his

friend, Smith, allowed McClelland to share his apartment for a while. McClelland was supposed to pay rent to Smith, but he was busy pulling a series of armed robberies and never got around to it. So, when officers came to the apartment and asked Smith for consent to search the areas where McClelland kept his belongings, Smith agreed. He directed the officers to a linen closet that opened from the hall off the living room. Inside, officers found a sweatshirt which was "connected" to one of the robberies. On appeal, as the court noted, "The crucial question here is were the officers reasonable in believing Smith had 'some possessory right or control' over the closet."

The court noted, among other things, "The officers could reasonably conclude the closet was a common area as evidenced from its access from the common hallway... Although Smith was not using it to store his own items at that time, he was in charge of the apartment and had control over the closet." Although the court noted, "McClelland was a temporary guest with one foot out the door due to his failure to help with the rent," we do not think the case would have been decided differently had McClelland not tried to stiff his friend. The issue is "common authority," not "common decency."

OTHER THIRD-PARTY CONSENT ISSUES

When One of the Co-occupants Objects to a Search

Police sometimes encounter a situation where one occupant with "common authority" consents to a search but another, usually the suspect, objects. The California Supreme Court has held the presence of an occupant who objects to a search does not invalidate the consent of another occupant, provided the consenting occupant has "common authority" over the premises. Thus in *People v. Haskett*,⁷³ where Haskett's wife consented to a search of the family home but Haskett objected, the court cited the United States Supreme Court's decision in *Mallock* and observed:

Thus the court recognized that law enforcement authorities need not seek the consent of all co-occupants before searching their commonly held property; "any of the co-inhabitants has the right to permit the inspection...and...the others have assumed the risk that one of their number might permit the common area to be searched." (At p. 856.)

71 (1975) 45 Cal.App.3d 24.

72 (1982) 138 Cal.App.3d 503.

73 (1982) 30 Cal.3d 841.

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It must be remembered the consent of one joint-occupant does not excuse compliance with the knock-notice requirement of Penal Code section 844. For instance, when officers obtain consent to search a home from a joint occupant who is not present when officers arrive to conduct the search, the officers must comply with P.C. 844 before entering.⁷⁴ As the California Supreme Court noted:

We have recognized that the assumption of risk inherent in co-occupancy has its limits. An entry or search, even though authorized by a co-occupant, may be so intrusive that it belies the conclusion that the parties assumed or even contemplated the risk of its occurrence by deciding to jointly inhabit the subject residence. For instance, an absent co-occupant cannot authorize the police to burst into occupied premises unannounced if there is no emergency justifying such a frightening intrusion.⁷⁵

Withdrawal of Consent

A person who consents to a police search can withdraw his consent before the search is completed. Withdrawal of consent can be made by an express statement or by words or actions which are inconsistent with consent. But as the court observed in *People v. Botos*, "Although actions inconsistent with consent may act as a withdrawal of it, those actions, if they are to be so construed, must be positive in nature. Thus, if a suspect who has given consent to search his car's trunk throws the key in some bushes, his consent is withdrawn."⁷⁶ However, a refusal to sign a written consent form after giving verbal consent does not operate as a withdrawal of consent.⁷⁷

Officers should be alert for any words or actions by the consenting person which could be interpreted as a withdrawal of consent. If this happens, the best way to proceed is to simply ask the consenting party whether he has changed his mind and is withdrawing his consent, or whether officers may proceed. □

⁷⁴ *Tomplins v. Superior Court* (1963) 59 Cal.2d 65, 69; *Dubs v. Superior Court* (1969) 1 Cal.2d 314, 321-324.

⁷⁵ *People v. Haskett*, *supra*, at p. 857.

⁷⁶ (1972) 27 Cal.App.3d 774, 779.

⁷⁷ *People v. Gurnezian*, *supra*, at p. 451.

Investigative Detention

An Intermediate Response

"... there is a legitimate law enforcement function in the investigation of criminal activity where an officer may detain an individual short of making an arrest."

In the landmark 1968 decision of *Terry v. Ohio*,¹ the U.S. Supreme Court noted that a law enforcement officer "may in appropriate circumstances and in an appropriate manner approach a person for the purposes of investigating possible criminal behavior even though there is no probable cause to make an arrest."² The Court noted that "whenever a police officer accosts an individual and restrains his freedom to walk away, he has seized that person"³ within the meaning of the fourth amendment to the U.S. Constitution.

Rejecting the notion that every seizure of a person is an arrest requiring probable cause, the Court recognized that there is a legitimate law enforcement function in the investigation of criminal activity where an officer may detain an individual short of making an arrest. Moreover, the Court noted that as a practical matter, this police function cannot be governed by either the warrant or probable cause standards of the fourth amendment, but must be measured against that amendment's general proscription against unreasonable searches and seizures.⁴

In the 1972 case of *Adams v. Williams*,⁵ the Court explained its rationale in allowing the limited seizure of a person for investigative purposes, in the absence of probable cause to make an arrest:

"The Fourth Amendment does not require a policeman who lacks the precise level of information necessary for probable cause to arrest to simply shrug his shoulders and allow a crime to occur or a criminal to escape. On the contrary, *Terry* recognizes that it may be the essence of good police work to adopt an *intermediate response*. A brief stop of a suspicious individual, in order to determine his identity or to maintain the status quo momentarily while obtaining more information, may be most reasonable in light of the facts known to the officer at the time."⁶ (emphasis added)

This article examines factors which justify this intermediate response—the investigative stop—and reviews the relevant cases which provide some guidance as to its permissible scope. It should be emphasized at the outset that not every encounter between the police and citizens is a seizure. Determining precisely when police action "restrains a person's freedom to walk away depends on the

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Law enforcement officers of other than Federal jurisdiction who are interested in any legal issue discussed in this article should consult their legal adviser. Some police procedures ruled permissible under Federal constitutional law are of questionable legality under State law or are not permitted at all.

facts and circumstances of each case, and the Supreme Court has indicated that there is no "litmus paper test" which can make the task easier. The issue turns on neither the subjective intentions of the police nor the subjective view of the person encountered. The standard is an objective one based on what a reasonable person would believe in a given case. In other words, if the show of authority is such that it would cause a reasonable person to believe that he is not free to leave, then a seizure has occurred.⁸

Once a stop has occurred, the Supreme Court has identified two important questions to be addressed: (1) Whether the stop was justified at its inception, and (2) whether the intrusion was reasonably related in scope to the circumstances which justified the interference in the first place.

LEGAL JUSTIFICATION: REASONABLE SUSPICION

Even though an investigative detention of a person is not an arrest within the meaning of the fourth amendment, it is nevertheless "a serious intrusion ... and is not to be taken lightly."⁹ The Supreme Court has adopted a balancing test in which the governmental interests in making the intrusion are weighed against the privacy interests of the individual. The burden rests with the law enforcement officer to justify the intrusion by pointing to "specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant that intrusion."¹⁰ Thus, the

concept of reasonable suspicion has been established as the standard of justification for an investigative detention. It is an objective standard subject to later scrutiny by a neutral magistrate—less than the standard of probable cause necessary to justify an arrest but more than a mere hunch. Much like probable cause, it may be based upon the firsthand knowledge of an officer or upon secondhand information derived from other sources. Also like probable cause, it may be more helpful to describe it than to simply define it. Several Supreme Court cases, beginning with *Terry*, provide useful illustrations.

Firsthand Knowledge

As the facts of *Terry v. Ohio* are well known to most law enforcement officers by now, a brief summary should suffice to illustrate the use of firsthand knowledge, gained through an officer's observations. In *Terry*, an experienced officer, familiar with the business area to which he had been assigned, observed two men on a street corner over a period of several minutes alternately walk by a store window, peer inside, and return to the corner. When they were joined by a third individual, the officer intervened, made some inquiries, and finally arrested the individuals when a patdown of their clothing disclosed weapons on two of them (including *Terry*).

In assessing the officer's actions, the Supreme Court stated that they were part of a "legitimate investigative function"¹¹ and concluded that it would have been "poor police work indeed" for an officer of 30 years' experience in the detection of thievery from stores in this same neighborhood to have failed to investigate this behavior further.¹² The officer's observations aroused his suspicions, and those suspicions were objectively reasonable.

“... if the show of authority is such that it would cause a reasonable person to believe that he is not free to leave, then a seizure has occurred.”

In a recent airport stop case, *United States v. Rodriguez*,¹³ police officers experienced in narcotics investigations observed three men at the Miami airport acting in an “unusual manner” as they left the ticket counter. The two plainclothes officers followed the three men to the airport concourse. When one of the men turned and saw the detectives behind them on the escalator, he quickly spoke to one of the others in a low voice. The second man turned, looked at the detectives, and quickly turned his head back. As the three stepped from the escalator, the officers overheard one of them say, “Let’s get out of here,” and then again in a lower voice, “Get out of here.” One of the officers subsequently testified that as the defendant, Rodriguez, tried to leave, “his legs were pumping up and down very fast and not covering much ground, but his legs were as if the person were running in place.”¹⁴ The officers then identified themselves and asked Rodriguez if he would talk to them. Rodriguez agreed to talk with the officers and to move about 15 feet to where the other two suspects were now standing. The suspects gave conflicting information regarding their identities. A consent search of the defendant’s luggage revealed three bags of cocaine, and the three men were arrested. A Florida court suppressed the evidence, in part, on the ground that there was no reasonable basis for the initial stop of the suspects.

The Supreme Court reversed. The Court declared that the initial contact between the officers and the suspect Rodriguez was nothing more than a consensual encounter with no Fourth Amendment implications. Furthermore, assuming (without deciding) that a “seizure” did develop sometime after

the initial contact and before the consent to search was given, the Court held that “any such seizure was justified by ‘articulate suspicion.’”¹⁵ The Court summarized the salient facts as follows: (1) The suspect’s furtive movements, (2) the overheard statements to “get out of here,” (3) Rodriguez’ strange movements in his attempt to evade the officers, (4) the contradictory statements regarding their identities, and (5) the training and experience of the officers.

As the Court noted in *Terry*, a series of actions observed by an officer may be innocent in themselves, but when taken together can justify further investigation.¹⁶

Both *Terry* and *Rodriguez* illustrate that personal observations of a law enforcement officer must be interpreted in light of the officer’s overall training and experience. The mission of the officer, as well as the knowledge of unique patterns of criminal behavior acquired through training and experience, become very important in the assessment of reasonable suspicion.

Secondhand Information (Hearsay)

Just as probable cause to arrest or search may be based on secondhand information, so may reasonable suspicion to conduct an investigative stop. For example, in *Adams v. Williams*,¹⁷ a police officer on patrol in a high-crime area received a tip from a person known to the officer that Williams was carrying narcotics and had a gun. The officer approached Williams’ parked automobile and ordered him to step out. When he responded by rolling down his window, the officer reached into the car and removed a loaded revolver from his waistband. Williams was then arrested, and the subsequent search of his car uncovered additional weapons, as well as substantial quantities of heroin

The Court apparently assumed that Williams was seized the moment the officer ordered him to exit the car. In evaluating the officer’s justification in seizing Williams, the Court rejected the defense argument that a stop and frisk can be based only on an officer’s personal observations. Rather, the information from the known informant “carried enough indicia of reliability to justify the officer’s forcible stop of Williams.”¹⁸ Recognizing that informant tips vary greatly in their reliability, the Court, nonetheless, declined to preclude their use by police. The Court suggested that some, completely lacking any indicia of reliability, “would either warrant no police response or require further investigation before a forcible stop of a suspect would be authorized. But in some situations—for example, when the victim of a street crime seeks immediate police aid and gives a description of his assailant, or when a credible informant warns of a specific impending crime—the subtleties of the hearsay rule should not thwart an appropriate police response.”¹⁹

In *Adams*, the secondhand information came from a reliable informant whose identity was known to the officer. Lower Federal court cases have also found reasonable suspicion to exist when the initial information was provided by an anonymous tip and then corroborated by an officer’s firsthand observations. For example, in *United States v. Aldridge*,²⁰ a police officer responded to a radio call at approximately 3:00 a.m. that suspicious persons were in the vicinity of a construction site tampering with vehicles

"... the totality of the circumstances—the whole picture—must be taken into account' when assessing the information necessary to authorize police to conduct an investigative stop."

The information originated from an anonymous source who gave a detailed description of a suspect vehicle, including the fact that it had a broken tail light. While heading toward the location of the construction site, the officer observed a vehicle with a broken tail light going in the opposite direction which matched the description. The officer stopped the car and arrested the occupants after discovering a weapon in plain view inside the vehicle.

One of the issues the defendant raised on the appeal of his conviction was the legality of the stop which led to the discovery of the weapon. The defendant contended that the officer observed nothing suspicious prior to the stop and was acting solely on the information from the anonymous tipster. The Federal appellate court reviewing the case concluded that based on the totality of circumstances, the stop was justified. Even though the officer did not actually observe any suspicious behavior, the court held that an investigative stop will be upheld "if the officer observes facts corroborating even the innocent details of tips from informers.... This is true even when the informant is anonymous."²¹ In this case, what the officer did observe coincided in detail with the description given by the anonymous tipster and was sufficient to justify the stop of the vehicle.

Collective Knowledge

Recently, the Supreme Court applied the principles of the "collective knowledge" rule to the concept of reasonable suspicion. "Collective knowledge" is the term used to describe the process by which the courts impute the knowledge possessed by one officer to another. For example, one officer may

make an arrest or conduct a search at the request of another officer or agency, without having full knowledge of all of the facts which prompted the request. The information possessed by the requesting officer or agency would be imputed to the second officer who acted upon it and would be considered on the issue of probable cause.²²

In *Whiteley v. Warden*,²³ the Court considered the arrest of burglary suspects based on a police radio bulletin that a warrant had been issued. Although the warrant was held invalid for lack of probable cause, the Court suggested that if the sheriff who issued the radio bulletin had possessed probable cause for arrest, then the arresting officers could have properly arrested the suspects, even though they were unaware of the specific facts that established the probable cause. The question is whether those issuing the bulletin possess the probable cause, not whether those relying on the bulletin are aware of the specific facts which led their colleagues to seek their assistance.

Similarly, in *United States v. Hensley*,²⁴ police officers in Kentucky, acting on a "wanted flyer" issued by a police department in Ohio, stopped Hensley's car while attempting to determine if a warrant has been issued for his arrest. The flyer stated that Hensley was wanted for investigation of an aggravated robbery and included some details of the crime, but gave no reasons for suspecting Hensley. When the car was stopped, one officer recognized the passenger as a convicted felon and observed the butt of a revolver protruding from beneath the seat. Following the passenger's arrest, a search of the car uncovered two other weapons, resulting in Hensley's arrest and subsequent conviction for being a convicted felon in possession of firearms.

Because the discovery of the weapons attributed to Hensley hinged upon the plain view discovery of the gun protruding from beneath the car seat, the defense challenged the initial stop of the car. A Federal appellate court reversed the conviction, based in part on the contention that the Kentucky officers lacked specific information which led the Ohio department to issue the flyer, and therefore, lacked a reasonable suspicion sufficient to justify the stop.

The Supreme Court reversed. Noting the importance of police being able to act promptly in reliance on information from another jurisdiction, the Court held:

"... if a flyer or bulletin has been issued on the basis of articulable facts supporting a reasonable suspicion that the wanted person has committed an offense, then reliance on that flyer or bulletin justifies a stop. ..."²⁵

The Court made clear that this rule would not validate an otherwise unconstitutional stop:

"If the flyer has been issued in the absence of a reasonable suspicion, then a stop in the objective reliance upon it violates the Fourth Amendment. In such a situation, of course, the officers making the stop may have a good-faith defense to any civil suit ... (cites omitted). It is the objective reading of the flyer or bulletin that determines whether other police officers can defensively act in reliance on it."²⁶

Applying these principles to the facts of the case, the Court concluded that the police department issuing the

flyer possessed a reasonable suspicion—based on specific and articulable facts—that Hensley was involved in an armed robbery. Noting that the facts included information from an informant that Hensley had driven the getaway car, the Court reasoned that “the wealth of detail concerning the robbery revealed by the informer, coupled with her admission of tangential participation in the robbery, established that the informer was sufficiently reliable and credible” to justify an investigatory stop of Hensley.²⁷

The flyer twice stated that Hensley was wanted for investigation of an aggravated robbery; it described Hensley as well as the date and location of the robbery; and it warned other departments to consider Hensley armed and dangerous. The Court concluded:

“An objective reading of the entire flyer would lead an experienced officer to conclude that Thomas Hensley was at least wanted for questioning and investigation ... this objective reading would justify a brief stop to check Hensley’s identification, pose questions, and inform the suspect the St. Bernard Police wished to question him.”²⁸

Hensley is an important case for law enforcement in that it recognizes the interdependence of law enforcement agencies and the need for rapid communication and cooperation. That recognition is best illustrated by the language of the Court itself:

“In an era when criminal suspects are increasingly mobile and increasingly likely to flee across jurisdictional boundaries, this rule is a matter of common sense: it minimizes the volume of information concerning suspects that must be transmitted to other jurisdictions

and enables police in one jurisdiction to act promptly in reliance on information from another jurisdiction.”²⁹

“The Whole Picture”

In assessing whether reasonable suspicion exists to justify an investigative stop, the courts should consider the totality of circumstances. Isolated facts which suggest only innocent behavior may create an entirely different impression when combined with other also seemingly innocent facts. *United States v. Cortez*³⁰ provides a good example.

On several occasions, border patrol officers in Arizona discovered several sets of footprints in a sparsely populated area near the Mexican border known to the officers as an area heavily trafficked by aliens illegally entering the country. From the number and location of the prints, the officers deduced that groups of from 8 to 20 persons had walked north from the Mexican border to an east-west highway, turned eastward, and continued along the highway to milepost 122 where they disappeared. One of the recurring shoeprints bore a distinctive V-shaped or chevron design. The officers surmised that a person—nicknamed “Chevron” by the officers—was guiding aliens illegally into the United States from Mexico to a point near milepost 122 where they were picked up by a vehicle.

Based on their observations, the officers made the following additional deductions:

- (1) Because the tracks led over obstacles which would have ordinarily been avoided in daylight, the activity was probably occurring at night, beginning sometime after 6:00 p.m. at that time of year;
- (2) Based upon the days of the week when the prints were

observed, the activity probably occurred during or near weekends when the weather was clear;

(3) Because the footprints turned east at the highway, the vehicle which picked them up probably came from the east;

(4) Because it was unlikely that the groups would be walking away from their ultimate destination, the vehicle probably returned to the east after a group was picked up;

(5) Considering the distances involved and the normal speed of such groups traveling on foot, the trip would probably take from 8 to 12 hours, and the groups would arrive at the highway between 2:00 a.m. and 6:00 a.m.; and

(6) Because of the number of footprints observed each time, the pickup vehicle would have to be large enough to accommodate sizeable groups.

Armed with the above facts and deductions, the officers set up a surveillance of the highway on a clear weekend night at a point some 27 miles east of milepost 122. Estimating that it would take about an hour and a half to make the round trip from their vantage point to milepost 122, the officers watched for suitable vehicles traveling west and returning within that time frame. At 4:30 a.m., a pickup truck with a camper shell passed them heading west. One officer recorded a partial license number. When the same vehicle returned almost exactly an hour and a half later heading east, the officers stopped it, advised the two occupants of the truck cab that they

"The law does ... recognize facts and the logical inferences which can be drawn from those facts by a trained law enforcement officer."

were conducting an immigration check, and asked if they were carrying any passengers in the camper. (The officers observed that the passenger in the truck was wearing shoes with a distinctive "chevron" design on the soles.) Cortez, the driver, told them he had just picked up some hitchhikers and proceeded to open the back of the camper where the officers discovered six illegal aliens.

The two men were arrested and charged with transporting illegal aliens. A Federal appellate court reversed their convictions on the grounds that the officers lacked a sufficient basis to justify the initial stop of the pickup, because the circumstances admitted "far too many inferences to make the officer's suspicions reasonably warranted...."³¹

The Supreme Court reversed the appellate court, stating that "the totality of the circumstances—the whole picture—must be taken into account"³² when assessing the information necessary to authorize police to conduct an investigative stop. The Court explained that the whole picture begins with "objective observations, information from police reports, if such are available, and consideration of the modes or patterns of operation of certain kinds of lawbreakers,"³³ but includes the inferences and deductions drawn by a trained officer—"inferences and deductions that might well elude an untrained person."³⁴

Articulating a standard for the lower courts to follow, the Court stated: "... when used by trained law enforcement officers, *objective facts*, meaningless to the untrained, can be combined with *permissible deductions* from such facts to form a legitimate basis for suspicion of a particular person and for action on that suspicion."³⁵ (emphasis added)

Applying the principle to the facts, the Court concluded:

"We see here the kind of police work often suggested by judges and scholars as examples of appropriate and reasonable means of law enforcement. Here, fact on fact and clue on clue afforded a basis for the deductions and inferences that brought the officers to focus on 'chevron.'"³⁶

The ability or willingness of the courts to look at the whole picture in assessing the justification for an investigative stop depends largely upon the law enforcement officer's ability and willingness to draw the picture accurately and in sufficient detail. The law does not recognize an officer's "instincts" or "sixth sense" or "hunch." It does, however, recognize facts and the logical inferences which can be drawn from those facts by a trained law enforcement officer. The Supreme Court explained this practical concept as follows:

"Long before the law of probabilities was articulated as such, practical people formulated certain common-sense conclusions about human behavior; jurors as factfinders are permitted to do the same—and so are law enforcement officers."³⁷

A case decided in a recent term of the Supreme Court provides an excellent example of how the personal observations of an officer, combined with the logical inferences which his experience and training suggested, can provide the requisite reasonable suspicion to conduct an investigative stop.

In *United States v. Sharpe*,³⁸ an agent of the Drug Enforcement Administration (DEA) observed a pickup truck with camper shell traveling in tandem with a car in an area near the coast in North Carolina which was under surveillance for suspected drug trafficking. The agent noticed that the

truck was riding low in the rear and appeared to be heavily laden. In addition, the rear and side windows of the camper were covered with a quilted material. After following the two vehicles for about 20 miles, the agent decided to make an investigative stop and called for assistance from the State highway patrol. When a marked patrol car caught up to the procession, the two suspect vehicles appeared to take evasive action by turning off the highway onto a campground and then continuing at a high rate of speed back onto the highway. Both vehicles were eventually brought to a halt, and when marijuana was discovered, the occupants were charged with possession of a controlled substance with intent to distribute.

The defendants appealed their convictions on several fourth amendment issues, including the original basis for the stop. The Federal appellate court which reviewed the case "assumed" that there was an articulable and reasonable suspicion to justify the stop, an assumption which the Supreme Court agreed was "abundantly supported by the record."³⁹ The Supreme Court noted the following facts as being significant:

- (1) The agent's observation of the two vehicles traveling in tandem for 20 miles in an area known to be frequented by drug traffickers;
- (2) The agent's knowledge that pickup trucks with camper shells are often used to transport large quantities of marijuana;
- (3) The pickup truck appeared to be heavily loaded;

(4) The windows of the camper were covered with a quilted material rather than curtains, and

(5) Both vehicles took evasive action and started speeding when they saw the marked patrol car.

The Court explained that while perhaps none of the facts standing alone would give rise to a reasonable suspicion, "taken together as appraised by an experienced law enforcement officer, they provided clear justification to stop the vehicles and pursue a limited investigation."⁴⁰

The Supreme Court cases provide positive illustrations of the level of information a law enforcement officer must have to justify an investigative stop. That information may be obtained through firsthand observations or through secondhand (hearsay) sources. In addition, law enforcement officers may rely and act upon requests from other law enforcement officers and agencies, e.g., police bulletins and flyers, even though the acting officers do not possess the underlying facts which prompted those requests. Finally, the officers who act, and the courts which review those actions, must consider the "whole picture" or totality of the circumstances.

In *Terry*, the Court emphasized that the officer who conducts an investigative stop must be able to point to "specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant that intrusion."⁴¹ It is not sufficient that the police officer was "suspicious." The suspicions must be objectively reasonable, based on facts capable of withstanding the scrutiny of a neutral, detached magistrate, and supporting a reasonable belief that the person to be stopped has been, is, or is about to be engaged in criminal activity.

Once a valid stop has occurred, the degree of the intrusion must be tailored to the reasons for its inception. If the intrusion exceeds the permissible scope for an investigative stop with respect to duration or degree of control exercised by the officers, it will be measured against the higher standard necessary to justify an arrest. Furthermore, if the police frisk the detainee for weapons, they must be prepared to justify their action both with respect to its initiation and its scope.

Parts II and III of this article will consider these issues.

"... the duration of the stop should be considered in the context of the law enforcement purposes to be served by the stop and the time reasonably needed to effectuate those purposes."

In *Terry v. Ohio*,⁴² the Supreme Court recognized the investigative stop as an *intermediate response* available to law enforcement officers engaged in investigating possible criminal activity when probable cause to arrest is absent. The Court identified two questions which must be considered in determining whether the use of this intermediate response is reasonable under the fourth amendment to the U.S. Constitution:

- (1) "whether the officer's action was justified at its inception"; and
- (2) "whether it was reasonably related in scope to the circumstances which justified the interference in the first place."⁴³

Part I of this article considered the first question and reviewed some of the Supreme Court cases which define and describe "reasonable suspicion" as the standard necessary to justify an investigative stop. Part II will consider the permissible scope of the intrusion with regard to the duration of the stop and the degree of law enforcement control over the detainee. The conclusion will consider the justification and permissible scope of a protective frisk for weapons.

PERMISSIBLE SCOPE OF THE INTRUSION

In challenging the scope of an investigative stop, defendants generally seek to persuade the courts that the degree of police intrusion was tantamount to an arrest, thus requiring the higher standard of probable cause for its justification. The most frequently recurring questions relate to two areas: (1) The length or duration of the stop, and (2) the degree of police control over the detainee. Each of these will be considered in turn.

Duration of the Stop

Without exception, the Supreme Court cases which have dealt with investigative detention have emphasized the temporary nature of the seizure. Obviously, the longer a person is detained by police, the greater is the degree of intrusion and the more closely the seizure resembles an arrest.

Since the *Terry* decision, the Supreme Court has persistently declined to establish a bright line rule, choosing instead to consider the proper duration of a detention in the context of the facts of each case. For example, in one recent case,⁴⁴ the Court explained:

"We understand the desirability of providing law enforcement authorities with a clear rule to guide

their conduct. Nevertheless, we question the wisdom of a rigid time limitation. Such a limit would undermine the equally important need to allow authorities to graduate their responses to the demands of any particular situation."

In *United States v. Sharpe*,⁴⁵ the Court confronted the issue directly. Law enforcement officers stopped two vehicles (a car and a pickup truck with a camper shell), which were apparently traveling together and were suspected to be involved in marijuana trafficking. The specific details which established the reasonable suspicion for the stop were set forth in detail in part I of this article and need not be repeated here. It is sufficient to note that a Drug Enforcement Administration (DEA) agent had developed the reasonable suspicion for the stop and had called upon a North Carolina highway patrolman for assistance. When one of the vehicles (the car) was stopped by the officers, the second (the pickup) attempted evasion and was brought to a halt about one-half mile away. The DEA agent remained with the car until additional police assistance arrived, at which time he joined the officer who had stopped the pickup. The investigation at the site of the pickup developed the probable cause necessary to arrest the occupants of both vehicles for possession of marijuana with intent to distribute. The lapse of time between the initial stop of the pickup and the development of the probable cause was approximately 20 minutes.⁴⁶

A Federal appellate court held that the duration of the detention violated the fourth amendment and suppressed the evidence. The Supreme Court disagreed and reversed.

While recognizing that "if an investigative stop continues indefinitely, at some point it can no longer be justified as an investigative stop,"⁴⁷ the Court rejected the appellate court's attempt to impose a rigid time limitation, stating that "common sense and ordinary human experience must govern over rigid criteria."⁴⁸

In discussing the appropriate time limit for a particular investigative stop, the Court emphasized that the duration of the stop should be considered in the context of the law enforcement purposes to be served by the stop and the time reasonably needed to effectuate those purposes. An important consideration is "whether the police diligently pursued a means of investigation that was likely to confirm or dispel their suspicions quickly, during which time it was necessary to detain the defendant."⁴⁹

Applying the principle to the facts, the Court found that the 20-minute detention was reasonable. The DEA agent pursued his investigation in a diligent and reasonable manner, and furthermore, the delay was attributed almost entirely to the suspect's efforts to elude the authorities.

The *Sharpe* decision does not stand for the proposition that law enforcement officers may detain a person indefinitely to suit their convenience. Indeed, the Court has repeatedly indicated the significance of the time-lapse in assessing the reasonableness of a stop. For example, in *United States v. Place*,⁵⁰ the Court held that the 90-minute detention of an air traveler's luggage was excessive. The defendant's luggage was seized by law en-

"... in the absence of some justification, the display of weapons by police officers engaged in making an investigative stop can result in elevating their actions to the more intrusive level of an arrest."

forcement officers for the purpose of allowing a trained dog to "sniff" for marijuana. The Court held that the seizure of the personal property from the custody of its owner was justified by the principles of *Terry v. Ohio*⁵¹ and that the "canine sniff" of the luggage did not constitute a "search" within the meaning of the fourth amendment.⁵² However, the 90-minute delay between the initial seizure of the luggage at LaGuardia Airport in New York and the canine sniff conducted at Kennedy Airport, which established probable cause for a search warrant, exceeded the permissible limits of an investigative stop. The Court stated:

"...although we decline to adopt any outside time limitation for a permissible Terry stop, we have never approved a seizure of the person for the prolonged 90-minute period involved here and cannot do so on the facts presented by this case."⁵³ (emphasis added)

In *Place*, as in *Sharpe*, the Court considered "whether the police diligently pursued their investigation"⁵⁴ and concluded that they had not. The seizure of the defendant's luggage occurred at New York's LaGuardia Airport based upon information received from authorities in Miami, FL. The luggage was then seized and transported to Kennedy Airport where the canine sniff occurred. The Court said:

"We note that here the New York agents knew the time of *Place's* scheduled arrival at LaGuardia, had ample time to arrange for additional investigation at that location, and thereby could have minimized the intrusion of respondent's Fourth Amendment interests."⁵⁵

In other words, the Court considered that the New York authorities, based on their prior knowledge, could have reduced the duration of the detention by arranging to have the trained dog at LaGuardia. In the absence of that diligence, and considering all the circumstances of the case, the Court concluded that "the seizure of respondent's luggage was unreasonable under the Fourth Amendment."⁵⁶

In another recent investigative detention case, the Supreme Court was again called upon to consider the reasonable time for seizing a person based on a reasonable suspicion. In *United States v. Montoya deHernandez*,⁵⁷ U.S. Customs officials became suspicious that a female passenger arriving at the Los Angeles International Airport from Bogota, Colombia, might be a "balloon swallower," i.e., that she was attempting to smuggle into the country narcotics hidden in her alimentary canal. When the defendant refused an X-ray examination, she was told that she would be detained until she produced a monitored bowel movement. The ensuing detention continued for approximately 16 hours as the defendant exhibited symptoms of discomfort consistent with what a Federal appellate court described as "heroic efforts to resist the usual calls of nature."⁵⁸ Finally, a court-ordered rectal examination conducted by a physician located a balloon containing a foreign substance. The defendant was then arrested, and over a 4-day period, passed an additional 88 balloons containing cocaine.

In reviewing a Federal appellate court's reversal of the defendant's conviction, the Supreme Court considered the almost 27-hour duration of the detention which preceded the development of probable cause to arrest.

Noting that the length of time in this case undoubtedly exceeded any other detention previously approved, the Court concluded that it was nevertheless reasonable under the following facts and circumstances of this case:

(1) The events occurred at the international border, where the fourth amendment "balance of interest leans heavily to the Government";⁵⁹

(2) The suspected criminal activity—alimentary canal smuggling—cannot be detected in the amount of time in which other illegal activity may be investigated through brief Terry-type stops;⁶⁰ and

(3) The defendant's efforts to resist the call of nature were "alone responsible for much of the duration and discomfort of the seizure."⁶¹

It is noteworthy that the interests of the Government in protecting this country's borders are a unique factor in the *deHernandez* case, which tip the balance of interests heavily in the Government's favor. The case nevertheless illustrates the factors which can affect the reasonable duration of an investigative stop—particularly the focus on legitimate law enforcement objectives and the necessity for diligence in meeting those objectives.

Degree of Police Control

Just as the length of a detention can affect its reasonableness under the fourth amendment, so can the degree of police control over the detainee. It is clear that an investigative stop is a "forcible" seizure of a person,⁶² distinguishable from an arrest only in degree. It is the lesser intrusion presumed in the investigative stop which warrants the lesser standard of reasonable suspicion for its justification. Accordingly, the greater the degree of police control over a detainee, the greater the likelihood that reviewing courts will impose the higher standard of probable cause. The two arguments raised most frequently by defendants in this context relate to (1) the display of weapons and (2) the forceable movement of the detainee.

Display of Weapons

The Supreme Court has not had occasion to consider directly the question whether an officer's display of a weapon is reasonable in the context of an investigative stop. Several lower courts have dealt with the issue and have generally declined to adopt a *per se* rule.

In *United States v. Aldridge*,⁶³ for example, a lone police officer stopped an automobile occupied by three adult males at approximately 3:00 a.m., based on a radio call informing him of "suspicious persons in or around a construction site fooling with vehicles." Because the officer approached the vehicle with his gun drawn, the defendant contended that the initial seizure was tantamount to an arrest without probable cause. The court held that the officer's display of a weapon does

not necessarily convert an investigative stop into an arrest and that "use of a gun in connection with a stop is permissible when the officer reasonably believes it is necessary for his protection."⁶⁴ The court pointed to several factors which justified the officer's action in this case:

- (1) The officer was working alone in the early hours of the morning;
- (2) The vehicle contained three adult males; and
- (3) The stop of the vehicle was based on a reasonable suspicion to believe that the occupants were engaged in criminal activity.

Similarly, in *United States v. Danielson*,⁶⁵ police officers stopped an automobile which matched the description of one suspected of being connected with an armed robbery which had occurred just minutes before. The officers approached the suspect vehicle with weapons drawn. In assessing the reasonableness of the officer's actions, the Federal appellate court held:

"... under the circumstances of this case the officers acted reasonably and did not exceed the bounds of an investigative detention."⁶⁶

The court held that the officers had reasonable suspicion to justify the stop of the car, and the nature of the suspected criminal activity—armed robbery—justified the belief that weapons were present.

Contrary views have been taken by courts where there are no factors to justify the display of weapons. In *United States v. Ceballos*,⁶⁷ officers stopped the automobile of a suspected narcotics dealer and approached with weapons displayed. The Federal appellate court considered the highly in-

trusive action as being unsupported by any articulable facts and declined to accept the generalized argument that narcotics dealers are always armed. While recognizing that narcotics traffickers are often armed, the court stated, "... that generalization, without more, is insufficient to justify the extensive intrusion which occurred in this case."⁶⁸

It is interesting to note that while the Supreme Court has not directly addressed the issue, several recent investigative detention cases reviewed by the Court have involved the display of weapons by the officers making the stops. In *United States v. Hensley*,⁶⁹ a police officer, acting on information received through a wanted flyer from another department, stopped the vehicle occupied by Hensley. Because the flyer indicated that Hensley was possibly involved in a recent armed robbery, the officer approached the car with his service revolver drawn and pointed in the air. Such action drew no comment from the Court, which approved "the length and intrusiveness of the stop and detention that actually occurred" (emphasis added).

Likewise, in *United States v. Sharpe*,⁷¹ a police officer, stopping a vehicle whose occupant was suspected of trafficking in marijuana, approached the vehicle with his revolver drawn. Although the issue before the Court was the length of the detention, the action of the officer in displaying his revolver did not affect the Court's conclusion that under the facts of the case, the degree of intrusion was reasonable.

"In the absence of consent, the detainee should not be moved from the place where the stop was initiated unless there are legitimate law enforcement needs to justify it...."

It may be concluded from these cases that in the absence of some justification, the display of weapons by police officers engaged in making an investigative stop can result in elevating their actions to the more intrusive level of an arrest. On the other hand, when all of the surrounding circumstances—including the nature of the criminal activity being investigated—suggest the need for the officers to assure their protection, the display of weapons will be within the permissible scope of an investigative stop.

Forcible Movement of the Detainee

An investigative stop is by definition a *forcible stop*, authorizing law enforcement officers to exercise some degree of control over the person detained. Obviously, that authority extends to depriving the person stopped of his freedom to leave, at least temporarily. A related issue which has arisen frequently relates to the authority of officers to require movement of the detainee from one place to another. Several Supreme Court cases provide some guidance.

There is no doubt that an officer conducting a valid stop can order the movement of the detainee for a short distance within the area of the stop when there is some justification. For example, in *Pennsylvania v. Mimms*,⁷² police officers stopped an automobile with an expired license plate. One of the officers ordered the operator, Mimms, out of the car and observed a large bulge under his sports jacket. A

pat-down uncovered a loaded revolver in Mimms' waistband. At issue in the case was the authority of the officer to order Mimms out of the car. The Supreme Court ruled that the action was reasonable. Weighing the legitimate interests in protecting officers engaged in making valid stops against the incursion on personal liberty of the person stopped, the Court held that the incremental intrusion involved in ordering the individual out of the car was minimal. The individual had already been seized lawfully, and the legitimate concerns for the officer's safety while stopping automobiles outweighed the minor, additional intrusion.

Although the *Mimms* decision related specifically to a vehicle stop for a traffic violation, its principles are clearly broader and can apply to other legitimate investigative stops. It must be noted, however, that the scope of the intrusion—i.e., moving the detainee—must be limited to the purposes which justify it.

In *Florida v. Royer*,⁷³ officers detained Royer at an airport because they suspected he was engaged in transporting narcotics. During the ensuing interrogation, the officers moved Royer from the concourse area where the initial stop occurred to a small room approximately 40 feet away. Royer's luggage was retrieved by one of the officers and searched when Royer provided keys. Drugs were found inside the suitcase, and Royer was arrested.

One of the issues before the Supreme Court was the movement of Royer from the place where he was stopped on the concourse to the office. The Court concluded that the officer's conduct was *more intrusive than necessary* to effectuate an investigative detention.⁷⁴ (emphasis added) Noting that there are undoubtedly reasons of safety and security that would justify

moving a suspect from one location to another during an investigative detention, there is no indication in this case that such reasons prompted the officers to transfer the site of the encounter from the concourse to the interrogation room.⁷⁵

The *Royer* decision does not suggest that moving a detainee 40 feet is always excessive and therefore impermissible. It does suggest, however, that unnecessary movement is excessive movement and should be avoided. The Court stated:

"The record does not reflect any facts which would support a finding that the legitimate law enforcement purposes which justified the detention in the first instance were furthered by removing Royer to the police room...."⁷⁶

The *Mimms* and *Royer* decisions support the proposition that forcible movement of a detainee within the area of the detention may be permissible in appropriate circumstances. However, certain types of movement are considered so intrusive as to always require probable cause for their justification.

In *Dunaway v. New York*,⁷⁷ the police apprehended a murder suspect and transported him to the police station for questioning. In responding to the argument that Dunaway was merely subjected to an investigative detention, the Supreme Court held that the seizure of Dunaway and his transportation to the police station for interrogation purposes was "in important respects indistinguishable from a traditional arrest."⁷⁸

More recently, in *Hayes v. Florida*,⁷⁹ the Court disapproved the forcible removal of a suspect from his home to the police station for the pur-

pose of obtaining fingerprints. The police were investigating a series of burglary-rapes when they developed Hayes as a suspect. They contacted him at his home and requested that he accompany them to the police station for fingerprinting. When Hayes expressed reluctance to go with the officers, he was told that he would be arrested. Hayes then agreed to go. He was formally arrested when his fingerprints were matched up with those left at the crime scenes.

The issue before the Supreme Court was the transportation of Hayes to the police station. The Court noted that at some point during an investigative detention, "police procedures can qualitatively and quantitatively be so intrusive ... as to trigger the full protection of the Fourth and Fourteenth Amendments."⁶⁰ The Court continued: "... the line is crossed when the police, without probable cause or a warrant, forcibly remove a person from his home or other place in which he is entitled to be and transport him to the police station, where he is detained, although briefly, for investigative purposes."⁶¹

Dunaway and *Hayes* appear to establish a clear prohibition against forcibly removing a detainee to the police station for investigative purposes based on reasonable suspicion alone. It is also of interest to note that the movement to the station was probably not necessary in either case, and the police could have accomplished their purpose in a less intrusive manner. Certainly, in *Dunaway*, it was not necessary to transport him to the police station in order to question him. Likewise, in *Hayes*, the investigative pur-

pose could conceivably have been accomplished without the trip to the station, for as the Court emphasized:

"None of the foregoing implies that a brief detention in the field for the purposes of fingerprinting, where there is only reasonable suspicion not amounting to probable cause, is necessarily impermissible under the Fourth Amendment."⁶²

Recognizing that fingerprinting is a "much less serious intrusion upon personal security than other types of searches and detentions,"⁶³ the Court set forth three factors that could render such a procedure reasonable:

- (1) Reasonable suspicion that the suspect has committed a criminal act;
- (2) A reasonable basis for believing that fingerprinting will establish or negate the suspect's connection with that crime; and
- (3) The procedure is carried out with dispatch.⁶⁴

The permissible bounds of that action are not yet clearly defined, and therefore, should be approached cautiously by law enforcement officers.

In the absence of consent, the detainee should not be moved from the place where the stop was initiated unless there are legitimate law enforcement needs to justify it; then, the movement should be strictly limited to the degree necessary to accomplish those purposes.

Parts I and II of this article have reviewed the justification and permissible scope of an investigative stop. The conclusion will consider the justification and permissible scope of a protective frisk.

“...the Court constitutionalized the investigative stop and the attendant frisk as an intermediate police response between inaction and overreaction.”

THE FRISK

Apart from the justification for initiating an investigative stop, clearly the most litigated issue in the area of investigative detention is the conduct and scope of a frisk. Indeed, the landmark case of *Terry v. Ohio*⁸⁵ focused on the authority of an officer to conduct a frisk because it was the frisk of the suspects which discovered the guns and gave the officer probable cause to arrest. The Supreme Court held:

“... where a police officer observes unusual conduct which leads him reasonably to conclude in light of his experience that criminal activity is afoot and that the person with whom he is dealing may be armed and presently dangerous ... he is entitled for the protection of himself and others in the area to conduct a carefully limited search of the outer clothing of such persons in an attempt to discover weapons which might be used to assault him.”⁸⁶

The authority of officers to conduct a frisk is generally challenged by defendants in criminal cases for the simple reason that the frisk—as in *Terry*—uncovers weapons or other evidence of crime which the defendants

seek to suppress. There are two general arguments: (1) There was no justification to conduct the frisk, or (2) the frisk extended beyond the permissible scope.

Justification for the Frisk

The Supreme Court has characterized the frisk as a fourth amendment search, because “even a limited search of the outer clothing for weapons constitutes a severe, though brief, intrusion upon cherished personal security....”⁸⁷ On the other hand, the Court has recognized that “there must be narrowly drawn authority to permit a reasonable search for weapons for the protection of the officer ... regardless of whether he has probable cause to arrest the individual for a crime.”⁸⁸

Just as an investigative stop must be supported by articulable facts which establish reasonable suspicion that criminal activity is afoot, a frisk must be supported by reasonable suspicion to believe that the individual who has been lawfully stopped is “armed and dangerous.”⁸⁹ As with the reasonable suspicion to make an investigative stop, the reasonable suspicion to conduct a frisk may be based on facts derived from either firsthand knowledge or secondhand information and the logical inferences which an experi-

enced officer is allowed to draw from those facts—i.e., the totality of the circumstances.

However, the justification for a stop is not necessarily justification for a frisk, and in each case, an officer conducting a frisk must be prepared to point to the specific and articulable facts which justified that particular intrusion.

For example, in *Ybarra v. Illinois*,⁹⁰ police officers had obtained a search warrant for a tavern based on reliable informant information that the bartender was selling tinfoil packets of heroin. When the officers arrived at the tavern to execute the warrant, there were several customers present, including Ybarra. The officers immediately conducted a pat-down search of the customers for weapons. The officer who frisked Ybarra felt what he described as "a cigarette pack with objects in it." After frisking the remaining customers, the officer returned to Ybarra and removed from his pants pocket what turned out to be a cigarette pack containing six tinfoil packets of heroin. The prosecution offered several arguments to support the discovery of the heroin, including the two-pronged argument that the officer was entitled to frisk Ybarra for weapons under the *Terry* doctrine and that the frisk yielded probable cause to believe that Ybarra possessed narcotics justifying the seizure and search of the cigarette pack. The Supreme Court did not address the second prong because the initial frisk of Ybarra was simply not supported by a reasonable belief that he was armed and presently

dangerous....⁹¹ The Court noted several factors which were significant.

- (1) When the officers entered the tavern, there was sufficient lighting to observe those present.
- (2) The police did not recognize Ybarra as a person with a criminal history or as one who might be inclined to assault them;
- (3) Ybarra's hands were empty and he gave no indication of possessing a weapon; and
- (4) Ybarra was not acting in a threatening manner.

Balanced against these factors, the Court ruled that "the State is unable to articulate any specific fact that would have justified a police officer at the scene in even suspecting that Ybarra was armed and dangerous."⁹² The Court concluded:

"Nothing in *Terry* can be understood to allow a generalized 'cursory search for weapons or, indeed, any search whatever for anything but weapons. The narrow scope of the *Terry* exception does not permit a frisk for weapons on less than reasonable belief or suspicion directed at the person to be frisked...."⁹³

Undoubtedly, the *Ybarra* decision reflects the fact that Ybarra was in a public place along with other customers at the time he was subjected to the frisk. The case does not preclude the possibility that police may be justified in frisking people located on the premises where a search warrant is being executed. Clearly, such action would be justified so long as the officers can point to specific factors which caused them to reasonably suspect that the person frisked was armed.

"...an officer conducting a frisk must be prepared to point to the specific and articulable facts which justified that particular intrusion."

The factors which suggest the presence of danger to an officer are immeasurable. But it can be instructive to consider some of those which have been approved by the courts.

Specific Information

It is difficult to imagine a stronger indication of danger to an officer than specific information derived from witnesses or other reliable sources that a person is armed. In *Adams v. Williams*,⁹⁴ the Supreme Court upheld the frisk of a person by an officer who had just received information from a reliable informant that the suspect possessed narcotics and had a gun in his waistband. Following a review of the factors justifying the officer's reliance on the hearsay information received from the informant, the Court reasoned:

"Under these circumstances the policeman's action in reaching to the spot where the gun was thought to be hidden constituted a limited intrusion designed to insure his safety, and we conclude that it was reasonable."⁹⁵

Suspicious Bulges

A second factor which may justify a protective frisk is the observation of a suspicious bulge in the suspect's clothing. In *Pennsylvania v. Mimms*,⁹⁶ officers stopped an automobile with an expired license plate and ordered the operator to exit the vehicle. When Mimms got out of the car, one of the officers observed a "large bulge" under his sports jacket. The officer frisked Mimms and discovered a loaded revolver in his waistband.

After considering and upholding the authority of the officers to order Mimms out of the car, the Supreme Court considered the validity of the frisk, which was triggered by the offi-

cers observation of the suspicious bulge:

"The bulge in the jacket permitted the officer to conclude that Mimms was armed and thus posed a serious and present danger to the safety of the officer. In these circumstances, any man of 'reasonable caution' would likely have conducted the 'pat-down.'"⁹⁷

It is interesting to note that in the *Mimms* case, the facts which justified the initial stop did not suggest the presence of weapons or any threat to the officers. The observation of the suspicious bulge in Mimms' clothing was sufficient by itself to justify the frisk.

Nature of Suspected Criminal Activity

Although the reasonable suspicion which justifies a stop does not automatically justify a frisk, in some instances the very nature of the suspected criminal activity may suggest the presence of weapons. A good example is *Terry v. Ohio*,⁹⁸ where the Supreme Court upheld the frisk of three men suspected of planning to commit a store robbery. The Court held that the actions of the three men were consistent with the officer's hypothesis that they were contemplating a robbery, "which, it is reasonable to assume, would be likely to involve the use of weapons."⁹⁹ Thus, the reasonable suspicion supported not only the belief that criminal activity was afoot but also that those engaged in that activity were armed and dangerous.

Clearly, officers would be justified in conducting a frisk of a person suspected of involvement in criminal activity which ordinarily involves the use or threatened use of weapons. The presence of weapons may be reasonably inferred from the nature of the criminal activity.

More difficult issues arise when the suspected criminal activity does not—standing alone—support a reasonable presumption that weapons are present. It is not sufficient for the officers to simply point to the seriousness of the criminal activity. For example, the courts have declined to adopt as a general premise that those who deal in narcotics are armed and dangerous, notwithstanding the conceded seriousness of the crime and the fact that narcotics offenders are in fact often armed and violent.¹⁰⁰ In those instances, officers must be capable of factually supporting their suspicions that a suspect is armed. The reasonableness of those suspicions may be supported by the officer's prior experiences in investigating similar types of activity,¹⁰¹ as well as the officer's personal observations of the suspect and his demeanor, but will not be presumed simply because of the seriousness of the suspected criminal activity.

Discovery of Weapons

When officers observe a weapon in the vicinity of one who has been lawfully stopped, they may reasonably suspect that other weapons are present which pose a threat.

In the recent case of *Michigan v. Long*,¹⁰² police officers conducted a frisk after observing a large hunting knife on the floorboard of an automobile, the operator of which appeared to

"...officers would be justified in conducting a frisk of a person suspected of involvement in criminal activity which ordinarily involves the use or threatened use of weapons."

be under the influence of some intoxicant. In evaluating the officers' actions, the Supreme Court noted:

- (1) The hour was late;
- (2) The area was rural and isolated;
- (3) The individual being investigated appeared to be under the influence of some intoxicant; and
- (4) The officers conducted the frisk only after they observed a large hunting knife in the interior of the car.

The Court reasoned that it was not unreasonable for the officers to take preventive measures to ensure that there were no other weapons within Long's grasp before permitting him to reenter his automobile.¹⁰³

In such cases, it is irrelevant that the weapons observed may be lawfully possessed by the suspect. As the Court has explained:

"The purpose of this limited search is not to discover evidence of crime, but to allow the officer to pursue his investigation without fear of violence, and thus the frisk for weapons might be equally necessary and reasonable, whether or not carrying a concealed weapon, violated any applicable state law."¹⁰⁴

Various other factors have been considered by the courts as significant in justifying a frisk, including the officer's prior expertise with a suspect,¹⁰⁵ extreme nervousness of the suspect,¹⁰⁶ or furtive gestures or movements.¹⁰⁷ An officer must be able to recognize and articulate in a given case the reasons for suspecting that weapons are present, and then, he may conduct a weapons search limited in scope to this protective purpose.¹⁰⁸

Scope of the Frisk

The frisk of a person, though lawful at its inception, may nevertheless offend the fourth amendment if the police action exceeds the boundaries necessary to accomplish its purposes. The sole object of a frisk is to determine whether a weapon is present and to neutralize the threat of physical harm to the officer and others. Two issues are significant: The *breadth* of the frisk, i.e., how *extensive* an area may be searched, and how *intensive* may the search be within that area.

Breadth of the Frisk

The decision in *Terry v. Ohio* made it clear that a person suspected of possession of a weapon may be subjected to a frisk. The facts in *Terry* did not require the Court to go beyond the issue of frisking the person, and in fact, the Court specifically noted that limitations with respect to the scope of the frisk would best be developed "in the concrete factual circumstances of individual cases."¹⁰⁹

In two cases after *Terry*, the Court approved what may be described as limited extensions of the protective frisk where the safety of police officers was at stake. In *Pennsylvania v. Mimms*,¹¹⁰ the Court held that police may order persons out of lawfully stopped automobiles and may frisk them if there is reasonable suspicion to believe they are armed. Although the *Mimms* decision did not reduce the standard of justification for a frisk, it approved an incremental increase in the control the officer could exercise over the detainee. The Court reached its decision by balancing the fourth amendment interests of the person who is already lawfully detained against the legitimate need for protecting police officers engaged in automobile stops. Recognizing the "inordi-

nate risk confronting an officer as he approaches a person seated in an automobile..."¹¹¹ the Court concluded that any additional intrusion occasioned by the action of ordering that person out of the vehicle is *de minimus*. In *Adams v. Williams*,¹¹² the Court approved the action of an officer who, acting on an informant's tip that the suspect possessed narcotics and had a gun in his waistband, reached into an automobile and removed the offending weapon without so much as a preliminary pat-down. Although neither of the two cases specifically broadened the scope of a frisk, each demonstrated a sensitivity on the part of the Court to the risks which confront law enforcement officers engaged in investigative detentions.

The Court squarely confronted the issue in the recent case of *Michigan v. Long*.¹¹³ Police officers on patrol at night in a rural area observed a car speeding and driving erratically. When the car turned onto a side road and swerved into a ditch, the officers approached it to investigate. By the time the officers reached the car the only occupant, Long, had exited the vehicle, leaving the driver's door open. Long did not respond initially to a request for his operator's license, but complied when the request was repeated. When one of the officers asked for the vehicle registration, Long again did not respond until the request was repeated, and then he turned from the officers and walked back toward the open door of the vehicle. (One of the officers later testified that Long appeared to be under the influence of some intoxicant.) Through the open door of the car the officers observed a large hunting knife on the floorboard of

the driver's side. Long was immediately subjected to a frisk which revealed no weapons, and one of the officers shined his flashlight into the interior of the car where he observed something protruding from beneath the armrest of the front seat. Closer examination disclosed that the object was an open pouch containing what appeared to be marijuana. Long was then arrested, and a further search of the car revealed 75 pounds of marijuana in the trunk. The Michigan Supreme Court reversed Long's conviction for possession of marijuana on the grounds that the search of the interior of the car could not be justified as a protective search for weapons, and the remaining evidence was discovered as a result of the initial fourth amendment violation.

In reversing the decision of the Michigan court, the Supreme Court defined the issue as the authority of a police officer to protect himself by conducting a Terry-type search of the passenger compartment of a motor vehicle during the lawful investigatory stop of the occupant of the vehicle.¹¹⁴

Referring to earlier decisions which had given deference to the needs of law enforcement officers to protect themselves while engaged in investigative detentions,¹¹⁵ as well as full blown arrests,¹¹⁶ the Court ruled that the case law supports the principle that threats to the police may arise from the possible presence of weapons in the "area surrounding a suspect,"¹¹⁷ as well as on the person.

Accordingly, the Court concluded: "... the search of the passenger compartment of an automobile, limited to those areas in which a weapon may be placed or hidden, is permissible if the police officer possesses a reasonable belief ...

that the suspect is dangerous and the suspect may gain immediate control of weapons."¹¹⁸

In reaching its conclusion, the Court rejected the apparent assumption of the State court that Long was effectively under control of the officers, and therefore, could not gain access to any weapon that might be in the car. The Court gave three reasons for its view that the need for the weapons search continues:

- (1) The suspect, even though detained, may nevertheless break away from police control and retrieve a weapon;
- (2) If the suspect is not under arrest, he will eventually be permitted to reenter his automobile where he will then have access to any weapons inside; and
- (3) Even during the course of the detention, the suspect may be allowed to reenter the vehicle before the investigative detention has been concluded.

In either case, the officer remains vulnerable to the threat posed by the possible presence of weapons, and the fact that the suspect is not under a full custodial arrest heightens that risk.

The Long decision is an interesting case for at least three reasons. First, it represents an effort by the Court to establish a bright-line rule to govern situations where an officer has to make a "quick decision as to how to protect himself and others from possible danger."¹¹⁹ Second, it significantly—and logically—expands the scope of the frisk for weapons as originally enunciated in the Terry case and recognizes that "suspects may injure

police officers and others by virtue of their access to weapons, even though they may not themselves be armed."¹²⁰ Accordingly, the frisk for weapons may extend into the area surrounding the suspect. And third, the decision recognizes the authority of the police to seize evidence or contraband other than weapons lawfully discovered during a valid frisk. The Court held:

"If while conducting a legitimate Terry search of the interior of the automobile, the officer should, as here, discover contraband other than weapons, he clearly cannot be required to ignore the contraband and the Fourth Amendment does not require its suppression in such circumstances."¹²¹

Implicit in the Long decision is the authority to examine the contents of any containers within the area of the suspect, or within the passenger compartment of his vehicle, capable of containing weapons. Presumably that authority would not extend to locked containers where immediate access to weapons would not exist, but the issue remains unresolved.

Although the permissible breadth of the frisk has now been defined by the Supreme Court, there remains the issue of the permissible intensity of the frisk within that area.

Intensity of the Frisk

Because the sole object of a frisk is to locate weapons, the intrusion must be strictly limited to accomplish that object, and no more. A lawfully initiated frisk is unlikely to generate a challenge to the intensity of the frisk if a weapon was in fact located. The issue is more likely to arise when an officer conducts a frisk for weapons and discovers other items of evidence or contraband. As noted in the Long deci-

"...law enforcement officers [should] limit the intensity of a frisk for weapons to the level necessary to accomplish the purpose for which it is intended."

sion, the evidence or contraband thus discovered will be admissible if the frisk did not exceed permissible bounds; however, the defense may contend that the officer went further than reasonably necessary to assure that no weapons were present.

In *United States v. Vaughan*,¹²² narcotics task force agents stopped several suspects during the course of a narcotics investigation. One of the suspects, Vaughan, was carrying a vinyl briefcase which was seized by one of the agents and opened, disclosing some documentary evidence of a drug smuggling operation. One of the issues raised by the defendant was the opening of the briefcase by the agent. The Federal appellate court sustained the trial court's suppression of the evidence. In response to the Government's assertion that the search was justified as a protective frisk, the court stated that "the agents could have felt the briefcase without opening it to see if any weapons were in it and that the opening of the case to search further was not justified."¹²³ In the court's view, the briefcase was sufficiently soft and thin that any weapons could have been felt through the cover. In simple terms, the frisk was justified at its inception, but the agent went further than necessary to accomplish his purpose.

A similar issue arises when a law enforcement officer pats down a suspect for weapons and removes other evidence or contraband instead. There are two possible justifications for the seizure of the items.

First, the officer may be able to satisfy a reviewing court that he reasonably believed that the object he felt during the pat-down could have been a

weapon of some type. In considering this argument, it should be remembered that the Supreme Court has held that the validity of the frisk is not dependent upon whether a weapon is possessed legally under State law. Therefore, the officer is not limited to checking only those objects ordinarily covered by concealed weapons statutes (e.g., firearms). An unidentified object which could reasonably be used as a weapon against the officer can and should be removed from the suspect. If the object turns out to be evidence or contraband—rather than a weapon—the admissibility of that evidence in any subsequent prosecution will depend on the ability of the officer to articulate his reasons for believing the object he felt could have been a weapon of some type warranting closer examination.¹²⁴

The alternative justification for the seizure is a probable cause argument: Assuming the officer was justified in conducting a frisk for weapons, what he perceived through the sense of touch established probable cause to believe the suspect possessed evidence or contraband. The Supreme Court has never addressed this issue, but the concept is consistent with the general principle that probable cause may be based on the sensory perception of an officer as interpreted in light of his knowledge and experience.

In *Ybarra v. Illinois*,¹²⁵ an officer engaged in executing a search warrant for heroin at a tavern removed a cigarette pack containing heroin from a customer who was being frisked for weapons. The State did not seek to justify the seizure by contending that the officer thought the object he felt was a weapon. Rather, the State contended that given the officer's knowledge of the nature of the evidence described in the warrant, the pat-down

yielded probable cause to believe Ybarra was carrying narcotics. The Supreme Court did not reach that issue because it considered that frisk unjustified at its inception because there was no reasonable suspicion to believe Ybarra was armed. However, there is no logical basis for believing that the Court would not accept the concept that objects felt, or otherwise perceived, during the course of a valid frisk can establish the probable cause necessary to extend the intrusion.

The important lesson for law enforcement officers is to limit the intensity of a frisk for weapons to the level necessary to accomplish the purpose for which it is intended. As the Supreme Court stated in *Terry v. Ohio*:

"... a search which is reasonable at its inception may violate the Fourth Amendment by virtue of its intolerable intensity and scope."¹²⁶

CONCLUSION

Terry v. Ohio and its progeny do not create a new category of searches and seizures. Undoubtedly, from the earliest days of our country, law enforcement officers have conducted brief stops of individuals to investigate suspicious activities, not because there was some specific statutory or constitutional language authorizing it, but because common sense suggested that it was a normal part of their duties to detect and prevent crime. The *Terry* case did two things: (1) It recognized that even apart from an arrest, police action which deprives a person of his freedom of movement—however temporary—is governed by the fourth amendment's pro-

The Exceptions to the Warrant Requirement of the Fourth Amendment

By Jeremy M. Miller

Introduction

The language of the Fourth Amendment contains two clauses—one demanding reasonableness in governmental search and seizure, and the other detailing the requirements of the warrant.¹ A growing body of exceptions to the warrant requirement have arisen which may threaten the integrity of the warrant clause, itself. Explication of these exceptions is the subject of this article.

Originally the United States Supreme Court interpreted the Fourth Amendment proscription against “unreasonable searches and seizures” in terms of property law.² That is, the amendment protected one’s properly rights in self, home, and belongings. Or, alternately put, the amendment prohibited trespass into one’s home or property. This interpretation was based on the traditional common law protections of the home and the English case *Entick v. Carrington*.³ Such interpretation was expressed in the 1921 case of *Gouled v. United States*⁴ and reiterated in the 1928 case of *Olmstead v. United States*.⁵

In *Olmstead* private conversations were intercepted by tapping of lines, but there was no physical trespass, and thus it was held that there was also no Fourth Amendment violation.⁶ This opinion was overruled in the 1967

case of *Katz v. United States*.⁷

In *Katz* under a similar fact pattern it was held that the Fourth Amendment was not limited by the law of property.⁸ That is, for Fourth Amendment violation, a physical trespass is not truly the issue. Justice Stewart wrote that the amendment protected people, not places.⁹ Justice Harlan, concurring, coined a new phrase which has replaced the actual language of the amendment in importance. He wrote that the amendment protects the individual’s “reasonable expectation of privacy.”¹⁰ Thus, from *Katz* onward, the issue became, regarding whether a search required a warrant, whether the aggrieved individual had a subjective expectation of privacy and whether society accepted his expectation as reasonable.¹¹ Defendant *Katz* has such privacy expectations in his private phone conversations and it was held that society deemed such expectation reasonable, so the interception was barred by the Fourth Amendment.¹²

The test was mixed subjective-objective. The test was subjective in its first query — did this individual believe he had privacy; and it was objective in its final query — was society prepared to accept his privacy in this area.

Katz drew strong dissent, most notably from Justice Black. He wrote in particular that eavesdropping was nothing new and was not intended the by Framers to be barred by the Fourth Amendment.¹³ He further wrote that the new interpretation of the old amendment might well turn out to be a limitation of its scope.¹³

Although it seems clear the Framers would have wished to bar unbridled electronic sur-

1. The Fourth Amendment reads: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizure, shall not be violated (clause 1 of the Amendment), and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized (clause 2).

2. See *Katz v. United States*, 389 U.S. 347, 350-53 (1967).

3. *Entick v. Carrington*, 95 Eng. Rep. 807 (K.B. 1765).

4. *Gouled v. United States*, 255 U.S. 298 (1921).

5. *Olmstead v. United States*, 277 U.S. 438 (1928).

6. *Id.* at 463-65.

7. *Katz*, 389 U.S. at 352-53.

8. *Id.* at 351.

9. *Id.* at 360 (Harlan, J., concurring).

10. *Id.* at 361 (Harlan, J., concurring).

11. *Id.* at 360-62 (Harlan, J., concurring).

12. *Id.* at 364-66 (Black, J., dissenting).

13. *Id.* at 373-74.

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veillance,¹⁴ it also seems clear that Black's forecast regarding the change of language has come to pass. In many instances, the "reasonable expectation of privacy" analysis has come to limit the amendment. For example, the majority of the Supreme Court (which calls itself "society"), perhaps wishing to end traffic abuse, found it "reasonable" to stop a car for a search without warrant. Although such trespass might well be forbidden under the old interpretation, it is *not*, as will be discussed, so long as there is probable cause, by the new.

As further illustration of this point, the high court has held there to be *no* reasonable expectation of privacy in bank depositor records;¹⁵ telephone company "pen registers" which record the telephone numbers *dialed* but do not record the phone conversations;¹⁶ in the tracking of a beeper so long as external visual surveillance could have accomplished the same result;¹⁷ and in the Vehicle Identification Number in automobiles, even though such may be obscured by personal belongings, so long as the auto was lawfully stopped.¹⁸

The above shows that the Burger Court used the reasonable expectation of privacy analysis to, in fact, limit the scope of Fourth Amendment protection — much as Justice Black predicted. In fact, people do have an expectation of privacy in bank records — or so Congress thought when enacting legislation against *Miller*.¹⁹ Further, the author of *Katz's* expectation of privacy analysis, Justice Stewart, deemed there to be such expectation in the phone numbers dialed, since they revealed almost as much as the content of the call itself (i.e., who one's associates are is often very telling), and thus dissented in the case — which ostensibly used his pioneering analysis.²⁰

14. The Framers of the U.S. Constitution were predominantly civil libertarians, and the Fourth Amendment, itself, was enacted to safeguard the sanctity of the home and as a backlash against English infringement on that. See generally S. Presser and J. Zainaldin, *Law and American History* 31-125 (1980).

15. See *United States v. Miller*, 425 U.S. 435 (1976).

16. See *Smith v. Maryland*, 442 U.S. 735 (1979).

17. See *United States v. Knotts*, 460 U.S. 276 (1983).

18. See *New York v. Class*, 106 S. Ct. 960 (1986).

19. See Right to Financial Privacy Act of 1978, Pub. L. No. 95-630, cited in Y. Kamisar, W. LaFave, J. Israel, *Modern Criminal Procedure* 253 n.b (5th ed. 1980).

20. *Smith*, 442 U.S. at 47-48. (Stewart, J., dissenting).

The present Supreme Court seems to be willing to limit Fourth Amendment protection not only by deeming there to be no subjective privacy expectation, but also by deeming the expectation itself to be unreasonable or illegitimate. At issue here is the query whether a person can legitimately expect privacy when, e.g., he is in even *private* possession of controlled substances. It is historically clear that the Framers meant Fourth Amendment procedural protections to extend to all, including the guilty,²¹ but some members of the present Supreme Court seem to disagree.

In the 1983 case of *Illinois v. Andreas*,²² the Court held the re-opening of a container (here a table) lawfully opened previously (by Customs agents) implicated no Fourth Amendment protection. Their reasoning was based primarily on the notion that there is no reasonable expectation of privacy in objects once opened absent a likelihood the contents have changed.²³ It was of no moment here that the re-opening occurred after the object came into the sole private possession of the accused, and that a period of time had elapsed.²⁴

The historical problem was, of course, how to adapt the old Fourth Amendment to a technology undreamed of by the Framers. Whether the change in analysis from trespass onto protected areas, to subjective and objective privacy expectations was helpful is moot. It has been done.

Thus, the issue whenever there was a search or seizure without warrant is whether the defendant had a reasonable (or legitimate) expectation of privacy? In using this formula of analysis, the Supreme Court has come to enunciate 13 (by this author's division) broad categories of exception to the warrant requirement. In each of these, there was found to be no reasonable expectation of privacy.

A listing method of using these exceptions will follow. It should be strongly noted that use of these exceptions does *not* require proof of their existence. That is to say for example, in using the so-called "automobile exception to the warrant requirement," one need *not* prove that there is a diminished expectation of

21. *Supra* note 14.

22. *Illinois v. Andreas*, 463 U.S. 765 (1983).

23. *Id.* at 772-73.

24. *Id.* at 773-82 (Brennan, J., dissenting).

privacy in automobiles. The U.S. Supreme Court has already done that. It is law. Instead one should just state that the exception exists and state, as well, its elements (search allowed where the auto is in public and there is probable cause of criminality).

Application of the Fourth Amendment To the States

In 1949 in *Wolf v. Colorado*,²⁵ a medical doctor was prosecuted for conspiracy to commit abortion based on the warrantless seizure of his medical records. He was convicted in Colorado, and his conviction was sustained by Justice Frankfurter writing for the U.S. Supreme Court. Two legal issues came to the fore. First, whether the federal Fourth Amendment was applicable to the states via the due process clause of the Fourteenth Amendment; and second, whether the federal exclusionary rule of *Weeks* was applicable to the states. The court held that due process included the Fourth Amendment, but also that due process did *not* include the exclusionary rule.²⁶

In the 1961 case of *Mapp v. Ohio*²⁷ the court reversed itself on the latter issue, holding that the exclusionary rule was an integral of the Fourth Amendment.²⁸ That is, it said that without the rule the Fourth Amendment would have no "teeth," would be mere unenforced guarantees. In *Mapp*, Cleveland police, without a warrant or probable cause, searched the house of a suspected prostitute and found obscene material. Ms. Mapp was convicted in the state court of an obscenity violation, but her conviction was overturned by the U.S. Supreme Court, in an opinion authored by Justice Clark. Conviction was overturned as a result of the newly required exclusion. Thus, the Fourth Amendment and its tacked-on exclusionary rule became fully applicable to the states via Fourteenth Amendment due process.

The Exceptions

A. Private Party

The first exception to be discussed to the warrant requirement is that of *private par-*

ties. The Constitution, including the amendments, protect against federal or state action only, not against the even unreasonable action of private individuals. Thus, a private individual, so long as he *is not acting in concert with the police*, may conduct an illegal search or seizure and then turn the fruits of this over to the police for use at criminal trial.

Further, the repetition of a private party's search by the government does not require a warrant. Thus when a private delivery firm opens a parcel, finds drugs, and then calls the police, the police can repeat the search and even expand upon it slightly. In *United States v. Jacobsen*²⁹ the government agent did just this. He reopened the package and took a bit of the drug for field testing. Such incidental expansion of the search was held to be within the private party exception. However, a great expansion of the private party's search would not be acceptable.

Thus, in *Walter v. United States*³⁰ the FBI's projection of private party externally examined obscene films was held to be too much of an expansion of the private party's search. It should be noted in passing, that *Walter preceded Jacobsen* and that some language, dictum, in *Jacobsen* indicated even gross expansion of the private party's search to be acceptable.³¹ The implication being that there is no "legitimate" (as opposed to reasonable) expectation of privacy in illegal substances. This analysis is tenuous, since it would allow warrantless searches in the home — or any where — even without exception, so long as the finding of illegal goods was the end result.

Such outcome-determinative test is beyond even the old common law and is unlikely to be adopted by a majority of the U.S. Supreme Court. The analysis is of moment, however, in that it show the reasonable (or now legitimate) expectation of privacy analysis to not necessarily expand *individual* rights in privacy. Reasonableness or legitimacy depends on what "society" says it is, regardless of the privacy subjectively expected. The analysis above also shows the increasing manifestation of the U.S. Supreme Court's desire to cut the

25. *Wolf v. Colorado*, 338 U.S. 25 (1949).

26. *Id.* at 27, 33

27. *Mapp v. Ohio*, 367 U.S. 643 (1961).

28. *Id.* at 655.

29. *United States v. Jacobsen*, 466 U.S. 109 (1984).

30. *Walter v. United States*, 447 U.S. 649 (1980).

31. *Jacobsen*, 466 U.S. at 122-26; at 126-31 (White, J., concurring); at 133-35 (Brennan, J., dissenting).

crime rate via socialist (as opposed to individualist) policies.

B. Consent

Consent is one of the most traditional and largest exceptions to the warrant requirement. It covers a great number of situations, and has been claimed to foster a significant amount of police perjury. In brief, a valid consent must be voluntary and can go only to that which was consented to, i.e., the search must be within the scope of the consent given.

In the 1973 case of *Schneckloth v. Bustamonte*³², the defendant, among others, was pulled over for a driving infraction. The officer requested the trunk be opened and it was, revealing stolen checks. At issue was whether the consent to search the trunk was valid.

The court held the search here to be valid. It enunciated a simple test regarding the validity of consent: voluntariness under the totality of the circumstances. In reaching this result, the Supreme Court reversed the U.S. Circuit Court of Appeals' ruling that the suspect must affirmatively and expressly be told he has the right to refuse for there to be a valid consent.³³

In the more recent case of *United States v. Mendenhall*,³⁴ to be discussed in more detail in the stop-and-frisk section to follow, the above holding was reiterated. Mendenhall was stopped on suspicion of drug trafficking. She was asked to accompany the drug agents to a special police search room. She was not told at this juncture that she could decline. Later, she was asked several times whether she would consent to a strip search and was then told she *could decline*. Her consents were deemed valid.³⁵ There was no initial requirement to tell her she could decline to come to the special room.

In the 1983 case of *Florida v. Royer*,³⁶ a suspect's license and airplane ticket were seized. He was further told by the government agents that he was suspected of being a drug trafficker. In *this* instance, because of the "show of official authority" and because the "average person would have believed he was

not free to leave," the Supreme Court held Royer's subsequent "consent" to search his luggage *involuntary*.³⁷

However, the posting of guards at the exit doors, and the questioning of workers regarding alien status at a factory setting, do not preclude *voluntary* answers to this questioning. Such was the situation in *Immigration and Naturalization Service v. Delgado*.³⁸ The accused's answers were used against him. In this case there was not an adequate "show of authority" to negate the voluntariness of the consent later given.

In *Bumper v. North Carolina*,³⁹ a 1968 case, the owner of a house allowed it to be searched based on the claim of a warrant. Since the warrant was never shown to exist, the court held that the search was *not* consensual. Voluntariness based on a show of police authority is not voluntariness at all. Conceivably, of course, in a given case, the claim of a non-existent warrant would not preclude a finding of voluntariness. E.g., if the accused stated, "I do not care whether you have a warrant or not. I want to be cleared. Please search!" it is likely the subsequent search would be deemed consensual.

Among the relevant factors regarding the voluntariness of the consent given are the following: Whether there was a showing of police authority; whether the suspect believed he was free to leave; whether the consent was given at the police station; whether the suspect was taken to the police or other government station; and whether the suspect was told he could refuse. As indicated above, obviously, "consent" given at police headquarters may not be fully voluntary.

In the 1974 case of *United States v. Matlock*,⁴⁰ the issue of whether a third party's consent can bind the defendant was argued. Matlock's room was searched by the police under the authority of consent given by Matlock's live-in lover.⁴¹ The consent was held valid. The court based this conclusion on the equal right of occupancy on the part of the third party; and that the defendant, in sharing

32. *Schneckloth v. Bustamonte*, 412 U.S. 218 (1973).

33. *Id.* at 226.

34. *United States v. Mendenhall*, 446 U.S. 544 (1980).

35. *Id.* at 557-58.

36. *Florida v. Royer*, 460 U.S. 491 (1983).

37. *Id.* at 501-7.

38. *Immigration and Naturalization Service v. Delgado*, 466 U.S. 210 (1984).

39. *Bumper v. North Carolina*, 391 U.S. 543, 548 (1968).

40. *United States v. Matlock*, 415 U.S. 164 (1974).

41. *Id.* at 166-67.

42. *Id.* at 169-71.

his premises, assumed the risk that the cohabitant would use the premises contrary to his desires.⁴² Such rule also obviously applies not only in dwellings, but also in effects, such as luggage, as was the case in *Frazier v. Cupp*.⁴³

However, where the defendant has the *sole right of possession* at the time of consent, the third party's consent is invalid. Such occurs, for example, where a landlord consents to the search of the tenant's premises,⁴⁴ or where a hotel consents to the search of a guest's room.⁴⁵

Analogously, "consent" is given to undercover police agents or informants to discover, record, and relay incriminating evidence to the police. In such situations, the Supreme Court has deemed the suspect to have *assumed the risk* by trusting the informant.

Thus in *Lewis v. United States*,⁴⁶ a 1966 case, an undercover agent was allowed to testify regarding a drug deal between himself and the defendant. Similarly, in *Hoffa v. United States*,⁴⁷ an informant who gained entry into the "inner circle" was allowed to testify as to what he heard the defendant say. The only recourse to such a defendant is either to deny the veracity of such an informant's testimony or to plead the affirmative defense of entrapment.

United States v. White,⁴⁸ a 1971 case, indicates the court's willingness not only to allow such informants or agents, but also to allow these informant/agents to record or broadcast the recording of conversations between the informant and the defendant. Even this recording and broadcasting poses no Fourth Amendment problem: It was consented to, because the suspect assumed this risk when he spoke to the informant.⁴⁹ Of course, an involuntary, *tortured* statement under otherwise similar circumstances would not be voluntary.

Under a similar rationale, one party's consent to allow the police to pick up an extension phone and listen, is valid consent. This was the

situation in *Rathbun v. United States*.⁵⁰ However, a non-consented-to bug of a multi-party line, as in *Lee v. Florida*,⁵¹ is non-consensual. In *Lee* none of the speaking parties consented to the eavesdropping.

C. Plain View

In the 1983 case of *Texas v. Brown*,⁵² a police officer stopped the defendant's car at a routine (and legal) license checkpoint. He shone a flashlight into the car and saw filled party balloons and a sprinkling of white powder. The officer seized the balloons and arrested the driver. As was obvious to him, the balloons contained heroin.

The case illustrates the requirements of the plain view exception to the warrant requirement — there must be: 1) lawful police positioning; 2) probable cause of criminality in the seized substance; and 3) inadvertent police discovery.⁵³ Here, the checkpoint was lawful, powdered and filled balloons indicate probable cause that heroin is in the balloons, and although there was a flashlight "search," it was not for drugs and was customary with such a checkpoint.

The rule was also explained in the 1971 case of *Coolidge v. New Hampshire*.⁵⁴ The court there mandated that searching police not look too closely at, for example, those objects not named in their warrant. For example, obscene films should be suppressed when the police search warrant was *only* for gambling materials, and the police *projected* the movies in order to discover their obscenity.⁵⁵ Such projection indicated the discovery not to be *inadvertent* as required by the third prong of the exception.⁵⁶

In *Washington v. Chrisman*,⁵⁷ when a police officer lawfully kept custody of the arrestee, right into the arrestee's room, he was privileged to seize drug paraphernalia in "plain view."⁵⁸ That is: 1) the officer was lawfully on the premises; 2) the paraphernalia was obviously illegal marijuana and marijuana pipe;

43. *Frazier v. Cupp*, 394 U.S. 731 (1969).

44. See, e.g., *Chapman v. United States*, 365 U.S. 610 (1961).

45. See, e.g., *Stoner v. California*, 376 U.S. 483 (1964).

46. *Lewis v. United States*, 385 U.S. 206 (1966).

47. *Hoffa v. United States*, 385 U.S. 293 (1966).

48. *United States v. White*, 401 U.S. 745 (1971).

49. *Id.* at 749, 752.

50. *Rathbun v. United States*, 355 U.S. 107 (1957).

51. *Lee v. Florida*, 392 U.S. 378 (1968).

52. *Texas v. Brown*, 460 U.S. 730 (1983).

53. *Id.* at 736-37.

54. *Collidge v. New Hampshire*, 403 U.S. 443 (1971).

55. Cf. *Stanley v. Georgia*, 394 U.S. 557 (1969) (where reversal was mandated, instead, on First Amendment grounds).

56. *Id.* at 571-72 (Stewart, J., concurring).

57. *Washington v. Chrisman*, 455 U.S. 1 (1982).

58. *Id.* at 8-9.

and 3) his spotting the drug was "inadvertent." This and the other recent cases indicate a de-emphasis of this third prong.

Inadvertence does not mean the officer must keep his eyes to himself. It likely means instead that he cannot physically take apart objects in his presence. Alternately put, inadvertence is to be judged *not* by his *intent* rather more by his "lawful positioning."

D. Open Fields

In the 1924 case of *Hester v. United States*,⁵⁹ the Supreme Court ruled that a search of open fields did not violate the Fourth Amendment. This rationale was used in *Air Pollution Variance Board v. Western Alfalfa Corp.*⁶⁰ in 1974 to allow the examination of air pollution even though such examination involved a trespass onto grounds of the defendant.

In the 1984 case of *Oliver v. United States*⁶¹ the court again reiterated the validity of this exception to the warrant requirement. Here, in a wooded and secluded area, officers climbed over a fence and disregarded "no trespassing" signs to discover illegal marijuana. The court held there to be no legitimate expectation of privacy in the open fields.⁶²

Use of this exception does not require probable cause, does not require that the land be a field (mountains are acceptable), does not truly require openness (wooded areas also fall into this exception), and surprisingly also permits aerial search of areas immediately surrounding the *house*, i.e., the curtilage. Although the curtilage has traditionally been defined as the area touching and surrounding the home, the importance of this distinction is decreasing.

Recently, the U.S. Supreme Court has undercut the common law understanding that the curtilage is part of the home. In *California v. Ciraolo*,⁶³ a 1986 case, an anonymous tip was received by the police that the defendant was growing marijuana in his fenced-in suburban back yard. Without warrant, but in public airways, from a height of 1,000 feet, the police viewed the backyard. Naked eye surveillance

indicated there to be marijuana. A photograph was also taken, but was held not necessary. A warrant was then obtained which relied on this evidence.

In reasoning this police behavior to be acceptable the court, through Chief Justice Burger, indicated there to be no reasonable expectation of privacy in one's back yard when it was visible by naked eye surveillance from public airways. In essence the court held a back yard to be an open field.

E. Exigent Circumstances

One of the more traditional exceptions to the warrant requirement occurs where there is probable cause of criminality and an exigency. Many of the other recognized exceptions are based on this exception. For example, the automobile exception, search incident to arrest, and stop and frisk are derived from the exigent circumstances exception.

The fact pattern most often arises in an emergency situation. As for probable cause, this is a question of fact and degree. As for the exigency itself, there are several factors relevant to the inquiry.

For example, continuous hot pursuit of a fleeing suspect will give rise to this exception so long as the police have probable cause that a crime was committed. Thus, in *Warden v. Hayden*,⁶⁴ a 1967 case, police were authorized to enter the domicile of a robbery suspect and to search for him. The pursuit was "hot" — they were behind the suspect by only *five minutes*.⁶⁵

However, pursuit is not "hot" where a drunken driving suspect abandons his car, walks home, and gets into bed *prior* to the police pursuit of him. Such was the situation in *Welsh v. Wisconsin*,⁶⁶ a 1984 case.

At issue in the inquiry of "hot pursuit" is whether the police pursuit was continuous (not so in *Welsh*), how much time passed until the police apprehended the suspect, and whether the suspect came to a "position of rest" prior to police arrest.⁶⁷ The key inquiry is *not* time, however, but rather the *continuity* of the police pursuit.

Another factor to be considered in the analy-

⁵⁹*Hester v. United States*, 265 U.S. 57 (1924).

⁶⁰*Air Pollution Variance Board v. Western Alfalfa Corp.*, 416 U.S. 861 (1974).

⁶¹*Oliver v. United States*, 466 U.S. 170 (1984).

⁶²*Id.* at 1738-40

⁶³See *California v. Ciraolo*, 106 S. Ct. 1809 (1986).

⁶⁴*Warden v. Hayden*, 387 U.S. 294 (1967).

⁶⁵*Id.* at 297-99.

⁶⁶*Welsh v. Wisconsin*, 466 U.S. 740 (1984).

⁶⁷*Id.* at 748-53.

sis of whether the circumstance was truly exigent is whether there is an imminent threat to the public. Thus, although there would likely be such public danger when searching for a murderer or assassin, there would be no such imminent threat at the scene of an already completed homicide (absent other exigencies). The latter situation occurred in *Mincey v. Arizona*⁶⁸ (there is no homicide scene exception to the warrant requirement).

Further, although the imminent destruction of evidence is definitely a factor in the inquiry, the case law seems to indicate such factor is not paramount. Thus in *Welsh*, the mere fact that the drunken driver's blood alcohol was ever-decreasing did not, in itself, supply the exigency for the warrantless search and seizure. However, in the situation where the drunken driver is already under arrest, as in *Schmerber v. California*,⁶⁹ this exception did allow the blood-taking, especially when coupled with another exception, the search incident to arrest exception.⁷⁰

*Vale v. Louisiana*⁷¹ indicates that the possible imminent destruction of narcotics in the home did not allow a warrantless search of the home based on a lawful arrest of the suspect on the street in front of his home. (In such situation the sequestering of the home while applying for a warrant, as in *Segura v. United States*⁷² is the preferred procedure.) In *Cupp v. Murphy*,⁷³ however, fingernail scrapings were allowed based on the evanescence of such evidence. In *Cupp*, however, the defendant was at the police station and already under *de facto* arrest. Also, the evidence was in conjunction with a serious crime, a criminal homicide.⁷⁴ In conclusion regarding the evanescence of the evidence, it should not be treated as a factor sufficient to show exigency, if standing *by itself*.

Another factor, implied above, is the seriousness of the crime. Thus, for example, in *Welsh* the crime was not even a true crime in Wisconsin, but rather a civil offense.⁷⁵ In such

an instance this factor militates against allowing the use of the exception.

The final factor is the degree of intrusion (i.e., search or seizure) necessary. Of particular relevance here is whether the search or seizure was in the home. As stated many times previously, the Fourth Amendment by its very language and tradition as well as current interpretation gives the highest degree of protection against intrusion into the home. This important factor explains many of the above-cited cases where the exigent circumstances exception was not allowed.

F. Automobile Exception

Few areas in criminal procedure better illustrate the vacillations of the Supreme Court. Presently, however, the auto exception is relatively straightforward.

The rationalization for the exception is twofold. First, since automobiles, by their nature, move quickly, there is an exigency created. That is to say, if the search or seizure is not then accomplished, it will never be. Second, it has been reasoned that there is a diminished expectation of privacy in automobiles because they are used in public and are highly regulated. Although this latter notion may not comport with common sense, it has stuck.

The present leading case on the auto exception is *United States v. Ross*,⁷⁶ a 1982 pronouncement authored by Justice Stevens. The facts were straightforward. Based in part on an informant's tip, police stopped Ross' car and after arresting him on a drug charge went through the trunk of his car, finding a closed paper bag containing heroin and a zippered leather pouch containing \$3,200 in cash. He was convicted of possession of heroin with intent to distribute.⁷⁷ The bag, obviously, indicated the possession, and the hard cash indicated a drug deal, i.e., the specific intent element of this crime. The Supreme Court held that the use of all that evidence was acceptable as under the auto exception. In particular, the court held that the auto exception allows searches of those parts of the automobile where there is probable cause of criminality.⁷⁸ Thus, as practical a matter, the true holding

68. *Mincey v. Arizona*, 437 U.S. 385 (1978).

69. *Schmerber v. California*, 384 U.S. 757 (1966).

70. *Id.* at 770-71.

71. *Vale v. Louisiana*, 399 U.S. 30 (1970).

72. *Segura v. United States*, 104 S. Ct. 3380 (1984).

73. *Cupp v. Murphy*, 412 U.S. 291 (1973).

74. *Id.* at 293-96.

75. *Welsh*, 466 U.S. at 753.

76. *United States v. Ross*, 456 U.S. 798 (1982).

77. *Id.* at 800-02.

78. *Id.* at 821-24.

was that once there is probable cause of criminality in the car, the whole car can be searched.

In reaching this result the high court felt not little remorse — they distinguished a whole line of previous cases which prohibited the search of closed containers in the auto (because there was thought to be a greater expectation of privacy in a closed container).

Further, the court was hampered by two of its own recent decisions, *United States v. Chadwick*⁷⁹ and *Arkansas v. Sanders*.⁸⁰ They reinterpreted these cases as not prohibiting the search of closed luggage in the trunk of an auto, but rather as not relevant to the auto exception. In both of these cases the luggage was observed by police who had probable cause of criminality, prior to the luggage being put in the car.⁸¹ The court thus reasoned that the automobile was not the issue.

It is true that a piece of luggage not associated with an auto, even with probable cause of criminality, does not allow a police seizure and search without warrant. There is no "public place exception." However, once the object is put into a car, it seems absurd to draw a distinction. It may be that the auto exception is a fiction itself: 1) it creates no greater exigency, and 2) there is a high privacy expectation in one's own car. However, the distinction drawn in *Ross* can only cause confusion. As the 1985 case *United States v. Johns*⁸² indicates, it is most likely that *Chadwick* and *Sanders* will be swept soon entirely under the rug. That is to say, there will be given a choice as to which rule to apply: *Ross* or *Sanders*. The choice depends on whether the police had probable cause prior to the package being put into the car. With amorphous facts, as in *Johns*,⁸³ the Supreme Court will likely opt for the *Ross* rule, as they did in *Johns*.

The Supreme Court has tackled several related issues. Most importantly, in order to invoke the auto exception, must there not only be probable cause, but must also the auto be in public?

79. *United States v. Chadwick*, 433 U.S. 1 (1977).

80. *Arkansas v. Sanders*, 442 U.S. 753 (1979).

81. *Ross*, 456 U.S. at 811-14.

82. *United States v. Johns*, 105 S. Ct. 881 (1985).

83. *Id.* at 883.

84. *Coolidge v. New Hampshire*, 403 U.S. 443 (1971).

85. *Id.*

In the 1971 plurality opinion of *Coolidge v. New Hampshire*,⁸⁴ the fruits of a search of autos seized from a person's home were suppressed.⁸⁵ That indicates the auto exception requires the auto be in public.

In *Cardwell v. Lewis*⁸⁶ and *California v. Carney*⁸⁷ autos searched in public parking lots were held to fall within the ambit of the exception. However, in *Johns* the seizure was on private property.⁸⁸ The court, however, did not emphasize this factor.⁸⁹

Thus, although unclear, it seems the future of the law here will not require the auto be in public — so long as the auto is not within the curtilage of the home. This would be in keeping with the traditional great protection given the home.

*Colorado v. Bannister*⁹⁰ and *Texas v. White*⁹¹ stand for the obvious proposition that probable cause to search the auto can occur not only before the auto is stopped, but also after the auto is stopped. Thus, for example, if a car is stopped for speeding and the officer sees marijuana seeds on the floor of the car, he can search the whole car for drugs.

*Michigan v. Thomas*⁹² and *Florida v. Meyers*⁹³ stand for the similarly obvious proposition that the auto exception allows search of the auto even after the auto has been impounded by the police. In such instance, incidentally, the inventory exception, *infra*, would overlap and allow the same result.

In *California v. Carney*⁹⁴ police searched a fully mobile motor home in a public lot after receiving corroboration of a tip that its owner was trading drugs for illicit sex with minors. The court held that fully mobile (not hooked up) motor homes in public parking lots fell within the auto exception.⁹⁵ This result would likely differ were the motor home not mobile.⁹⁶ *Carney* thus, among other things, likely

86. *Cardwell v. Lewis*, 417 U.S. 583 (1974).

87. *California v. Carney*, 105 S. Ct. 2066 (1985).

88. *Johns*, 105 S. Ct. at 883.

89. *Id.*

90. *Colorado v. Bannister*, 449 U.S. 1 (1980).

91. *Texas v. White*, 423 U.S. 67 (1975).

92. *Michigan v. Thomas*, 485 U.S. 259 (1982).

93. *Florida v. Meyers*, 466 U.S. 388 (1984).

94. *California v. Carney*, 105 S. Ct. 2066 (1985).

95. *Id.* at 2070.

96. Dictum in the case implied as much, 105 S. Ct. at 2070. Moreover, logic dictates that a motor home hooked up to propane and on cinder blocks is not an automobile.

97. *Chimel v. California*, 395 U.S. 752 (1967).

signals that the "auto" exception will be applied to all motorized vehicles.

G. Search Incident to Arrest

The 1969 case of *Chimel v. California*⁹⁷ set forth the still present law here. The police went to the house of Chimel armed with an arrest warrant on a charge of a non-residential burglary. Chimel was not home. His wife let the officers in. Without consent the officers rifled through all of Chimel's home (e.g., attic, closed drawers, etc.) and found incriminating evidence of the suspected crime. The Supreme Court mandated exclusion of the discovered evidence⁹⁸ and thus limited the search incident to arrest exception.

They held the exception to allow *only* the search of the arrestee and objects within the immediate area of control⁹⁹ of the arrestee. The reason for the exception was solely to allow the police to protect themselves from dangerous instrumentalities.¹⁰⁰ The reason was *not* to allow a "free" search without a search warrant.

Lower courts have interpreted the "area of control" broadly, nevertheless *Chimel* does limit the scope of this exception. Thus, although the search of the arrestee's person and the room he is in would likely be acceptable, the search of other rooms he is not in would not.

Obviously the search incident to arrest exception does not need an arrest warrant to be used; any lawful arrest will suffice. Further and also obviously, the exception applies wherever there is an arrest. Thus in *New York v. Belton*¹⁰¹ a lawful arrest based first on a traffic offense and then on a marijuana violation, allowed search of the *passenger compartment* of the arrestee's automobile (where, in this case, was found illegal cocaine). The Supreme Court reasoned that the passenger compartment (including all packages within it) was under the arrestee's control.¹⁰² The trunk of the car is likely not within the area of control.

Belton is not an auto exception case. Its rule is simple: a search incident to arrest extends

to search of the passenger compartment of the arrested motorist's car.

The reason for creating this exception was to protect the arresting officers from attack by the arrestee, i.e., to confiscate possible weapons of the arrestee. It may thus be asked, *must* the search incident to arrest be confined to *just* that purpose, i.e., the discovery of weapons?

As is so often the case with Supreme Court jurisprudence, the initial reason for creating a rule is later overshadowed by the new rule itself.¹⁰³ In the instant case, for example it is very clear that the search incident to arrest is *not* limited to just discovering weapons. Its only limitation is that it cannot go beyond the area of the arrestee's control.

For example, in *United States v. Robinson*,¹⁰⁴ a 1973 case authored by Justice Rehnquist, the accused was arrested for a motor vehicle registration crime. The officer, in a search incident to that arrest, discovered heroin. The officer went on record that he had no fear for safety and also that he did not believe he was even searching for weapons. Nevertheless, the court held the search and use of its fruits permissible.¹⁰⁵

Other cases indicate more obvious points: The search "incident" to arrest may also occur *subsequent* to arrest — even at the police station, as in *United States v. Edwards*.¹⁰⁶ This situation is also covered by the inventory exception, *infra*. Further, even the taking of a blood sample, for blood-alcohol test purposes, can be classified as a search incident to arrest.¹⁰⁷ Finally, the search incident to arrest may occur *prior* to arrest, if at the time of the search there was probable cause to arrest and there was a *de facto* arrest. On this latter point, in *Cupp v. Murphy*,¹⁰⁸ the suspect appeared at the police station with blood on his fingers. He was requested to appear regarding the strangulation homicide of his wife. The search was allowed, using the search incident exception in conjunction with the exigent cir-

¹⁰³ See generally J. Stone, *Legal System and Lawyers' Reasonings* (1964), where this process of dilution of precedent is discussed in detail.

¹⁰⁴ *United States v. Robinson*, 414 U.S. 218 (1973).

¹⁰⁵ *Id.* at 236.

¹⁰⁶ *United States v. Edwards*, 415 U.S. 800 (1974).

¹⁰⁷ See *Schmerber v. California*, 384 U.S. 757, 769 (1966).

¹⁰⁸ *Cupp v. Murphy*, 412 U.S. 291 (1973).

¹⁰⁹ *Id.* at 295-96.

⁹⁸ *Id.* at 753-54, 768.

⁹⁹ *Id.* at 762-63.

¹⁰⁰ *Id.* at 763.

¹⁰¹ *New York v. Belton*, 453 U.S. 454 (1981).

¹⁰² *Id.* at 462-63.

cumstances exception. The formal arrest did not occur until several weeks later.¹⁰⁹

H. Inventory Exception

In several lawful ways, the police may gain possession of objects. In *South Dakota v. Opperman*,¹¹⁰ for example, a 1976 case written by Chief Justice Burger, an automobile was towed to a city impoundment lot due to two parking violations. Pursuant to standard procedures, the police searched or "inventoried" the contents of the car and found marijuana in the glove compartment. Via use of this evidence the defendant was found guilty of a drug violation and moved to suppress this evidence. The Supreme Court held the evidence could be used at trial.¹¹¹

*Cady v. Dombrowski*¹¹² indicated that such inventory search neither required probable cause nor required that the car be in a police or public lot. In *Cady* the car was towed by the police to a private lot, and again searched pursuant to standard procedures.

In *Illinois v. Lafayette*,¹¹³ a 1983 case authored by Chief Justice Burger, at issue was whether not only cars could be inventoried, but also whether other effects could be searched. Here, the shoulder bag of an arrestee was searched at the police station and illegal amphetamine drugs were found.¹¹⁴ The court held such search to fall under the inventory exception, and reasoned as follows:

Inventory searches prevent allegations of theft by the accused who had his possessions taken; further they prevent actual theft or loss of the property; moreover, such inventory procedure prevents dangerous instrumentalities from coming into police headquarters. For example, on this latter point, the court cited the potential for weapons, drugs, razor blades, or even bombs to slip into the police station or jail were there not a standard inventory procedure.¹¹⁵

The inventory exception requires therefore 1) that the object be validly in police possession, and 2) that their search of it was via standard operating procedure. Should there

ever arise a case where the police admit that the inventorying of a particular object was *not* a standard operation procedure, it is likely the Supreme Court will do away with this second requirement. The most important element of the exception (arguably the only element) is simply that the police have lawful possession of the object. It should be noted that neither probable cause, nor even reasonable suspicion of danger or criminality are required to use this exception to the warrant requirement.

I. Pretrial Detainee and Prisoner Exception

Where an individual finds himself in jail (serving sentence; or awaiting trial, indictment, or sentencing) he has a diminished expectation of privacy. The subjective privacy expectation decreases once one finds oneself incarcerated. Further, it is unreasonable to expect privacy in this kind of setting — institutional security demands searches and the probability of criminal conduct makes such searches reasonable or fair.

Thus, in *Hudson v. Palmer*¹¹⁶ the U.S. Supreme Court held prisoners to have no Fourth Amendment right to privacy in their effects. The earlier case of *Bell v. Wolfish*¹¹⁷ indicated that this diminished expectation of privacy applied not only to the possessions of prisoners, but also to their bodies. Strip and body cavity searches were held permissible. Of course these must be somewhat reasonable. In *Bell v. Wolfish* the searches occurred only after outside contact visits.¹¹⁸

However, if ever one of these searches were done excessively or unreasonably, it is highly unlikely that the Supreme Court would hold there to be a Fourth Amendment issue. Rather, the Eighth Amendment cruel and unusual punishment clause might bar such prison guard behavior, or perhaps Fifth Amendment or Fourteenth Amendment general due process would prohibit this kind of harassment. One is on firm ground when stating that no probable cause, no reasonable suspicion, and no regularity are required by the Fourth Amendment regarding searches of those in jail. This exception is *broad*.

110. *South Dakota v. Opperman*, 428 U.S. 364 (1976).

111. *Id.* at 366-67.

112. *Cady v. Dombrowski*, 413 U.S. 433, 435-37, 443 (1973).

113. *Illinois v. Lafayette*, 462 U.S. 640 (1983).

114. *Id.* at 641-42.

115. *Id.* at 646.

116. *Hudson v. Palmer*, 104 S. Ct. 3194 (1984).

117. *Bell v. Wolfish*, 441 U.S. 520 (1979).

118. *Id.* at 558-60.

J. Administrative Exception

In certain instances searches are allowed by other than a police officer. These searches are administrative in nature. They are sometimes via administrative warrant and sometimes without such warrant. An administrative warrant is issued by a magistrate but does not generally require probable cause of criminality of an individual. As such, they are "administrative" in nature and with or without administrative warrant, are deemed to be an exception to the warrant requirement.

The issue is easy to spot. In this area, the search is by other than the police, FBI, or DEA. For example, the search might be by welfare inspectors, or fire inspectors, or occupational safety inspectors, etc. Generally IRS workers are considered close enough to law enforcement to require a traditional warrant, particularly where entering the home or office as was the case in *G.M. Leasing Corp. v. United States*.¹¹⁹

The 1967 case of *Camara v. Municipal Court*¹²⁰ indicated the acceptability of administrative searches is to be judged by balancing the public interest versus the individual's private interest. In particular, in *Camara*, the policy of disallowing in-home forced administrative searches was promulgated.¹²¹ Thus, a penalty associated with the denial of allowing such search was overturned by the Supreme Court.¹²² However, the high court reached the opposite result in *Wyman v. James*,¹²³ where welfare benefits were terminated based on the refusal to allow an in-home search.

Protection of the privacy of the home explained the 1984 case of *Michigan v. Clifford*.¹²⁴ Here, the fruit of a non-exigent fire inspection of a home was suppressed — even though the fire department had previously put out the fire, and even though there was suspected arson. However, inspection by firefighters immediately after putting out the fire does not require a warrant. Such latter situation was the rule in *Michigan v. Tyler*.¹²⁵

119. *G.M. Leasing Corp. v. United States*, 429 U.S. 338 (1977).

120. *Camara v. Municipal Court*, 387 U.S. 523, 533 (1967).

121. *Id.* at 540.

122. *Id.*

123. *Wyman v. James*, 400 U.S. 309 (1971).

124. *Michigan v. Clifford*, 104 S. Ct. 641 (1984).

125. *Michigan v. Tyler*, 436 U.S. 499 (1978).

126. *United States v. Briswell*, 406 U.S. 311 (1972).

Less protection is given regarding an administrative search of the place of business. Thus in *United States v. Biswell*¹²⁶ a search of a gun dealer's business was allowed — particularly when consent to such search was a condition of doing this kind of business. However, this case should not be read to indicate a broad business exception. Pervasive regulation of the business and danger to the workers are generally required, as *Marshall v. Barlow's Inc.*¹²⁷ indicates, particularly when the search is of non-public areas of the business. Similar to *Biswell* was the case of *Donovan v. Dewey*,¹²⁸ where a warrantless administrative inspection of mines was allowed. The reasons for allowing were the health of the workers, equal manner of enforcement on other mines, and that such inspection could be refused.¹²⁹

The recent case, *Dow Chemical Co., v. United States*, allowed sophisticated aerial surveillance and photographing of a chemical business by the Environmental Protection Agency (EPA). Dow had refused on-site inspection to monitor compliance with air pollution regulations. The EPA then used the above procedure. Dow sought an injunction, which was denied. In reaching this result the Supreme Court categorized the flight and photography as *not* search, and made reference to the previous jurisprudence, that there is a decreased privacy protection at business.¹³⁰ It is likely that the earlier case, *Colonnade Catering Corp. v. United States*,¹³¹ which indicated *forcible* administrative searches to be more suspect, is still good law.

In summary, the existence of the following factors indicate a likelihood that the administrative search will be legal: pervasive regulation of the business; danger to the workers in the business; danger to the public from the business; other public interest; the goal of such search not to be criminal prosecution but rather, e.g., safety of the public; no penalty for refusal to search; and no or diminished expectation of privacy in the area of the business searched.

127. *Marshall v. Barlow's Inc.*, 436 U.S. 307 (1978).

128. *Donovan v. Dewey*, 452 U.S. 594 (1981).

129. *Id.* at 598-606.

130. *Dow Chemical Co. v. United States*, 106 S. Ct. 1819, 1826 (1988).

131. *Colonnade Catering Corp. v. United States*, 397 U.S. 72 (1970).

The factors indicating a likelihood of unconstitutionality of the administrative search procedure are: a significant privacy interest, e.g., the search is in the home; a penalty associated with refusal; and the business to be searched poses no exceptional health danger to the workers or public.

K. Border Exception

The sovereign has a blanket right to protect its international borders. Thus, as pronounced in *Carroll v. United States*,¹³² neither warrant nor probable cause is required for a routine border search. Such blanket right includes the inspection of incoming foreign mail for narcotics, especially when the mail is not read as in *United States v. Ramsey*,¹³³ and also includes the inspection of incoming airplanes and travelers.

Further, under *United States v. Villamonte-Marquez*¹³⁴ it was made clear that this exception applies to the situation where customs officers board a vessel in territorial waters to check documents. In *Villamonte-Marquez* marijuana discovered in plain view after this legal border search was held admissible.

The query arises, how much of a search may customs officers perform on the incoming traveler? That is, does the blanket right extend only to effects or does it also extend to the person? In *United States v. Montoya de Hernandez*¹³⁵ much of the above inquiry was answered. Certainly, the right to inspect effects is unlimited. *Montoya de Hernandez* indicated certain detentions of the person are also acceptable.

Hernandez matched a drug smuggler profile. She arrived from Bogata with only cash, with few personal belongings, and with no specific destination. Custom agents therefore believed she was a "balloon swallower" — one who smuggled drugs by swallowing them in small balloons. For this reason, they detained her so as to monitor her bowel movements. The detention lasted 16 hours. Only then was court approval requested and obtained so as to

surgically inspect her body. Eventually it was learned that the defendant had smuggled 88 cocaine balloons in her alimentary canal.¹³⁶

The Supreme Court opinion, authored by Justice Rehnquist, reached only the narrow issue of whether detention at the international border was acceptable when there was *reasonable suspicion* of alimentary canal smuggling. They held it was. Interestingly, the high court refused to require the more stringent probable cause standard. The following section, incidentally, will discuss these two evidentiary standards in more detail.

In reaching this result, although the holding was narrow, the court gave likely answers to several previously open questions. It now appears likely that whenever there is reasonable suspicion of any illegal smuggling (or any crime) the traveler can be held for a reasonable amount of time to investigate that objective suspicion. It also seems likely that strip and body cavity searches could also be required just on this basis. Mere patdown searches at the international border likely need no quantum of suspicion whatsoever.

A different legal situation arises somewhat removed from the border. In order to protect the U.S. from the illegal flow of aliens, border patrol agents often search not only at the international border, but also somewhat inland, via use of so-called "roving patrols." In *United States v. Brignoni-Ponce*¹³⁷ the court held such stops based on roving patrols permissible so long as there was reasonable suspicion (an objective evidentiary standard indicating some articulable objective suspicion short of probable cause) of criminal activity (e.g., smuggling of contraband or aliens).

A final situation occurs which may be even further removed from the international border. In the so-called "fixed checkpoint," cars are forced to stop at a roadblock. *United States v. Martinez-Fuerte* indicated such fixed checkpoints to be constitutional so long as their application was non-arbitrary. Thus, not even reasonable suspicion is required for such a practice. Further, *Martinez-Fuerte* indicated that it was permissible to "siphon" any

132. *Carroll v. United States*, 267 U.S. 132 (1925).

133. *United States v. Ramsey*, 431 U.S. 606 (1977).

134. *United States v. Villamonte-Marquez*, 462 U.S. 579, 580-583 (1983).

135. *United States v. Montoya de Hernandez*, — U.S. — (1986).

136. *Id.* at —.

137. *United States v. Brignoni-Ponce*, 422 U.S. 873, 880 (1975).

138. *United States v. Martinez-Fuerte*, 428 U.S. 543, 563 (1976).

motorist to a secondary inspection area without a further showing of even reasonable suspicion — so long as all cars were initially stopped.¹³⁸

It is likely that similar fixed checkpoints can be applied far inland, as well, if there is a strong public interest, e.g., in sobriety testing on holiday evenings. It is also likely that any non-arbitrary application of the checkpoint would be acceptable. e.g., the stopping of every 10th car. However, *Delaware v. Prouse* indicates any other stop to require reasonable suspicion.¹³⁹

Stop and Frisk

There is a special kind of seizure which is considered to be legally *less* than a full arrest. In the so-called "stop," a person suspected of criminal activity (past, present, or future) is stopped and questioned by the police. Since this stop is a *seizure* of the person (although limited in its scope and duration) the Fourth Amendment comes into play. The U.S. Supreme Court has held, however, that certain stops and also "frisks" do not require either a search or arrest warrant.¹⁴⁰ "Stop and frisk" is therefore an exception, perhaps the most important exception,¹⁴¹ to the warrant requirement of the Fourth Amendment.¹⁴²

The practice of the several states in the earlier part of this century was to allow a stop and frisk of a person suspected of criminal activity without requiring that there be probable cause. In the 1940's, derivatives of the Uniform Arrest Act allowed a "stop and frisk" based on just reasonable suspicion.¹⁴³ Other subsequent acts allowed a similar intrusion.¹⁴⁴ It was not until 1968 that the Supreme Court addressed the issue. In the years subsequent, there has developed a significant body of "stop and frisk" jurisprudence.

In the hallmark 1968 case, *Terry v. Ohio*,¹⁴⁵

¹³⁹*Delaware v. Prouse*, 440 U.S. 648 (1979).

¹⁴⁰Of course, however, the warrant process would be preferable. See e.g., *United States v. Leon*, 104 S. Ct. 3405 (1984).

¹⁴¹As will be evidenced, the High Court has devoted considerable attention to this exception.

¹⁴²As always, reference to the Fourth Amendment includes reference to the Fourteenth Amendment due process clause.

¹⁴³C. Whitebread, *Criminal Procedure* 172 (1980) (hereinafter cited as Whitebread).

¹⁴⁴*Id.*

¹⁴⁵*Terry v. Ohio*, 392 U.S. 1 (1968).

the court first gave notice of the existence of this exception to the warrant requirement. In *Terry*, authored by Chief Justice Warren, a police officer witnessed three men behaving suspiciously. They walked in front of a jewelry store window about 12 times. As a result of this action and their talking, the officer believed they were "casing" the store for a possible robbery. The officer stopped the men, asked them their names, and after receiving no response to his questions, patted them down. This pat-down "frisk" revealed illegally concealed weapons. Terry was convicted of that offense and appealed on the basis that both the stop and frisk were illegal and therefore that the fruit of the frisk, the weapon, should have been suppressed.¹⁴⁶

The high court held that the stop was predicated on reasonable suspicion and was thus acceptable. The reasonable suspicion was based on the "casing" of the store. Further, there was *reasonable suspicion* to frisk: If it were a robbery in the making, weapons may have been necessary, and, there was a "suspicious" response to the officer's query as to their names. The court characterized the stop and frisk as a seizure and search, respectively, but held them to be limited legitimate exceptions to the warrant requirement. It noted that there must be an objective basis for the stop and frisk, but also noted that the reasonable suspicion requirement was a lesser standard than probable cause. That is, "reasonable suspicion" does *not* require the likelihood of criminal activity. It only requires that there be some chance of such criminality — so long as this chance is based on objective criteria, not just on "gut" hunches.¹⁴⁷

In the more recent case of *United States v.*

¹⁴⁶The "fruit" (derivative evidence) of illegally obtained evidence is, generally, itself deemed inadmissible. See *Silverthorn Lumber Company v. United States*, 251 U.S. 385 (1920). It is inadmissible because it is the product of improper government conduct contrary to the requirements of the Fourth Amendment and therefore "tainted." The exclusionary rule requires suppression of such evidence. See *Mapp v. Ohio*, 367 U.S. 643 (1961).

¹⁴⁷*Terry*, 392 U.S. at 21.

¹⁴⁸See, e.g., *United States v. Cortez*, 449 U.S. 411 (1961). Border Patrol officers stopped a camper on a stake-out, looking for a person who had led illegal aliens over the border. Sufficient facts led to the inference that the person would be making a rendezvous on the night Cortez was arrested for transporting illegal aliens in a similar manner.

¹⁴⁹*Id.* at 417-18.

Cortez,¹⁴⁸ the court made it clear that the way one adjudges "reasonable suspicion" is not to be legalistic. Reasonable suspicion is to be judged in a common sense manner, via the totality of the circumstances.¹⁴⁹ The fear of the

Cortez court was that reasonable suspicion would become a difficult concept for the officer in the field to fathom. Thus it was reiterated, so as also to shield reasonable police stops and frisks from later court unfavorable review, that "reasonable suspicion" was a pragmatic — not an academic or technical — requirement. Nevertheless, of course, the reasonable suspicion must be "particularized," that is, it must concert the *individual* who is so stopped.¹⁵⁰

Can a "stop" be made based on the reasonable suspicion that the suspect has already committed a crime some time ago? In *United States v. Hensley*¹⁵¹, Justice O'Connor, for the majority, answered "yes". At least in the situation where there was a felony, a "stop" can be made based on objective criteria (e.g., as here, a flyer or police bulletin) — even though the crime occurred some time ago. *Hensley* stands for the proposition that a stop can be made when there is reasonable suspicion of not only present or imminent crime, but also, of *past* crime. It is an open question when the past crime is merely a misdemeanor. *Hensley* and the cases to follow are not entirely consistent with the underlying rationales of *Terry* (i.e., that the exception applies only under limited and exigent circumstances).¹⁵²

In *United States v. Sharpe*,¹⁵³ the Supreme Court considered the question of how long a person may be held pursuant to a *Terry* stop. In this 1985 case, two cars were eventually pulled over based on suspicion of drug trafficking. One of the cars tried to evade the pull-over. When all was in order, including the retention of back-up police, one suspect was detained for over 20 minutes. Chief Justice Burger, for the court, held that under these circumstances the 20 minute stop was not unreasonable. Although *Terry* stops of persons should generally be of short duration, a 20 minute stop is acceptable where such is rea-

sonable. This stop was reasonable because it was based in part on the suspect's own culpable actions of evasion, and the other factors (the logistics of dealing with two suspected cars and the retaining of back-ups) were found to be reasonable.¹⁵⁴

Thus, *Terry* stops generally should be of brief duration (a few minutes) but may be longer when, under all the circumstances, the detention was reasonable.

In *Michigan v. Summers*,¹⁵⁵ the court pronounced that the occupant of a home may be detained in the home (even if he is on the steps of the home in the process of leaving) so long as there is a valid warrant to search that home. The case is relevant not only in showing one aspect of the scope of a search warrant, but also for showing that the reasonable suspicion requirement for a "stop" has been met where there is a search warrant and the possessor is in the proximity of the place to be searched.

Further, *Summers* may also be relevant to the permissible duration of a stop. Justice Stewart's dissenting opinion points out the fact that many searches in houses take *several hours*.¹⁵⁶ Therefore, it may well be the case that a "stop" can last even five or six hours. The majority, however, noted that a prolonged detention could lead to a different conclusion in a "unusual case."¹⁵⁷ It is expected, however, that some stops will be permissible even if they exceed the 20 minutes allowed in *Sharpe*.

In the 1972 case of *Adams v. Williams*,¹⁵⁸ the Court clarified the rule that the reasonable suspicion required to make either a stop or frisk can be based on the tip of an informant. In *Adams*, an informant told a police officer that the suspect had illegal drugs and a weapon in his possession, and relayed also that the gun was at the suspect's waist. The officer tapped on the window of the suspect's car, and reached in to find the predicted gun. Although handgun possession was generally *not* a criminal violation at this time in Connecticut, suspect Williams was precluded from possession because of a prior criminal record.¹⁵⁹

150.*Id.* at 417.

151.*United States v. Hensley*, 105 S. Ct. 675 (1985).

152.*Terry*, 392 U.S. at 20, 23, 30.

153.*United States v. Sharpe*, 105 S. Ct. 1568 (1985).

154.*Id.* at 1576.

155.*Michigan v. Summers*, 452 U.S. 692 (1981).

156.*Id.* at 711 (Stewart, J., dissenting).

157.*Id.* at 705 n. 21.

158.*Adams v. Williams*, 407 U.S. 143 (1972).

159.*Id.* at 149-50 (Douglas, J., dissenting).

160.*Id.* at 146-47.

Justice Rehnquist reasoned that the tip was reliable (and therefore could give rise to the required "reasonable suspicion") for two reasons. First, this informant was personally known to the officer. Second, were the tip a lie, Connecticut law made such lie a crime in itself.¹⁶⁰ Therefore, both the stop and the simultaneous frisk were legal — they met the reasonable suspicion of criminality standard. Since the stop and frisk were legal the prosecution of the suspect for possession of the gun, and for possession of the heroin found after his arrest, was also legal.

The conclusion in *Adams* would likely be different if the informant were not reliable. The factors enumerated in the subsequent case of *Illinois v. Gates*¹⁶¹ involving a confidential informant situation would be relevant in any questionable inquiries regarding the legality of a stop and frisk based on a tip.

An interesting situation occurs when a stop is based on the suspect's matching the so-called "Drug Courier Profile." Evidently in the early 1970s, the Drug Enforcement Agency compiled a profile of illegal drug distributors. There were thought to be certain characteristics which drug couriers demonstrate. The factors typically included the following: at major city airport suspect pays for plane ticket in cash, using small bills, no luggage, American Tourister luggage, black luggage, nervous, makes plane changes on connecting flights, first out of the plane, last out of the plane, surveys the crowd upon leaving the plane, and/or makes a phone call upon leaving the plane.¹⁶² Obviously, some of these factors contradict each other.

Some have argued, in fact, that the Drug Courier Profile paints too broad a picture, i.e., that its standards are amorphous. Nevertheless, the plurality opinion in *United States v.*

*Mendenhall*¹⁶³ indicates that if the suspect matches the profile, there is reasonable suspicion of criminal activity, and thus a stop is permissible.

Mendenhall "matched" the profile because she arrived from Los Angeles, was the last person to leave the plane, was nervous, scanned the airport, did not claim luggage, and changed planes.¹⁶⁴ As the dissent points out, this is notwithstanding the fact that she did not claim luggage because it was checked through to her final destination, and also that she changed planes out of necessity.¹⁶⁵ Nevertheless, the Supreme Court has deemed such a stop to be acceptable — not to be based on a mere inchoate hunch. However, in *Reid v. Georgia*,¹⁶⁶ the mere facts that some men who were traveling together from Fort Lauderdale without luggage, and wishing to conceal that they were traveling together did *not* produce reasonable suspicion. The court did not feel enough elements of the Drug Courier Profile were met for any fair inferences of drug possession to be drawn. In *Reid*, the fruits of this illegal stop were suppressed.

Another example of failing to meet the requirements of a stop occurred in *Brown v. Texas*.¹⁶⁷ There, the initial police questioning and detention of a man in a neighborhood frequented by drug users was held to be illegal. The officer's conclusion that he "looked suspicious," with no facts to support it, was not reasonable suspicion to so "stop" him.¹⁶⁸ Therefore, his unwillingness to give name — itself an offense — was held to be the fruit of the illegal police activity.¹⁶⁹ The point being that if an officer does not have reasonable suspicion, based upon objective facts, of criminal activity *before* the stop is made, then the

164. *Id.* at 547 n.1.

165. *Id.* at 571-73 (White, J., dissenting).

166. *Reid v. Georgia*, 448 U.S. 438 (1980).

167. *Brown v. Texas*, 443 U.S. 47 (1979).

168. *Id.* at 51-52.

169. *Id.* at 53.

170. See also *Palmer v. City of Euclid*, 402 U.S. 544 (1971) and *Kolender v. Lawson*, 461 U.S. 352 (1983). This kind of case has continued to find its way into the docket of the High Court because the offense of not giving one's name is more truly violative of due process in a different way — it is "overboard." A free society cannot make the isolated refusal to give one's name criminal. For whatever reason, the Supreme Court's unwillingness to state just that has caused it to continue, to be bothered by the states' attempts to do just that.

171. *Immigration and Naturalization Service v. Delgado*

161. See *Illinois v. Gates*, 462 U.S. 213 (1983), which held that the inquiry to determine the existence of probable cause in order to issue a warrant based on an informant's tip was to be determined by the totality of the circumstances. Relevant though not rigid factors include reliability, credibility, basis of knowledge, corroboration, and declarations against interest.

162. See, e.g., *United States v. Mendenhall*, 446 U.S. 544, 547 n.1 (1980). The formulation of the profile has been susceptible to some variance.

163. *United States v. Mendenhall*, 446 U.S. 544 (1980). Regarding the overbreadth of the profile, see, e.g., Constantino, *Drug Courier Profiles and Airport Stops: Is the Sky the Limit?*, 3 W. New Eng. L. Rev. 175 (1980).

suspect's subsequent failure to answer questions or identify himself cannot provide the probable cause needed for an arrest.¹⁷⁰

The Supreme Court has reached a surprising result regarding the questioning of factory workers — backed up by agents at the exits. In *Immigration and Naturalization Service v. Delgado*,¹⁷¹ INS agents questioned factory workers looking for illegal aliens. Some illegal aliens were found, including the “defendant.” The court held this procedure not to be a seizure nor a stop, and thus to implicate no Fourth Amendment right.¹⁷² The court found the employees’ freedom to move about was already restricted by their obligations to their employer and that a reasonable person would have believed he was free to leave the presence of the INS agents.

This case is helpful in comprehending the legal definition of a “stop.” Many common sense notions of what is a stop no larger fall within Fourth Amendment protection.

It was initially feared by at least one member of the Warren Court — the court which created the “stop and frisk” exception — that the reasonable suspicion standard was an improper dilution of the Fourth Amendment probable cause standard.¹⁷³ Perhaps for this reason, the exception as pronounced by the Warren Court, was limited to *persons*.

However, the Burger Court felt no such constraints, and in the 1970 case of *United States v. Van Leeuwen*,¹⁷⁴ applied the “reasonable suspicion” evidentiary standard to a thing, an “effect.” In *Van Leeuwen*, two packages containing illegal coins were held by the Post Office for the police for *over one day* until a search warrant was obtained. It was held that the detention of the package was legal.¹⁷⁵ Thus, an object can also be held, as long as the delay is not unreasonable (and one day was not under the above facts) and there is reasonable

do, 466 U.S. 210 (1984).

172. *Id.*, at 217-19.

173. *Terry*, 392 U.S. at 35-36 (Douglas, J., dissenting). This is notwithstanding the traditional common law requirement of “reasonable cause” which seems to have been closer to “reasonable suspicion” than to “probable cause.” See Harris, *The Return to Common Sense: A Response to “The Incredible Shrinking Fourth Amendment*, 22 *Am. Crim. L. Rev.* 25, 29 (1984).

174. *United States v. Van Leeuwen*, 397 U.S. 249 (1970).

175. *Id.* at 253.

176. *United States v. Place*, 462 U.S. 696 (1983).

177. *Id.* at 709.

suspicion that the effect contains evidence of criminality. The police can “stop” effects as well as persons.

However, the 90 minute delay in *United States v. Place*,¹⁷⁶ where the suspect’s luggage was so held, constituted too long a “stop.” The court noted the delay to be unreasonable not only in its duration,¹⁷⁷ but also because a quick canine sniff (the need for which should have been anticipated) could have accomplished the same thing with less detriment to the suspect.¹⁷⁸

A few situations will now be discussed where the police activity, although arguably predicated on reasonable suspicion, went beyond a mere stop, into truly a *de facto* arrest. Once there is such a *full* seizure, i.e., arrest, more than reasonable suspicion is required. Then, likelihood of criminality (probable cause), is required. If there is no right to arrest because there is no probable cause, then the fruits of that illegal arrest (e.g., discovered contraband) must be suppressed.

In *Florida v. Royer*,¹⁷⁹ the accused “matched” the drug courier profile and was thus (lawfully) stopped. During the stop, however, the police requested Royer’s driver’s license and airline ticket — and they retained possession of these items. Further, they informed Royer who they were, what he was suspected of (drug trafficking), and asked him to accompany them to an investigation room. The plurality held such to be more than a Terry stop and also held that there was no probable cause (nor legal consent on Royer’s part). The discovered contraband was therefore suppressed.¹⁸⁰ In short, Royer stands for the proposition that when an individual’s luggage and license are seized with a request to accompany the police, there has been more than a “stop.”

In *Dunaway v. New York*,¹⁸¹ the police took their suspect to the police station, gave him *Miranda* warnings, and did *not* him he was under arrest. This activity was held to be a *de facto* arrest. Since it was more than a “stop,” probable cause was needed. Since probable

178. *Id.* at 698, 707-10.

179. *Florida v. Royer*, 460 U.S. 491 (1983).

180. *Id.* at 507-08.

181. *Dunaway v. New York*, 442 U.S. 200 (1979).

182. *Id.* at 216.

183. See *Royer*, 460 U.S. at 501-02 (citing *United States v.*

cause was not present, his confession had to be suppressed. The key fact here which showed he was fully seized, i.e., under arrest, was that he was taken to the police station.¹⁸² The walls of the police station usually (objectively) indicate to a person that he is *not* free to leave. Reasonable belief as to the freedom to leave is one of the tests for whether there was an arrest.¹⁸³

In *Hayes v. Florida*¹⁸⁴ and the earlier case of *Davis v. Mississippi*,¹⁸⁵ it was held that detention of individuals at the police station, without probable cause or consent, or warrant for the purpose of fingerprinting violates the Fourth Amendment. It is violative even though the intrusion is more minimal than questioning, even though the fingerprinting is a highly reliable method of crime detection, and even though there may likely be a reasonable suspicion.¹⁸⁶ The fact that the fingerprinting was done at the *police station* indicated that this was, again a *de facto* arrest and thus that probable cause is required.¹⁸⁷

The discussion will turn now to an analysis of the constitutional case law surrounding "frisk." As *Terry* implied, the right to "stop" an individual does not necessarily give rise to the right to *frisk* that person.¹⁸⁸ They are separate inquiries.

In order to frisk a person, there must be a reasonable suspicion of weapons on that person. Thus, in *Sibron v. New York*¹⁸⁹ where it was held that there was no articulable danger to the officer, the frisk, which revealed illegal heroin, was deemed illegal and thus the heroin was deemed to be inadmissible. In *Sibron*, a police officer witnessed the suspect talking with known drug addicts. On this basis alone, the officer questioned him and reached into his pocket (where he found the heroin). The court pointed out that the frisk should not be an in-

depth search of the person, but rather only a patdown of outer clothing so as to search for possible weapons.¹⁹⁰

Later cases have extended the use of the *Terry* frisk concept. In *Michigan v. Long*,¹⁹¹ for example, a 1983 case, two police officers investigated a car which had swerved off the road. The driver, Long, met the officers at the rear of his car. The officers noted that Long appeared to be intoxicated. Long produced his license, but had to return to his car to obtain his registration. A long hunting knife was observed in the car by the police. At this point they frisked Long, and searched the passenger compartment of his car. This search revealed illegal marijuana — which Long moved to suppress as the result of an illegal search.¹⁹²

In holding against the defendant, the Supreme Court extended the *Terry* frisk to include the area within the immediate control of the suspect.¹⁹³ In the situation at hand, this area included the passenger compartment of the car. Thus, the frisk area is the same as the area allowed to be searched in the search incident to arrest exception,¹⁹⁴ with *Long* being the analogical equivalent to *New York v. Belton*.¹⁹⁵ It should be noted, however, that the search of the *person*, himself, should still be less extensive in the "frisk" situation, than in the "arrest" situation. In the arrest situation the search is not restricted to a patdown search for weapons.¹⁹⁶ Of course, future case law may dilute this frisk requirement.¹⁹⁷

As previously discussed, the *Terry* "stop" of persons was extended to include the "stop" of things — if there is reasonable suspicion of criminality. As discussed above, the *Terry* frisk of the person has been extended beyond the person, to the area within the person's control. The next logical step to be taken by U.S. Supreme Court in their expansion of

Mendenhall, 446 U.S. at 554).

184. *Hayes v. Florida*, 105 S. Ct. 1643 (1985).

185. *Davis v. Mississippi*, 394 U.S. 721 (1969).

186. *Davis*, 394 U.S. at 727, 728; *Hayes*, 105 S. Ct. at 1646.

187. Incidentally, even when probable cause is present, an arrest warrant is, in some circumstances, required. E.g., a warrant is required for non-exigent arrests in the suspect's home. See *Payton v. New York*, 445 U.S. 573 (1980).

188. *Terry*, 392 U.S. at 23-24; but see 392 U.S. at 33-34 (Harlan, J., concurring).

189. *Terry*, 392 U.S. 40 (1968).

190. *Id.* at 45, 65, 66.

191. *Michigan v. Long*, 463 U.S. 1032 (1983).

192. *Id.* at 1037.

193. *Id.* at 1034-35, 1050.

194. Compare *Long* with *Chimel v. California*, 395 U.S. 752 (1969) (evidence seized was found inadmissible because search exceeded area of arrestee's immediate control).

195. *New York v. Belton*, 453 U.S. 454 (1981) (search incident to arrest exception extends to passenger compartment of vehicles).

196. See *United States v. Robinson*, 414 U.S. 218 (1973).

197. On this point, the early stop and frisk statutes did not limit the frisk to an outer patdown search for weapons. Whitebread, *supra* note 143, at 171-73.

198. *Place*, 462 U.S. at 696.

"mini-searches" and "mini-seizures" pursuant to mere reasonable suspicion would be to apply the Terry *frisk* rationale to things as well.

Thus, in a situation involving a potentially dangerous instrumentality, minor search of, e.g., luggage by a magnetic detector, were there reasonable suspicion, would likely be acceptable. In *United States v. Place*,¹⁹⁸ the court tackled the more difficult question whether a "frisk" of things was allowed when there was reasonable suspicion not of weapons but of illegal contraband. In *Place*, the court held that the "canine sniff" of luggage was not a search at all. It would make more sense, however, to view the "sniff" by the drug-sensitive dog to be a quasi-frisk, i.e., a mini-search and thus acceptable when there was reasonable suspicion. This view was suggested by Justice Blackmun in his concurring opinion.¹⁹⁹

If the court does take this position in the future, external examination of effects or things will likely be deemed acceptable where there is reasonable suspicion of criminality. Certainly mere eye contact would not be a "frisk," but canine sniffs, metal detection, or X-ray examination should be. The court will also likely conclude that the "frisk" of persons although limited in scope and duration, need not be limited to the discovery of hard, weapon-like objects. For example, a marijuana cigarette from a pocket would be admissible. In *Florida v. Royer*²⁰⁰ the court correctly indicates, however, that the opening of luggage is beyond the scope of a Terry frisk, and thus the fruits thereof are inadmissible.

In sum, stop and frisk has become one of the most important exceptions to the warrant requirement of the Fourth Amendment. It allows stops of persons or effects on less than the rigorous probable cause requirement and allows patdowns of persons when there is a basis

to believe there is a weapon. It is an exception which touches the lives of much of the citizenry.

M. School Student

In *New Jersey v. T.L.O.*²⁰¹ the Supreme Court set out a broad exception allowing school officials to reasonably search students in their school so long as there was reasonable suspicion of either criminal or school-prohibited activity.

"T.L.O." was caught smoking in the girls' room. Upon denial of this charge, her purse was searched where illegal drugs were found. In sustaining the search and use of the fruits in a juvenile proceeding, the court relied on a balancing of public and private interests. The court specifically did *not* rely on the doctrine of *in loco parentis*.²⁰²

The court noted that the search did have to be reasonable in its method and scope. However, under the facts above, the search of "T.L.O." was deemed acceptable.

Conclusion

As the preceding explication of Fourth Amendment exceptions indicates, the warrant clause of the amendment no longer predominates. Not only are there presently 13 enumerated exceptions to the warrant requirement, but many common sense "searches" are no longer considered to be "legal" searches. Unfortunately, the exceptions to the warrant requirement have overtaken in importance the warrant requirement itself.

Although certain exceptions such as prisoner, exigency, consent, and border (when such affects non-citizens) have great validity, other exceptions simply do not. The automobile, inventory, and open fields exceptions, for example, are unnecessarily overbroad. The U.S. Supreme Court has gone too far. Some retrenchment is necessary.

199. *Id.* at 723 (Blackmun J., concurring).
200. *Royer*, 460 U.S. at 500, 505-06.

201. *New Jersey v. T.L.O.*, 105 S. Ct. 733 (1985).
202. *Id.* at 740-41.

NEW JERSEY STATE POLICE TRAINING BUREAU
SEA GIRT, NEW JERSEY

CASE CITES

Tpr. I Brian Lilley
Criminal Science Unit

INVESTIGATIVE DETENTION:

State vs. Davis, 104 N.J. 490 (1986) N.J. Supreme Court

Based on totality of circumstances, police officer was justified in making investigative stop of defendant and his companion, who were riding bicycles at midnight, where member of city first aid squad telephoned police headquarters and reported that two individuals were "hanging around" a closed gasoline service station, and officer observed defendant and his companion a few minutes thereafter approximately three blocks from gasoline station.

Investigatory stop is valid under New Jersey Constitution only if officer has "particularized suspicion" based upon "objective observations" that person stopped has been or is about to engage in criminal wrongdoing; "particularized suspicion" of criminal activity must be based upon officer's assessment of totality of circumstances with which he is faced, and "objective observations" are those that, in view of officer's experience and knowledge, taken together with rational inferences drawn from those facts, reasonably warrant limited intrusion upon individual's freedom.

Important factor to consider is whether officer used least intrusive investigative techniques reasonably available to verify or dispel his suspicion in shortest period of time reasonably possible.

Detention of defendant by police officer, who stopped defendant on bicycle by blocking defendant's path with patrol car, constituted a "seizure" within purview of Fourth Amendment; officer testified that defendant and his companion were not free to leave because officer "was conducting somewhat of an investigation, (to) find out what their purpose was for being in that area."

PLAIN VIEW - Continued

Plain view exception to warrant requirement did not apply to police officer's observation of open beer can and marijuana in defendant's automobile after officer opened door of automobile without permission.



PAT DOWN/FRISK

State vs. Thomas, 110 N.J. 673 (1988) N.J. Supreme Court

Police officer acting on anonymous informant's tip regarding individual in bar alleged to be in possession of unidentified but illegal drugs was justified in making investigatory stop of defendant in bar; defendant was only person in bar who matched description provided by informant, and officer recognized defendant from prior arrest for drug possession.

While police officer was justified in making investigatory stop of defendant based on anonymous informant's tip, circumstances surrounding stop did not provide specific and particularized basis for objectively reasonable suspicion that defendant was armed and dangerous so as to justify pat-down search; although officer was aware that defendant had previously been arrested for drug possession and indicated at suppression hearing that his general experience with cocaine dealers warranted assumption that defendant might be armed and dangerous, nothing in informant's tip or prior arrest indicated that defendant might be armed, and there was no evidence that defendant was in fact cocaine dealer.

JUVENILE/SEARCH - Continued

Police officer who had been told by juvenile's mother that her son had a drug and alcohol problem and that he had run away had an objective reason to believe that the juvenile was carrying controlled dangerous substance when the officer took him into custody and thus had probable cause to search.

Arresting officer may search the person arrested and seize any weapons or evidence found on the person's body to prevent destruction or concealment thereof.

Full search of juvenile was proper even when juvenile was taken into custody pursuant to juvenile-family crisis incident.

CONSENT SEARCHES:

State vs. Douglas, 204 N.J. Super. (1985) Appellate

Where valid consent is given, search may be conducted without warrant and without probable cause.

Valid consent to search may be obtained from one other than the accused, i.e., from third party, so long as consenting third party has authority to bind accused.

To determine whether valid consent to search an area was given by third party, State must prove that consent was freely and voluntarily given, and that consent to search was obtained by person who possessed sufficient relationship with property searched or defendant, that is, that third party possessed common authority over or other sufficient relationship to premises or effects sought to be inspected.

In order to sustain its burden of proof concerning consent to search, State is required to prove voluntariness by clear and positive testimony.

While State need not prove that third person was informed of right to refuse consent, State has burden of demonstrating knowledge on part of third party that he had choice in the matter.

WARRENTLESS SEARCH/PERSON:

State vs. Guerrero, 232 N.J. Super. 507 (1989) Appellate

Officers had probable cause to believe that defendant had engaged in a narcotics transaction, justifying stop of vehicle and search of defendant, where officers observed vehicle, in which defendant was a passenger, stop at curb in middle of block in area under surveillance for suspected narcotics activity and saw defendant exchange money for small object with man who had engaged in similar transaction five minutes earlier.

Full search of defendant, including ordering defendant to remove his shoes, was justified by exigency of the circumstances where probable cause existed for police to believe that defendant had engaged in a narcotics transaction and there was insufficient time in which to procure a warrant because of the likelihood that evidence on defendant's person would be consumed, hidden or sold, and where actions of officers who used their experience and training to spot criminal violation and to discover evidence were reasonable.

WARRANTLESS SEARCH/AUTO:

State vs. Adams, 224 N.J. Super. 669 (1988) Appellate

Warrantless search of automobile in hospital parking lot, which discovered heroin, was justified under exigent circumstances, the protection of the public; report of shooting at apartment building, police officer's observation of searched car leaving scene of the shooting at high rate of speed towards hospital, discovery of car illegally parked near hospital emergency, and information that driver had been shot and could die of his injuries justified search of car for weapons.

Gunshot victim "abandoned" his car within meaning of Fourth Amendment, sufficient to allow warrantless search of it, when he parked car illegally near hospital emergency room and left car door open with keys in the ignition to seek treatment.

COURT DECISIONS RELATING TO ARREST, SEARCH AND SEIZURE

HOT PURSUIT

NJ. vs BOLTE 115 NJ 579

POLICE ENGAGED IN HOT PURSUIT OF A SUSPECT, ABSENT PROBABLE CAUSE TO BELIEVE A SERIOUS OFFENSE HAS BEEN COMMITTED AND ABSENT EXIGENT CIRCUMSTANCES (RISK OF PHYSICAL DANGER TO POLICE OR PUBLIC, RISK OF DESTRUCTION OF EVIDENCE) MAY NOT CONDUCT A WARRANTLESS ENTRY OF A HOME TO EFFECT AN ARREST.

THE HOT PURSUIT EXCEPTION IS APPLICABLE ONLY TO SERIOUS OFFENSES WHERE EXIGENT CIRCUMSTANCES EXIST. (MINOR OFFENSES ARE INSUFFICIENT TO ESTABLISH EXIGENT CIRCUMSTANCES)

CONSENT SEARCH

NJ. vs JOHNSON 68 NJ. 349

FOR CONSENT TO FULFILL THE MANDATE OF ARTICLE I, PARAGRAPH 7 OF THE NEW JERSEY CONSTITUTION, IT MUST BE INTELLIGENTLY AND VOLUNTARILY GIVEN. AN ESSENTIAL ELEMENT OF WHETHER IT WAS VOLUNTARY IS THE KNOWLEDGE OF THE RIGHT TO REFUSE TO GRANT CONSENT. THEREFORE, A PERSON BEING REQUESTED TO GIVE CONSENT MUST BE ADVISED OF THE RIGHT TO REFUSE SUCH CONSENT. ADDITIONALLY, THE PERSON BEING REQUESTED TO GIVE CONSENT SHOULD BE ADVISED OF THE RIGHT TO TERMINATE SUCH CONSENT UPON DEMAND.

NJ. vs WILLIAMS 84 NJ 217

IT IS THE BURDEN OF THE STATE TO PROVE THAT THE CONSENT WAS OBTAINED INTELLIGENTLY AND VOLUNTARILY. THE STATE MUST FURTHER PROVE THAT THE CONSENTEE KNEW HE HAD THE RIGHT TO REFUSE TO GRANT CONSENT.

WARRANTLESS SEARCHES IN MOTOR VEHICLES

NJ. vs BOYKINS 50 NJ 73

IF THERE IS REASONABLE SUSPICION BASED ON ARTICULABLE FACTS THAT A MOTORIST MAY BE ARMED, THE OFFICER IS JUSTIFIED IN SEARCHING BOTH THE PERSON AND THOSE PORTIONS OF THE MOTOR VEHICLE WITHIN THE IMMEDIATE CONTROL OF THE MOTORIST FOR WEAPONS.

ADDITIONALLY, IF NO PROOF OF OWNERSHIP IS PRODUCED, THE OFFICER MAY CONDUCT A WARRANTLESS SEARCH OF THOSE AREAS WHERE SUCH PROOF IS NORMALLY KEPT.

NJ vs GUERRA (CONT)

THE LEGALITY OF THE SEARCH OF THE TRUNK AND PACKAGES THEREIN WAS UNAFFECTED BY THE REMOVAL OF THE VEHICLE AND ITS OCCUPANTS TO THE POLICE BARRACKS. INVALIDITY OF TELEPHONIC SEARCH WARRANT DOES NOT AFFECT THE VALIDITY OF THE SEARCH OF THE AUTOMOBILE AND ITS CONTENTS.

NJ vs SANTANA 215 NJ SUPER 63

IN CASES WHERE TWO PARTIES HAVE JOINT CONTROL OVER A PARTICULAR LOCATION EITHER PARTY HAS THE AUTHORITY TO GRANT CONSENT TO SEARCH.

IN THE EVENT THAT THE TWO PARTIES HAVE DUAL CONTROL OVER A PARTICULAR LOCATION OR PERSONAL PROPERTY, DETERMINATION OF VALIDITY OF SEARCH SHOULD BE BASED ON THE EVALUATION OF THE OBJECTING PARTY'S RIGHT TO THE PROPERTY SEARCHED AGAINST THOSE RIGHTS OF THE CONSENTING JOINT POSSESSOR. IF THE OBJECTING PARTY HAS THE RIGHT TO TERMINATE OR LIMIT THE CONSENTING PARTY'S CONTROL OF THE AREA, THE OBJECTION MUST BE HEEDED. IF THE CONSENTING PARTY HAS EQUAL OR SUPERIOR RIGHTS OVER THE AREA SEARCHED, POLICE MAY VALIDLY RELY ON THE PERMISSION GIVEN AND CONTINUE THEIR SEARCH EVEN IN THE FACE OF ANOTHER'S OBJECTION.

SO LONG AS A TRUE WAIVER IS SHOWN, A COMPETENT INDIVIDUAL CAN CONSENT TO A SEARCH BEING CONDUCTED OUTSIDE OF HIS PRESENCE.

THE SCOPE OF THE SEARCH THAT MAY BE CONDUCTED PURSUANT TO A CONSENT TO A COMPLETE SEARCH OF THE VEHICLE IS AKIN TO THE SEARCH PERMITTED UPON A VALID WARRANT. READILY REMOVEABLE PORTIONS OF A VEHICLE MAY BE DISTURBED IN A SEARCH TO DETERMINE WHAT LIES BENEATH.

PERMANENT DAMAGE TO A VEHICLE CAUSED BY A CLUMSILY-EXECUTED SEARCH SHOULD NOT VITIATE THE SEARCH OR CAUSE ITS RESULTS TO BE SUPPRESSED, EVEN THOUGH THE STATE MAY BE RESPONSIBLE FOR THE DAMAGE CAUSED.

Suit Alleges Bias In Traffic Stops

Md. Troopers' 'Profile' Called Discriminatory

By Paul W. Valentine
Washington Post Staff Writer

BALTIMORE, Feb. 12—American Civil Liberties Union lawyers today accused the Maryland State Police of using an unconstitutional "drug courier profile" to indiscriminately stop and search cars driven by black people.

In a class action lawsuit filed in federal court here, the ACLU said the profile—which includes such characteristics as young black males wearing expensive jewelry, driving luxury cars and carrying telephone beepers—is too vague to form an adequate suspicion of drug trafficking and "has a discriminatory and disproportionate impact on African Americans."

Maryland State Police officials, told of the lawsuit, said that officers trained to look for a wide variety of driver characteristics and

notories long have complained of being stopped for suspected drug activity but rarely considered seeking court relief, Goering said.

The Maryland Court of Appeals in August reversed the drug possession conviction of a Montgomery County man, saying the profile was overly broad and subjected innocent drivers—such as delivery workers with car phones and beepers—to illegal searches.

The suit filed today concerned an incident in May in which state Trooper Bryan W. Hughes stopped a car on Interstate 68 for allegedly going 60 mph in a 40 mph zone in Western Maryland.

The car was occupied by Robert L. Wilkins, a Harvard Law School graduate who is a lawyer with the D.C. Public Defender Service, along with his aunt, uncle and a cousin. They were returning to Washington from a funeral in Chicago, according to the suit.

The car was a rented red Cadillac. Wilkins and a cousin, Norman Scott El-Amin, both 29, were in the front seat. The uncle and aunt, Nu'man W. El-Amin and Aquila Abdullah, were in the back seat.

According to the suit, Hughes asked Norman El-Amin, the driver, to sign a form consenting to a search of the car. When he refused, the suit said, Hughes ordered all four occupants out of the car and had it searched by a narcotics-detecting German shepherd. Nothing was found, the suit said.

Hughes released the four after issuing a \$105 speeding ticket to Norman El-Amin, according to the suit.

At today's news conference, Wilkins said he protested the search at the time, citing a Supreme Court ruling that "you can't make a traffic stop and have a dog search a car without a reasonable, articulable suspicion" of drug activity.

He said Hughes ignored him, except to say that police "have a lot of trouble with rental cars going up and down the highway."

Abdullah, Wilkins's aunt, said at the news conference that she felt anger and indignation... during the whole episode.

they were stopped because Hughes "believed they fit a 'drug courier profile' that targets persons of the African American race," especially young blacks with jewelry, beepers and lists of telephone numbers.

Wilkins said he and his relatives were casually dressed and had no beepers, phone numbers or expensive jewelry. The rented Cadillac they were driving should not be a point of suspicion, he said.

Trooper Hughes could not be reached for comment.

Lt. Tom Bowers in the state police drug enforcement bureau said there are numerous characteristics of possible drug activity that patrol officers are trained to watch for. "But there's no laminated card [of characteristics] that officers keep over the sun visor."

He said a rental car is one possible indicator, but more important are the driver's "conduct and behavior" when the officer is interviewing the driver after a traffic stop.

"If he's nervous or gives inconsistent statements about where he's going or where he lives, that's the kind of thing the officer is looking for," Bowers said.

ACLU lawyers said they will seek an injunction stopping use of the "race-based" profiles and ask state police to help identify black motorists who have been stopped for drug suspicion so they can be compensated financially.

"There's no laminated card [of characteristics] that officers keep over the sun visor."

— Lt. Tom Bowers

behavior as possibly drug-related. He said there is no written list of characteristics and that race is not a factor.

"We stop teenagers, housewives, black, white, all kinds," said state police spokesman John Hughes. "There's no particular zeroing in on race."

ACLU representatives, backed by lawyers from the Washington firm of Hogan & Hartson, said they believe the suit is the first of its kind in the United States. Many agencies in the country use profiles to justify highway traffic stops.

"This is a tremendously important case," Maryland ACLU legal director Susan Goering said at a news conference. "It will affect the lives of thousands of people. Blacks, Hispanics and other mi-

WASHINGTON Post.
2/13/93

U.C.P.O. 2/14/94

UNION COUNTY PROSECUTOR'S OFFICE
POLICE ENCOUNTER WORKSHEET AND CHECKLIST

Dept. Case No: _____
Date: _____ Hour _____

AUTHORITY TO STOP

Indicate specific crime/offense/violation suspected before person/vehicle was ordered to stop:

SPECIFIC FACTS KNOWN BEFORE YOU ORDERED THE PERSON/VEHICLE TO STOP (Note: the factors in the right hand column are relevant, but are generally not enough to justify a stop.)

- Observed motor vehicle/equipment violation
- Did you issue summons/written warning for MV violation?
- Weaving
- Observed crime/offense
- Leaving location of recent reported crime
- Person/vehicle fits description of suspects in recent reported crime
- Hand to hand movement (explain)
- Damage to vehicle indicating theft
- Suspect appeared to be under the influence (explain)
- Person/vehicle appeared to be in distress (explain)
- Information provided by others (see "source information" below)
- Other unusual conduct (must specify reasons for suspicion)

- Lateness of hour
- High crime area
- Known drug trafficking area
- Circling neighborhood (specify)
- Nervousness (specify)
- Flight, manner of movement (specify)
- Suspect fled in response to warning (e.g. "Five-O")
- Suspect concealed or dropped object when you approached
- Suspect has criminal record or prior police encounters (specify)
- Other (specify)

SOURCE INFORMATION

- Confidential Informant
- C.I. has proved reliable in the past (explain)
- Anonymous tip
- Citizen Informant

- Similar "tip" from 2 or more sources
- Radio dispatch
- Bulletin/flyer

Detail info provided (e.g. full description, suspicious conduct, dress, location, etc.): _____

Detail info verified/confirmed/corroborated before you ordered person/vehicle to stop: _____

ORDERING SUSPECTS OUT OF VEHICLE

You are automatically authorized to order the driver out of a lawfully stopped vehicle. However, before you may order passenger(s) out of the vehicle, you must point to specific, articulable facts which would warrant a heightened awareness of danger, such as gestures, unusual movements, passing of objects, etc.

- Ordered driver out of vehicle
- Ordered passenger(s) out of vehicle
- Specify reason(s) for ordering passengers out: _____

FACTORS JUSTIFYING FRISK/PATDOWN

If the stop is not based on suspicion of a crime of violence, you **MUST** document one or more of the following factors before you can conduct a frisk. Note that the factors in the right hand column are relevant, but generally are not enough to justify a frisk.

- | | |
|---|--|
| <input type="checkbox"/> Observed weapon or portion thereof | <input type="checkbox"/> Aware of prior criminal record involving violence or weapons |
| <input type="checkbox"/> Threatening words or behavior (explain) | <input type="checkbox"/> Extreme Nervousness (explain) |
| <input type="checkbox"/> Suspect admits he/she is carrying a weapon | <input type="checkbox"/> Suspect refuses to make eye contact with you |
| <input type="checkbox"/> C.I. information or tip that suspect is armed | <input type="checkbox"/> Furtive movements (must specify and consider innocent explanations) |
| <input type="checkbox"/> Statement by other suspects/passengers that person is armed | <input type="checkbox"/> High crime neighborhood |
| <input type="checkbox"/> Unexplained bulge in clothing | <input type="checkbox"/> Weapons common in neighborhood |
| <input type="checkbox"/> Bulletin of recent crime suggests perpetrator is armed | <input type="checkbox"/> You are outnumbered/no backup) |
| <input type="checkbox"/> Suspect refused to remove hands from pockets or put package down when ordered to do so | <input type="checkbox"/> Lateness of hour (nighttime) |
| <input type="checkbox"/> Suspect refused to stay in/around vehicle when ordered to do so | <input type="checkbox"/> Suspect appears to be lying (explain) |
| <input type="checkbox"/> Other (specify) | <input type="checkbox"/> Poor lighting |

If you were alone, did you have an opportunity to call for backup or alert dispatch as to your fear of weapons?

Did you call for backup? _____

CONDUCT OF FRISK/PATDOWN

- | | |
|---|---|
| <input type="checkbox"/> Felt hard object in outer clothing which could be weapon | <input type="checkbox"/> Other item(s) removed |
| <input type="checkbox"/> Removed hard object alone | <input type="checkbox"/> Other item(s) removal was necessary to reach hard obje |

Describe all object(s) removed and location concealed _____

FRISK OF BAG/CONTAINER

- | | |
|---|--|
| <input type="checkbox"/> Container could conceal weapon | Before opening container did you: |
| <input type="checkbox"/> Observed bulge in container | 1. Feel for bulge <u>before</u> opening? _____ |
| <input type="checkbox"/> Suspect refused to put container down | 2. Determine container is heavy enough to contain a weapon _____ |
| <input type="checkbox"/> Suspect attempted to conceal/abandon container | |
| <input type="checkbox"/> Suspect reached for container during encounter | |

"RISK" OF VEHICLE

You may conduct a limited search of the passenger cabin for weapons only if you have reasonable articulable suspicion to believe that weapons are concealed therein. (see same factors as above)

lh/OC

REPORT WRITING TIPS

- When filling out your police investigation or incident report, be sure to lay out all of the facts (i.e., what you saw, smelled, heard, as well as what you did and said). **DO NOT JUST RECORD YOUR LEGAL CONCLUSIONS.** Remember: the key is to provide a factual basis so the judge can decide the legal issues for himself/herself.

- Be careful not to rely on legal "buzzwords" such as "probable cause," "plain view," and "furtive movements." If you do use legal terms, be sure to use them correctly. Be sure to note the exact timing and sequence of all events. Timing is critical to the outcome of legal proceedings.

- Take the time to fill out a complete report, setting out all of the facts. Remember, if a fact or observation is important enough to later testify about in a motion to suppress, it is important enough to put in your initial police report. Understand that you will be cross-examined by defense counsel and asked to explain any deficiencies or discrepancies in your report. Furthermore, if your report is incomplete, the case may never even get to that stage, but may be dismissed, downgraded or plea bargained away.

SUPERINTENDENT'S ACTION MEMO

From: Colonel Carl A. Williams *CAW*

Date: *2-18-99*

Subject: *LETTERS OF APPRECIATION*

- To:
- Deputy Superintendent
 - Executive Officer
 - Section Supervisor
 - Assistant Section Supervisor

- Administration
- Division Staff
- Emergency Management
- Field Operations
- Intelligence Services
- Investigations
- Records & Identification
- Special & Technical Services
- P.I.U. *POSSIBLE*



- Submit Draft Reply By: _____
- Note Comments: _____
- For Your Further Action *IF UNAVAIL* Return By: _____
- For Your Information: _____

SP-690A (Rev. 7/96)

Dear Col Williams

2/16/99

I have recently seen and heard an excess of media coverage concerning the NJ State Police and their policies on racial equality. For all of those who criticize you, there are many more of us who stand behind you. The NJSP is an elite organization and you, Colonel Williams, are responsible for that. The NJSP are the best of the best. Regardless of what minority leaders want the NJSP should continue to recruit only the top candidates. To accept any less than the best would jeopardize the future of the NJSP. As a NJ resident I am very proud of the police force the state has established. The NJSP is known nationwide as the most qualified and best trained organization in the country. Don't cave in to pressures from minority leaders who create a media frenzy to help fuel their causes. Although the average NJ resident is not as vocal as these radicals we do stand behind you and your organization 100%.

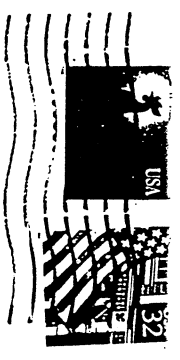
Be proud of the men and
women of the NQSP and be
proud of yourself for creating
what they have become.

Sincerely,

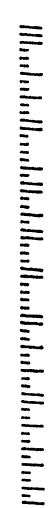
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



B
[Redacted]



New Jersey State Police
PO Box 7068
West Trenton NJ 08628
ATTN: Colonel Williams



Ce [REDACTED]

February 16, 1999

Colonel Carl A. Williams
Superintendent
New Jersey State Police
West Trenton, New Jersey 08628



Colonel Williams,

In case you don't remember the name, I was the Deputy County Emergency Management Coordinator in Middlesex County from July 1991 until I retired (for the 2nd time) in March 1998.

I'm writing to express my feelings in the latest issue of the Reverend insulting you by asking for your resignation over his alleged accusations involving the integrity of you and the State Police. I read about it in the paper and I saw you tonight on NJN television; your comment about being deeply hurt by the Reverend prompted me to write. You are completely right in holding your head high and not succumbing to the request to resign; the hurt is understandable. People like the Reverend, with a perceived cause, always go after those in authority, usually at the highest level, to discredit them in order to draw attention and obtain sympathy for their own purposes.

I wouldn't go into the purported details of these allegations, except to say that I learned about statistics, many years ago during my employment with Bell Atlantic. Statisticians only need to know that $2 + 2 =$ somewhere between 3 and 5; they can manipulate the answer either way to try to prove their point, especially when it involves percentages.

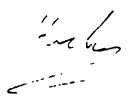
Although I never worked directly for you; in my association with you, in Emergency Management, the Union/Middlesex HMAC and as the State Police Superintendent, I have always felt that you've had the highest integrity, honesty and allegiance to do what's right in every situation. This feeling has been substantiated with my contact and discussions with State Police Officers and civilians at most every level, over the years.

In case you're wondering about my address, we recently sold our house in Iselin and are currently renting in Manahawkin, while our new house is being built in Cedar Run, Stafford Township; hopefully we'll move in to it in May - June this year and then have a real address again. I've enclosed my card with the real temporary address.

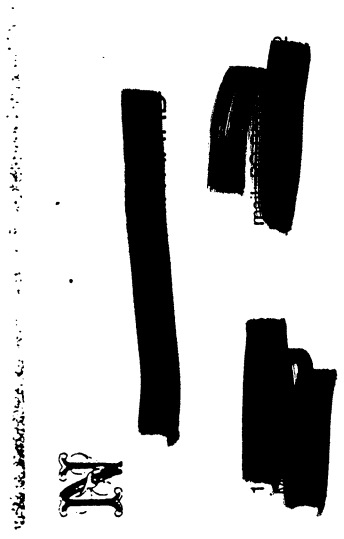
I don't know if this short letter will help to ease your pain, but I hope that perhaps this vote of confidence, along with other well wishes, will provide some comfort to you at this trying time.

Good Luck, Best Wishes and Hang In There.

Sincerely,



0101286

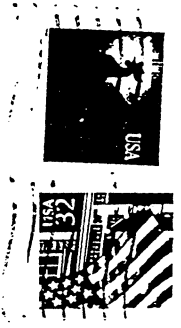


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Colonel Carl A. Williams
Superintendent
New Jersey State Police
West Trenton, New Jersey 08628

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PERSONAL & PRIVATE
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SUPERINTENDENT'S ACTION MEMO

From: Colonel Carl A. Williams *CAW*
Date: *2-18-99*
Subject: *LETTERS OF APPRECIATION*

- To:
- Deputy Superintendent
 - Executive Officer
 - Section Supervisor
 - Assistant Section Supervisor

- Administration
- Division Staff
- Emergency Management
- Field Operations
- Intelligence Services
- Investigations
- Records & Identification
- Special & Technical Services
- P.I.U. *105510 CE*



- Submit Draft Reply By: _____
- Note Comments: _____
- For Your Further Action *1-10-99* Return By: _____
- For Your Information: _____

SP-690A (Rev. 7/96)



Italian American Police Society of New Jersey

Post Office Box 352 • Lyndhurst, New Jersey 07071
(201) 441-4259 Fax: (973) 831-1948
1-(800) I.A.P.S.N.J.-1 • Web Site: <http://www.IAPSNJ.org>

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3rd Vice President

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Patrick Minutillo
Michael Ruggiero
Ronald Sepe

Dr. Daniel Schievella
Surgeon

Linda Mallozzi Esq.
Counsel

Chaplains
FR. Christopher Hynes
FR. Dave Baratelli

February 17, 1999

Col. Carl Williams
Superintendent
New Jersey State Police
Division Headquarters
Post Office Box 7068
West Trenton, New Jersey 08628

Dear Col. Williams:

I would like to take this opportunity to offer my formal support for you and the members of the New Jersey State Police. Under your leadership, the State Police continue to be the most professional and well-trained force in New Jersey. Our Executive Board and I appreciate your support of our organization. I would like to assure you that our 4,500 members stand behind your efforts to deliver professional, fair, and courteous service to our state. Please let me know if I can be of any assistance during this difficult time.

Very truly yours,

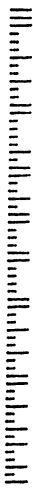
0101216

*Charter Member of National Coalition
of Italian American Law Enforcement Organizations
Also affiliated with the National Italian American Foundation in Washington, D.C.*



**The Italian American Police
Society of New Jersey**
P.O. Box 352
Lyndhurst, New Jersey 07071

08628-0068





Italian American Police Society of New Jersey

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February 21, 1999

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Ronald Sepe

Colonel Carl Williams *Carl*
Superintendent
New Jersey State Police
Division Headquarters
Post Office Box # 7068
West Trenton, New Jersey 08628

Dear Col. Williams,

In reference to your telephone message of last week, I have enclosed copies of letters sent by mail and fax to Governor Whitman and Atty. General Veniero. I hope that these letters will be of assistance to you and your organization. Please be assured of my continued support to you, and the men and women of the New Jersey State Police.

Please do not hesitate to contact me if we may be of further service to you.

Very truly yours,

[Redacted Signature]
[Redacted Name]

Dr. Daniel Schievella
Surgeon

Linda Mallozzi, Esq.
Counsel

Brian Martinotti, Esq.
Counsel

Chaplains
FR. Christopher Hynes
FR. Dave Baratelli

*Charter Member of National Coalition
of Italian American Law Enforcement Organizations*

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0101359



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Counsel

Brian Martinotti, Esq.
Counsel

Chaplains
FR. Christopher Hynes
FR. Dave Baratelli

February 21, 1999

Attorney General Peter Verniero
State of New Jersey
Post Office Box 085
Trenton, New Jersey 08625

Dear Attorney General Verniero,

I am writing to you to voice my support for Colonel Carl Williams and the men and women of the New Jersey State Police. Under Col. William's tenure, the agency is regarded as a model of professionalism in our field. New Jersey's troopers serve the citizens of the state with respect, dignity, and fairness while discharging their difficult and dangerous duties.

As the leader of New Jersey's largest ethnic police organization, with a membership of more than 4,500 members, I urge you to support Col. Williams and his troopers in the wake of recent political events.

The task of law enforcement is difficult enough to fulfill without baseless blanket accusations of misconduct. It eats away at the professionalism and morale of the men and women on the front lines of the fight against drugs and violence in New Jersey's cities and towns.

Thank you for your consideration in this matter.

Very truly yours,

President

*Charter Member of National Coalition
of Italian American Law Enforcement Organizations
Also affiliated with the National Italian American Foundation in Washington, D.C.*



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Louis Izzi
Larry Malang
Patrick Minutillo
Michael Ruggiero
Ronald Sepe

Governor Christine Todd Whitman
State House
Post Office Box # 001
Trenton, New Jersey 08625

Dear Governor Whitman,

I am writing to you to voice my support for Colonel Carl Williams and the men and women of the New Jersey State Police. Under Col. Williams's tenure, the agency is regarded as a model of professionalism in our field. New Jersey's troopers serve the citizens of the state with respect, dignity, and fairness while discharging their difficult and dangerous duties.

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Thank you for your consideration in this matter.

Dr. Daniel Schievella
Surgeon

Linda Mallozzi, Esq.
Counsel

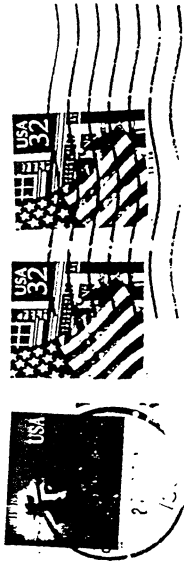
Brian Martinotti, Esq.
Counsel

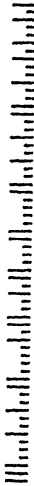
Chaplains
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Very truly yours,

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Italian American Police Society of New Jersey
Post Office Box 352
Lyndhurst, New Jersey 07071



08628/0068 

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
02/22/99 sc	Lt. Colonel R.D. Dunlop Executive Officer	Major K. McPartland Supervisor Intelligence Services Section Major T. Davies Supervisor EMS Capt. L. Cartwright Acting Supervisor FOS Capt. F. Madden Acting Supervisor Investigations Section	RACIAL PROFILING

In light of the recent allegations of racial profiling, I want all supervisors to examine their operational units to ensure that all tactics employed are within constitutional boundaries.

Respond to the Executive Office with your findings by March 17, 1999. Please refer to our file number 0101249.

*dist
2/23/99
sc*

0101249A

New Jersey State Police**INTEROFFICE COMMUNICATION**

DATE	FROM	TO	SUBJECT
3/16/99 TPD/vsl	Major T. P. Davies Supervisor EMS. <i>TD</i>	LTC R. D. Dunlop Executive Officer <i>RD</i>	Re: Racial Profiling - File #0101249A

All Supervisors within the Emergency Management Section have examined their operational units and have determined that all tactics employed are within constitutional boundaries.

Forwarded for your information.

0101249

GC 003821

SP 128654

New Jersey State Police**INTEROFFICE COMMUNICATION**

DATE	FROM	TO	SUBJECT
3/12/99	Captain W. Hill, Assistant Section Supervisor, Intelligence Services Section via Major K. McPartland, Section Supervisor, Intelligence Services Section	LTC R. D. Dunlop, Executive Officer	RACIAL PROFILING

In response to the attached Interoffice Communication dated February 22, 1999, file number #0101249, from LTC R.D. Dunlop, Executive Officer, regarding racial profiling, all tactics employed by enlisted Intelligence Services Section personnel are within constitutional boundaries.

JF/kf
attachment
99-150

STATE POLICE 101-S
5-10-10

GC 003822

SP 128655

New Jersey State Police**INTEROFFICE COMMUNICATION**

DATE	FROM	TO	SUBJECT
3/16/99	Captain F. H. Madden Acting Investigations Officer	Lt. Colonel R. D. Dunlop Executive Officer	Racial Profiling (Executive Office File #0101249).

In accordance with your directive regarding racial profiling dated February 22, 1999, all supervisors under my command have reviewed the tactics employed by their personnel and have verified that they are well within constitutional boundaries.

Forwarded for your information.

FR/ss
att.

STATE POLICE 101-S
3/17/99

GC 003824

SP 128657

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
02/22/99 sc	Lt. Colonel R.D. Dunlop Executive Officer	Major K. McPartland Supervisor Intelligence Services Section Major T. Davies Supervisor EMS Capt. L. Cartwright Acting Supervisor FOS Capt. F. Madden Acting Supervisor Investigations Section	RACIAL PROFILING

In light of the recent allegations of racial profiling, I want all supervisors to examine their operational units to ensure that all tactics employed are within constitutional boundaries.

Respond to the Executive Office with your findings by March 17, 1999. Please refer to our file number 0101249.

*dist
2/23/99
sc*

0101249A

SP 128658

GC 003825

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
3/16/99 TPD/vsl	Major T. P. Davies Supervisor EMS	LTC R. D. Dunlop Executive Officer	Re: Racial Profiling - File #0101249A

All Supervisors within the Emergency Management Section have examined their operational units and have determined that all tactics employed are within constitutional boundaries.

Forwarded for your information.

0101249
STATE POLICE 101-S

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
3/12/99	Captain W. Hill, Assistant Section Supervisor, Intelligence <i>WH</i> Services Section via Major K. McPartland, Section Supervisor, Intelligence Services Section	LTC R. D. Dunlop, Executive Officer <i>R.D.</i>	RACIAL PROFILING

In response to the attached Interoffice Communication dated February 22, 1999, file number #0101249, from LTC R.D. Dunlop, Executive Officer, regarding racial profiling, all tactics employed by enlisted Intelligence Services Section personnel are within constitutional boundaries.

JF/kf
attachment
99-150

STATE POLICE 101-S

0101249

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
3/16/99	Captain F. H. Madden Acting Investigations Officer	Lt. Colonel R. D. Dunlop Executive Officer	Racial Profiling (Executive Office File #0101249).

In accordance with your directive regarding racial profiling dated February 22, 1999, all supervisors under my command have reviewed the tactics employed by their personnel and have verified that they are well within constitutional boundaries.

Forwarded for your information.

FR/ss
att.

STATE POLICE 101-S

0101249

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
02/23/99 hm att.	Lt. Colonel R.D. Dunlop Executive Officer	Captain F. Madden Acting Supervisor Investigations Section	REQUEST FOR INSTRUCTOR - DET. AI KRYCH

The attached correspondence from Frank Marrero, Chief, State and Local Programs, Drug Enforcement Administration, is self-explanatory.

Det. Krych is authorized to lecture at the Jetway School in Oklahoma City, Oklahoma, from April 6 through April 9, 1999, provided all expenses will be paid by the Drug Enforcement Administration.

Forwarded for your information.

0101214A

SP 128663

GC 003830



U. S. Department of Justice
Drug Enforcement Administration

Washington, D.C. 20537

FFR 1 6 1999

Superintendent Colonel Carl Williams
New Jersey State Police
P.O. Box 7068
West Trenton, New Jersey 08628

A handwritten signature in cursive script, appearing to read "Carl Williams".

Dear Colonel Williams,

The State and Local Programs Section requests Detective Al Krych as an instructor for the Jetway School in Oklahoma City, Oklahoma. Detective Krych will be scheduled to instruct on Hotel/Motels April 6 through 9, 1999. Staff Coordinator Bill Woessner from State and Local Programs spoke with Lieutenant Edgar Hess from New Jersey State Police regarding this request. Detective Krych comes highly recommended to instruct Hotel/Motels, and has instructed for the International Narcotics Interdiction Association (INIA) Conference in the past.

Your assistance in this matter is greatly appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank Marrero".

Frank Marrero
Chief
State and Local Programs

SUPERINTENDENT'S ACTION MEMO

From: Colonel Carl A. Williams *CAW*

Date: *2-25-99*

Subject: *PROPOSAL TO OFFER AN AFRICAN*
MANAGEMENT & RACE RELATIONS WORKSHOPS

- To:
- Deputy Superintendent
 - Executive Officer *FBI*
 - Section Supervisor
 - Assistant Section Supervisor

- Administration
- Division Staff *TRAINING BUREAU*
- Emergency Management
- Field Operations
- Intelligence Services
- Investigations
- Records & Identification
- Special & Technical Services
- P.I.U.

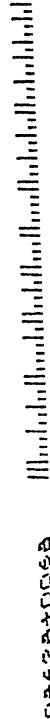
- Submit Draft Reply By: _____
- Note Comments: _____ *LEA Approved*
- For Your Further Action *IF* Return By: *TEG*
- For Your Information: _____

SP-690A (Rev. 7/96)



TRENTON, NJ 08630 PER#14

Supt. NJ State Police
Colonel Williams
P. O. Box 7068
West Trenton NJ 08625



08625+0068



State of New Jersey

CHRISTINE TODD WHITMAN
Governor

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE
POST OFFICE BOX 7068
WEST TRENTON NJ 08628-0068

PETER VERNIERO
Attorney General

COLONEL CARL A. WILLIAMS
Superintendent
TELEPHONE: (609) 882-2000

ADDRESS REPLY TO:

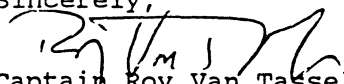
March 2, 1999

[REDACTED ADDRESS]

Dear Ms. Stokes:

Your letter dated February 15, 1999 to the Superintendent of the Division of State Police has been forwarded to this office for a response. Your letter indicates you have concerns regarding the actions of the Allamuchy Municipal Court. The actions of the municipal prosecutor come under the purview of the Administrative Office of the Courts. They can be contacted at 609-984-0275.

Sincerely,


Captain Roy Van Tassel, Jr.
Bureau Chief
Internal Affairs Bureau



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0101226

GC 003835

SP 128668

[REDACTED]
February 15, 1999

To whom it concerns:

I am writing because I am mad about a situation that accorded on February 2, 1999.

I attended the Municipal Court of Allamuchy, NJ. In this court district, I feel there is not any chance of receiving a fair trial. Why do I say this? When you get there, you are taken into this room where the prosecutor tries to coerce you into plea bargaining. I am using this word (coerce), because after I was offered a plea bargain, I plead not guilty. Then the prosecutor repeated three times, "I do not suggest that you go into the court with a not guilty plead." I took it as a threat.

In the courtroom the police officer explained how the radar works; shows me three copies of paper, which never indicated anything in reference to my car. Officer stated that in a triangle my car was the only one going at the speed of 78. A LIE. I was not speeding.

My testimony; how could there not be any other car in the radar's triangle, when there is a car directly in front of me, right behind me, on both sides of me, and I am in the middle lane.

Now, on the day 10-11-98 it was a beautiful Sunday afternoon, traffic on interstate 80 was almost bumper to bumper around 3:30 PM. This is normal for this time of day.

Where is the evidence that I was speeding? On this statement alone the judge found me guilty.

I was not speeding and I truly believe I was pulled over only because I am Black, driving a red sportscar. I am outraged that things are still going on like this, in the year 1999.

The justice system in this town is broken and really needs to be fix. I'm sure I'm not the only motorist to complain. Perhaps some type of investigation is needed. It's time that small towns such as Allamuchy and others be put on watch; regarding their tactics in railroading innocent motorists. THIS MUST BE STOPPED.

In reference to the judge, the prosecutor and officer, there was total disregard for the position given to each. What type of justice can we expect when we see such mockery of the justice system.

I'd like to know if there's an office that will provide me with some statistics: ratio of not guilty that won their case verses those that lost, in the last few years in this court.

Now I'll be preparing for an appeal, which will cost me \$100 for the transcript plus the \$162 it cost for the guilty conviction. I see a pattern, do you? It's about the dollars??

Perhaps a lot more training for some officers is needed. Perhaps a lot more diplomacy needs to be applied in the courtrooms. What is your view?

Thank you for reading my letter. Perhaps this will help a very bad situation.

An irate motorist
[REDACTED]

cc: The Governor, the Mayor, Police Superintendent, Municipal Court of Allamuchy newspapers

1/01/23/6

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
02/19/99 sc	Lt. Colonel R.D. Dunlop Executive Officer	Capt. R. Van Tassel Bureau Chief Internal Affairs Bureau via Major J. Mattos Supervisor Division Staff Section via Lt. Colonel M.A. Fedorko Deputy Superintendent	[REDACTED] LETTER OF COMPLAINT

The attached correspondence from [REDACTED] is self-explanatory and forwarded for your information and appropriate action.

Please prepare an appropriate response to Ms. [REDACTED] behalf of the Superintendent. Refer to our file number 0101225 in your reply. Note that your response is due back to this office no later than March 18, 1999.

0101226A
03/18/99

New Jersey State Police

INTEROFFICE COMMUNICATION

DATE	FROM	TO	SUBJECT
3/5/99 def att.	Major J. Mattos Jr. Supervisor Division Staff Section via LT Colonel M. A. Fedorko Acting Superintendent	LT Colonel R. D. Dunlop Executive Officer	[REDACTED] LETTER OF COMPLAINT (0101226A) Attached is a copy of correspondence mailed to [REDACTED] directed. Forwarded for your information.

STATE POLICE 101-L

0101226



NEW JERSEY LEGISLATIVE BLACK AND LATINO CAUCUS

State House
South Wing
Trenton, New Jersey 08625

March 26, 1999

Lieutenant Colonel Michael Fedorko
Acting Superintendent
New Jersey State Police
P.O. Box 7068
Trenton, New Jersey 08625

Dear Lieutenant Colonel Fedorko:

As Chairman of the New Jersey Legislative Black and Latino Caucus, I am advising you that the Caucus will hold a series of public hearings to review the practices and policies of the New Jersey State Police--with a particular focus on racial profiling of motorists. Accordingly, I am inviting you to testify at our public hearings to offer your views and perspectives on the operations of the State Police.

We invite you to testify before the Caucus on Tuesday, April 13, 10:00 A.M.- 2:00 P.M., State House Annex, Room 438.

If you would like to accept our invitation to testify or if you have any questions please feel free to contact Kelly Ganges at 609-292-7065.

Very truly yours,


Joseph Charles, Jr.
Chairman

1101863



NEW JERSEY LEGISLATIVE BLACK AND LATINO CAUCUS

State House
South Wing
Trenton, New Jersey 08625

March 16, 1999

Lieutenant Colonel Michael Fedorko
Acting Superintendent
New Jersey State Police
P.O. Box 7068
West Trenton, Jersey 08625

Handwritten initials, possibly "AAA", written in black ink.

Dear Lieutenant Colonel Fedorko:

As Chairman of the New Jersey Legislative Black and Latino Caucus, I am advising you that the Caucus will hold a series of public hearings to review the practices and policies of the New Jersey State Police--with a particular focus on racial profiling of motorists . Accordingly, I am inviting you to testify at our public hearings to offer your views and perspectives on the operations of the State Police.

My staff will contact your office with the specifics concerning our hearings as soon as the details are finalized.

In the interim, should you have any questions please feel free to contact me at 973-623-0501.

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to read "Joseph Charles, Jr.".

Joseph Charles, Jr.
Chairman

2/10/863



NEW JERSEY LEGISLATIVE BLACK AND LATINO CAUCUS

State House
South Wing
Trenton, New Jersey 08625

March 16, 1999

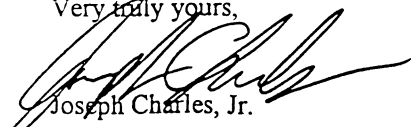
Lieutenant Colonel Michael Fedorko
Acting Superintendent
New Jersey State Police
P.O. Box 7068
Trenton, New Jersey 08625

Dear Lieutenant Colonel Fedorko:

I am forwarding for your information a copy of the letter from the New Jersey Legislative Black and Latino Caucus addressed to Attorney General Peter Verniero, requesting a variety of information from the New Jersey State Police concerning their policies and practices--with a particular focus on the racial profiling of motorists.

Should you have any questions or concerns please advise.

Very truly yours,


Joseph Charles, Jr.
Chairman

Enclosure

11-18-93



NEW JERSEY LEGISLATIVE BLACK AND LATINO CAUCUS

State House
South Wing
Trenton, New Jersey 08625

March 8, 1999

Honorable Peter G. Verniero
Attorney General
Richard Hughes Justice Complex
P.O. Box 081
Trenton, New Jersey 08625

Dear General Verniero:

As you know, the New Jersey Legislative Black and Latino Caucus will hold a series of public hearings regarding the policies and practices of the New Jersey State Police. The hearings will focus on such issues as profiling minority motorists in traffic stops and personnel practices related to the State Police, including minority recruitment, hiring, promotions and instances of police misconduct.

In preparation for our hearings, we respectfully request your Department provide relevant information and data on the New Jersey State Police for the years 1992 through 1998.

We would appreciate the Department forwarding the following information:

- 1) The number of stops on New Jersey roadways--delineated by date, race (African-American/Latino/Asian/White), age, geographical location, reason (s) for stopping the motorist, the name of trooper(s) involved; and the state of registration of vehicles stopped;
- 2) The number of arrests on New Jersey roadways--delineated by date, race (African-American/Latino/Asian/White), age, geographical location, category of offenses and the disposition of the case (exonerated/sustained/not sustained/unfounded), the name of trooper(s) involved; and the state of registration of vehicles stopped;
- 3) A copy of the State Police dispatch tapes reflecting the stops detailed above and any transcripts of those tapes;