



NEW JERSEY STATE POLICE

Office of Professional Standards

ANNUAL REPORT

2020



FROM THE COLONEL...

I am pleased to present the Governor, the Legislature and the citizens of New Jersey with the New Jersey State Police *2020 Office of Professional Standards Annual Report* (“the report”). The State Police began producing this report in the year 2000 in response to legislation providing the public with an ability to examine the internal affairs function of the State Police and be reassured that it is truly operating in a trustworthy and acceptable manner. This year is no exception. Herein, the reader will find clearly presented topics, including descriptions of the current Office of Professional Standards (OPS) Table of Organization and related office functions, an explanation of the classification process for all reportable incidents, the system by which incidents are addressed and disposed of, and finally, a detailed analysis of the data compiled during 2020.

A law enforcement entity in a democratic society can tie its effectiveness directly to the level of trust it enjoys within the community it serves. A significant factor in gaining and maintaining that trust is ensuring that there is a strict allegiance to a highly professional and transparent internal affairs function. It follows that the execution of the internal affairs function within a professional law enforcement entity presents challenges that require constant and consistent vigilance. I believe that a fair review of the *2020 Office of Professional Standards Annual Report* will support the conclusion that the New Jersey State Police maintains that level of vigilance.

This introduction will not restate all of the facts, figures and analysis articulated in this report, other than to remind the reader that troopers of the New Jersey State Police engaged in more than 1,600,000 police/citizen contacts during the calendar year 2020. Any single complaint reported to OPS that was generated within that vast number of contacts was, without exception, assigned a number, classified, and addressed in accordance with established highly reputable best practices.

In addition to adhering to best practices, we conduct further system checks and balances through an auditing process conducted by the Office of Law Enforcement Professional Standards (OLEPS), Office of the Attorney General (OAG). Twice annually, OLEPS conducts a comprehensive audit of OPS functions, including a thorough critique of all misconduct cases closed during the period under review. To date, these audits support the conclusion that OPS continues to operate at the highest levels of proficiency and police accountability.

My personal commitment to the mission of OPS is unwavering. I want to express my sincere appreciation for the hard work and dedication of the men and women of that office as; once again, I present to you the *2020 Office of Professional Standards Annual Report*.

Honor, Duty and Fidelity,

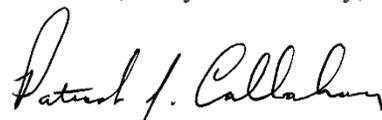

Patrick J. Callahan
Colonel



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Executive Summary

This report provides the Governor, State Legislature, the citizens of the State of New Jersey, and all other interested parties a brief history of the State Police internal affairs process and a comprehensive look at the disciplinary system employed by the Division. Included in the report are explanations of how the Division receives complaints, classifies the allegations, assigns cases for investigation, and adjudicates substantiated charges against enlisted members. The report also provides an overview of major and minor discipline imposed in 2020 as the result of substantiated allegations of misconduct and other corrective actions taken by the Division to address aberrant behavior.

Office of Professional Standards

In 1999, the OAG conducted a review of the disciplinary system of the Division. As a result of this review, the Internal Affairs Bureau was reorganized and OPS was established. The investigative and adjudication functions were transferred from the Division Staff Section and placed under the control of a major, reporting directly to the Superintendent. During 2001, the Division Standing Operating Procedure that governs OPS was completely revised, and the new policy was adopted in January 2002. This revision resulted in the formation of two distinct bureaus within the office. As of October 2020¹, OPS consisted of fifty-seven (57) persons. This included seven (7) professional support personnel and fifty (50) enlisted persons. This figure represents an overall decrease of five (5) members from the previous year.

Internal Affairs Investigation Bureau

The Internal Affairs Investigation Bureau is responsible for investigating all misconduct complaints made against enlisted members of the State Police. A captain, as bureau chief, and a lieutenant, as assistant bureau chief, command the Internal Affairs Investigation Bureau. In addition, there are regional field units staffed with investigators, which are located in the northern, central, and southern parts of the state.

Intake and Adjudication Bureau

A captain, as bureau chief, and a lieutenant, as assistant bureau chief, command the Intake and Adjudication Bureau. The bureau is divided into four (4) units with varying responsibilities:

Intake Unit: This unit accepts, classifies, and assigns or refers all reportable incidents received by the Office of Professional Standards. This unit is also responsible for notifying complainants of the Division's response to their complaints. Additionally, the unit is also responsible for the management of the Early Warning Alert System, designed to detect patterns and trends in policing.

¹ October 2020 was the most up to date data saved by the Personnel Management & Information Unit

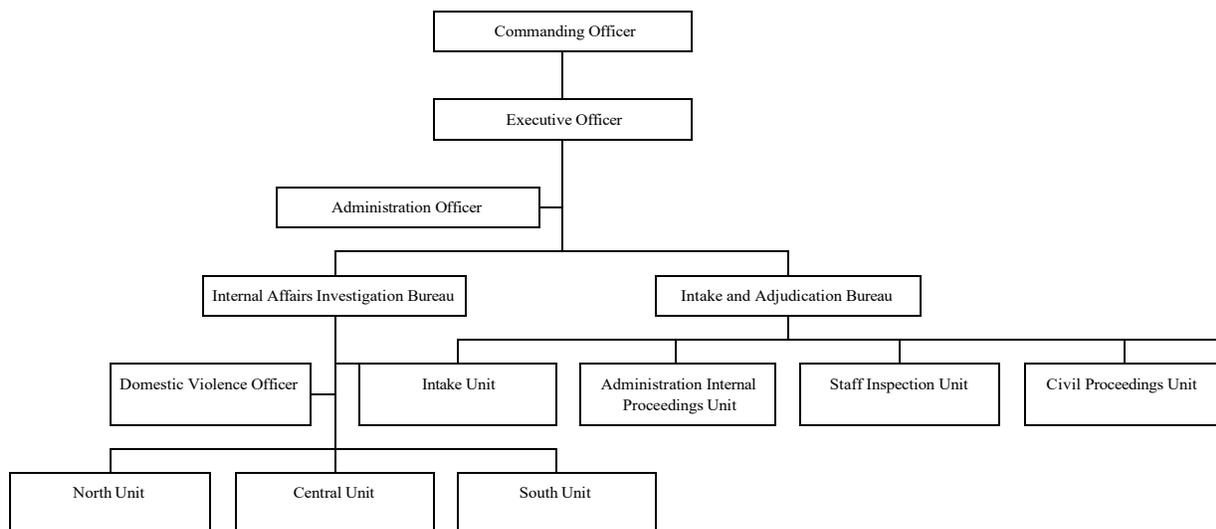


Administrative Internal Proceedings Unit: This unit is responsible for the adjudication of substantiated allegations of misconduct, convening disciplinary hearings and serving as a liaison between OPS, OAG, OLEPS, and the Office of Administrative Law (OAL).

Staff Inspection Unit: This unit is responsible for instructing field officers in proper inspection techniques, reviewing inspection reports submitted by field supervisors, conducting evidence and administration inspections of stations and field units, and examining supervisory mobile video recording reviews.

Civil Proceedings Unit: This unit is responsible for recording, classifying, and tracking all civil actions filed against the Division or its individual members. The unit reviews and forwards all requests for legal representation to the proper agency, whether criminal or civil. Further, the unit acts as liaison between the Superintendent's Office, the Chief of Staff and the OPS Commanding Officer to the appropriate personnel within the OAG regarding civil litigation matters. In addition, the unit compiles and provides, in a timely and thorough manner, all requested discovery related to civil litigation to the OAG. The unit is also charged with researching policies, procedures, training and disciplinary issues in relation to legal matters concerning the Division. Additionally, the unit is the liaison for all Federal and State prosecutorial agency Brady/Giglio requests pertaining to enlisted members of the Division.

2020 Organizational Chart



Office of Law Enforcement Professional Standards

In recognition of the strong public policy interest in perpetuating the quality and standards established under the 1999 Consent Decree, on August 27, 2009, the Legislature enacted the Law Enforcement Professional Standards Act of 2009, L. 2009, c. 52:17B-222 et seq. This Act established OLEPS within the OAG. OLEPS was formed to assume the functions that had been performed by the independent monitoring team under the consent decree.

As part of its statutory responsibilities, OLEPS reviews all Division rules, regulations, standing operating procedures and operations instructions relating to the consent decree. This ensures that the Division maintains or enhances its practices on matters pertaining to any applicable nondiscriminatory policy established by the Attorney General, affecting, for example, the laws of arrest and search and seizure, documentation of motor vehicle stops and other law enforcement activities occurring during the course of motor vehicle stops.

The Act further authorizes OLEPS to conduct operations audits and independent analyses of data, as necessary, to identify any potential disparity in enforcement and systemic problems that may exist. These audits examine the integrity of motor vehicle stops, post-stop enforcement actions, supervision of patrol activities, training provided to Division members assigned to patrol duties, investigations of alleged misconduct and other matters affecting the integrity of the Division. Based on its audits, OLEPS is required to prepare a biannual report that evaluates the Division's compliance with relevant performance standards and procedures that include aggregate statistics on the Division's traffic enforcement activities and procedures, segregated by Division station and providing aggregate data on race and ethnicity of the civilians involved. The biannual report also provides aggregate data regarding misconduct investigations, the number of external, internal and total complaints received, and the disposition of those complaints.

The Attorney General and the Division are dedicated to serving the public and to providing the most vigorous, lawful, and nondiscriminatory implementation of law enforcement practices and procedures possible.

State Police Disciplinary Process

The New Jersey State Police is a statewide police organization that provides a full range of police services. The Division is comprised of four thousand, seventy-seven (4,077) employees, of which two thousand, nine hundred nine (2,909) are sworn members, and one thousand, one hundred sixty-eight (1,168) are civilian members.²

Due to the unique mission of the New Jersey State Police, OPS is tasked with handling complaints from the public regarding the conduct of a trooper, as well as allegations of criminal conduct by members.

² As of October 2020



In 2020, troopers were involved in one million, six hundred thousand, six hundred three (1,600,603) police/citizen contacts. Though most of these interactions were routine, many involved stressful and critical situations.

The disciplinary system of the New Jersey State Police is unique within the state. The New Jersey Supreme Court has recognized:

Unlike the comparably routine issues of discipline that might arise in connection with employees in other departments of state government, the discipline of state troopers implicates not only the proper conduct of those engaged in the most significant aspects of law enforcement, involving the public safety and the apprehension of dangerous criminals, but also the overall effectiveness, performance standards, and morale of the State Police. As such, discipline of state troopers involves the most profound and fundamental exercise of managerial prerogative and policy.³

The statistics and cases embodied in this report represent all disciplinary matters involving troopers. It would be inaccurate to attribute the sum of these statistics and cases to allegations solely arising from citizen complaints alleging line of duty misconduct on the part of a trooper. The statistics also include internally generated allegations of violations of the Division's Rules & Regulations, as well as complaints of misconduct while off duty.

Complaint Process

The New Jersey State Police accepts, reviews, and responds to complaints received from the public, including anonymous complaints, complaints from third-party witnesses, and complaints from parties not directly involved in the incident.

Complaints may be made in person at any State Police facility, by telephone or fax, email, or through regular mail.

The Division continues its commitment to ensuring that members of the public have ease of access to the compliment/complaint system. In 1999, the State Police instituted and advertised a toll free hotline available twenty-four hours a day that goes directly to OPS. In addition, every on-duty member interacting with the public is required to carry informational brochures and compliment/complaint forms that must be provided to anyone who objects to or compliments the trooper's conduct.

Further, citizens may request OLEPS to review an OPS investigation if they are not satisfied with the outcome. OLEPS will also conduct an investigation if OPS has a conflict or if the Attorney General directs OLEPS to conduct the investigation. Each of these initiatives has continued to provide citizens significantly more opportunities to provide feedback, compliments or complaints about the operation of the Division and its personnel.

As stated previously, the Intake Unit of OPS is responsible for receiving, documenting, processing, classifying, and disseminating all complaints against sworn members of the New Jersey State Police alleging misconduct by its members. This includes

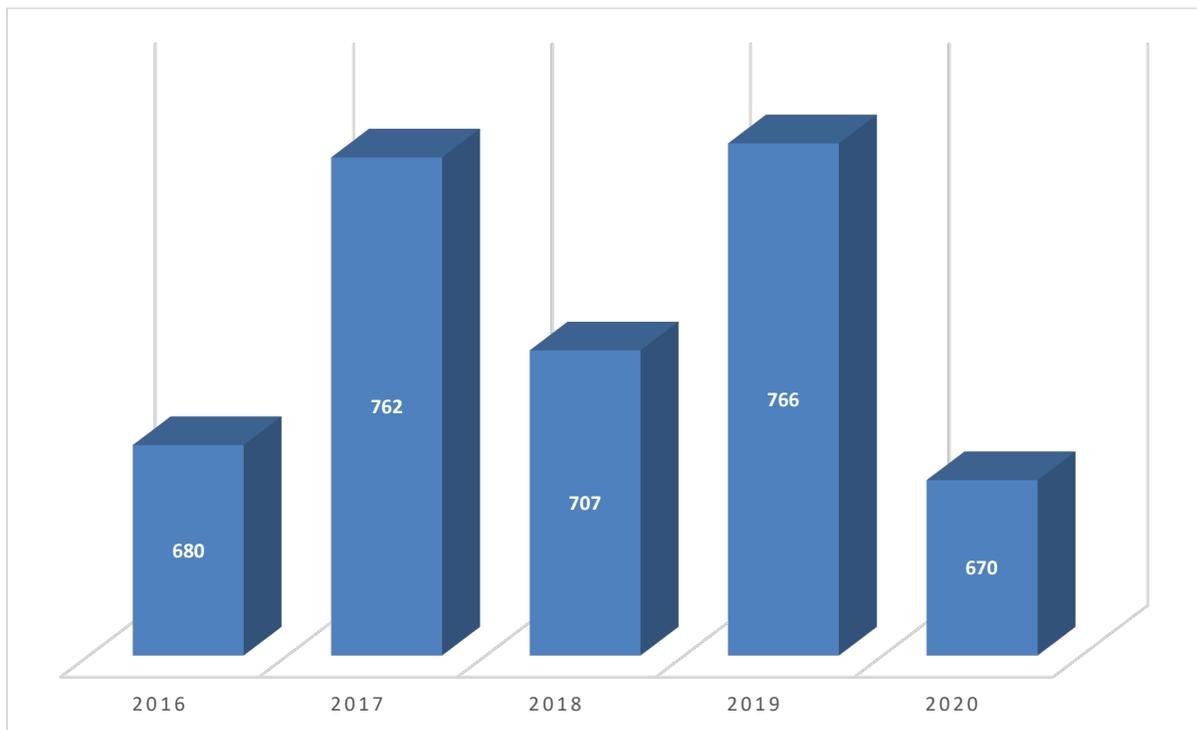
³ State of New Jersey v. State Troopers Fraternal Association, 134 N.J. 393, 416 (1993).



complaints made by citizens, as well as employment-related disciplinary matters.

During 2020, six hundred seventy (670) total incidents were reported and classified, as compared to seven hundred sixty-six (766) in 2019. This represents a 12.5% decrease in the number of reportable incidents received in the year 2020, than those received in the year 2019, while the total number of the Division's enlisted personnel increased by eighty-five (85) enlisted members, representing a 3% increase for the same period.

Incidents Classified by Years



Classification of Reported Incidents

When incidents are reported to OPS, they are reviewed by the Intake Unit and classified in one of four categories after being reviewed by OPS Command Staff members.

Misconduct

If the Division receives a complaint that alleges a trooper has committed a violation of the Division's Rules & Regulations, Standing Operating Procedures, or any applicable federal or state statute, the matter may be classified as Misconduct, and an Internal Investigation is then initiated.



Performance

When a complaint is reviewed and it is determined that an enlisted member of the Division may have committed a minor infraction, the matter is classified as a Performance Issue. These matters are returned to the member's command for resolution. The command is required to assign a supervisor not in the member's direct chain of command to handle the complaint. The supervisor is required to submit a Performance Incident Disposition Report (PIDR) to OPS through his/her chain of command detailing the corrective actions taken to resolve the issue. The intervention is non-disciplinary and intended to correct performance deficiencies.

Administrative

When the review of the reported incident by OPS reveals that a trooper has not violated any of the Division's Rules & Regulations, Standing Operating Procedures, or applicable federal or state laws, the incident is classified as an Administrative matter and closed.

Equal Employment Opportunity / Affirmative Action Investigations and / or Compliance Investigations

When OPS receives a complaint which alleges that an enlisted member is in violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace, OPS refers the matter to the Department of Law and Public Safety's Office of Equal Employment Opportunity (EEO). The Department's EEO Office conducts an investigation and, if the allegations are substantiated, the case is forwarded to OPS for adjudication and disciplinary action. The Compliance Unit, which falls under the Personnel Bureau, refers violations of the Medical Leave Policy to OPS, as they are classified as misconduct investigations.

Referrals

When the Division receives a complaint, which does not involve a member of the New Jersey State Police, it refers the complaint to the proper authority and documents the transaction as a Non-Reportable Incident.

Shooting Reviews

When a Division member is involved in a shooting, it is investigated by the Office of Public Integrity and Accountability (OPIA), which the NJSP Major Crime Unit supports, but is not the lead investigative component for trooper-involved incidents.⁴ When OPIA completes its investigation and the matter is presented to the grand jury, if required, the case is reviewed by the Internal Affairs Investigation Bureau for any violation of the New Jersey State Police Rules & Regulations or Standing Operating Procedures. If it is determined that a violation occurred, a misconduct investigation will be initiated.

⁴ The shooting review process took effect on December 4, 2019 coinciding with AG Directive 19-8.



Five Year Breakdown of Incident Classifications

| | 2016 | 2017 | 2018 | 2019 | 2020 |
|---|------------|------------|------------|------------|------------|
| Misconduct | 203 | 248 | 205 | 229 | 245 |
| Performance | 34 | 7 | 6 | 2 | 0 |
| Administrative Issues | 398 | 439 | 438 | 455 | 383 |
| Compliance | 0 | 0 | 0 | 0 | 0 |
| EEO/AA Investigations | 0 | 4 | 4 | 0 | 3 |
| Non-Reportable Incidents/Referrals | 45 | 59 | 53 | 72 | 37 |
| Shooting Reviews | 0 | 5 | 1 | 8 | 2 |
| Totals | 680 | 762 | 707 | 766 | 670 |

Origin of Complaints

In 2020, of the two hundred forty-five (245) total misconduct complaints, one hundred forty-two (142) (58%) were initiated by members of the public and one hundred three (103) (42%) were initiated internally. Of the misconduct complaints initiated by the public, eighty-two (82) (58%) involved citizens who had been arrested or issued a motor vehicle summons by a member of the State Police.⁵

In 2019, of the two hundred twenty-nine (229) total misconduct complaints, one hundred twenty-five (125) (55%) were initiated by members of the public and one hundred four (104) (45%) were initiated internally. Of the misconduct complaints initiated by the public, seventy-three (73) (58%) involved citizens who had been arrested or issued a motor vehicle summons by a member of the State Police. In addition, OPS received two (2) reportable incidents that were classified as Performance issues; both (100%) of these complaints were initiated by members of the public.

In 2018, of the two hundred five (205) total misconduct complaints, one hundred twenty-six (126) (61%) were initiated by members of the public and seventy-nine (79) (39%) were initiated internally. Of the misconduct complaints initiated by the public, eighty (80) (64%) involved citizens who had been arrested or issued a motor vehicle summons by a member of the State Police. In addition, OPS received six (6) reportable incidents that were classified as Performance issues; all six (6) (100%) of these complaints were initiated by members of the public.

In 2017, of the two hundred forty-eight (248) total misconduct complaints, one hundred

⁵ OPS completed no Performance Incident Disposition Reports due to a procedural modification of the Reportable Incident Classification Process. During the Administrative Review of Reportable Incidents, performance-based allegations are reviewed and performance-based deficiencies, if any, identified during this review are handled by the member's command with corrective actions and Administratively Closed with Corrective Measures taken.

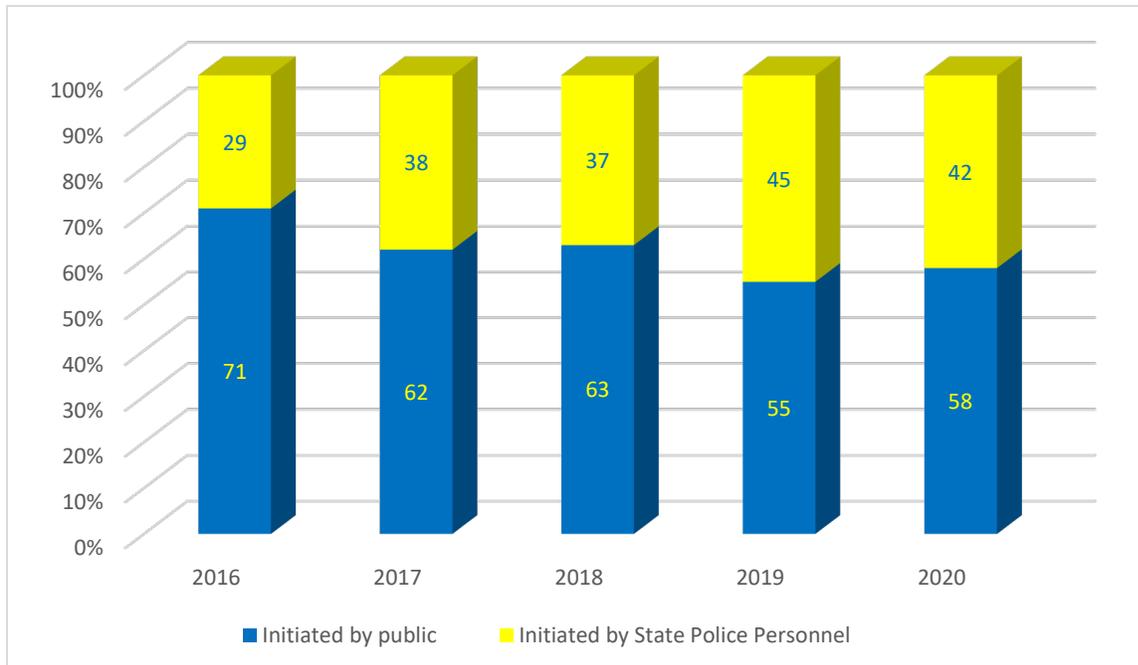


fifty-four (154) (62%) were initiated by members of the public, and ninety-four (94) (38%) were initiated internally. Of the misconduct complaints initiated by the public, ninety-five (95) (62%) involved citizens who had been arrested or issued a motor vehicle summons by a member of the State Police. In addition, OPS received seven (7) reportable incidents that were classified as Performance issues; four (4) (57%) of these complaints were initiated by members of the public, and three (3) (43%) were initiated internally.

In 2016, of the two hundred three (203) total misconduct complaints, one hundred thirty-six (136) (67%) were initiated by members of the public, and sixty-seven (67) (33%) were initiated internally. Of the misconduct complaints initiated by the public, sixty-eight (68) (50%) involved citizens who had been arrested or issued a motor vehicle summons by a member of the State Police. In addition, OPS received thirty-four (34) reportable incidents that were classified as Performance issues; thirty-two (32) (94%) of these complaints were initiated by members of the public, and two (2) (6%) were initiated internally.

Five-Year Comparison of Complaint Sources for Misconduct Matters

For the purposes of the chart displayed below, the cumulative number of Misconduct Complaints is being used, and the results are presented as percentages.



Criminal Proceedings Involving Division Members

OPS also investigates all matters in which a member of the State Police has become the subject of a criminal proceeding for any appropriate disciplinary action subsequent to the resolution of the criminal matter. Criminal proceedings arise in a variety of ways: they can be initiated as a result of an investigation by OPS personnel; they may be the result of state or federal criminal investigations; they may arise from off-duty conduct matters; or they may be the result of counter-complaints filed against a trooper by a defendant, after the defendant has been arrested or charged by a trooper.

On-Duty Conduct: State Police or Other Law Enforcement Agency Initiated Proceedings.

An examination of our records has found one (1) trooper was charged with a crime during 2020. The member was charged with conduct that occurred while on-duty.

This case represents a criminal or disorderly persons offense filed against Division member acting in an official capacity while in the performance of their State Police duties. During 2020, the following charge was filed against the member because of interactions while on-duty:

- Member was charged with Tampering with Public Records, Deprivation of Civil Rights, and Stalking. The member pleaded guilty to Tampering with Public Records and was required to forfeit their public employment.



Off-Duty Conduct

An examination of our records has found three (3) members were charged with crimes during 2020. All three (3) members were charged while off-duty.

These cases represent criminal or disorderly persons offenses filed against Division members acting in an off-duty capacity and not related in any way to the performance of their State Police duties. During 2020, the following charges were filed against members because of off-duty conduct:

- Member was charged with Official Misconduct and Endangering the Welfare of a Child. The criminal proceedings are pending.
- Member was charged with Endangering the Welfare of a Child, Possession of a Weapon for Unlawful Purpose, Criminal Restraint, Terroristic Threats, Aggravated Assault, and Criminal Mischief. The member entered into a Pre-Trial Intervention (PTI) program and as a condition of the PTI was required to forfeit their employment.
- Member was charged with Domestic Violence - Simple Assault. The criminal charge was dismissed in court and the member admitted to administrative charges.

Although some of the above criminal charges have been judicially dismissed, the troopers involved may still face Division administrative charges.⁶

Assignment of Investigations

Of the two hundred forty-five (245) misconduct cases in 2020, twenty-five (25) were adjudicated by the Intake Unit through the use of a short form investigation, two hundred nineteen (219) were assigned to Internal Affairs Investigation Bureau investigators, and one (1) was referred to OAG, OLEPS, for investigation.

The investigative process assesses the propriety of all conduct during the incident in which the alleged misconduct occurred. If, during the course of an investigation, there is an indication that misconduct occurred other than that alleged, OPS will also investigate that additional potential misconduct to its logical conclusion. In addition, if a citizen requests to withdraw a previously made complaint, the investigation is continued with or without the assistance of the citizen to ensure proper trooper conduct.

⁶The information contained in this report was captured on April 1, 2021. The disposition of the administrative charges regarding the members will be published in subsequent reports.



Allegations and Outcomes

All complaints are categorized based on the alleged conduct. As of September 1, 2000, each allegation, upon review by the Superintendent, is determined to have one of the following four dispositions:

- Substantiated:** An allegation is determined to be “substantiated” if a preponderance of the evidence shows a member violated any law, State Police rule, regulation, protocol, standing operating procedure, directive, or training.
- Unfounded:** An allegation is determined to be “unfounded” if a preponderance of the evidence shows that the alleged misconduct did not occur.
- Exonerated:** An allegation is determined to be “exonerated” if a preponderance of the evidence shows the alleged conduct did occur, but did not violate State Police rule, regulation, protocol, standing operating procedure, directive or training.
- Insufficient evidence:** An allegation is determined to be “insufficient evidence” when there is insufficient evidence to decide whether the alleged act occurred.

It is important to note that the disposition of any allegation is determined after a complete and thorough investigation utilizing the “preponderance of the evidence” standard.⁷ To substantiate an allegation, the investigative results must lead to the conclusion that the alleged misconduct was more likely to have occurred, than not.

Misconduct Investigations Opened in 2020

There were two hundred forty-five (245) misconduct investigations opened in 2020. The following paragraphs report the status of these cases as of April 1, 2021.⁸ Of these cases, one hundred forty-two (142) (58%) were initiated as the result of citizen complaints and one hundred three (103) (42%) cases were opened because of complaints made by State Police supervisors or other members.

⁷ In Re Polk, 90 N.J. 550, 560-562 (1982); Atkinson v. Parsekian, 37 N.J. 143, 149 (1962).

⁸ For consistency purposes, OPS assesses the status of the cases in preparation of their Annual Report in April of the subsequent year. This is to allow adequate time to ensure that all information regarding the previous year has been properly captured and is up-to-date.



Of the one hundred forty-two (142) citizen-initiated investigations, forty-five (45) (32%) remain active, twenty-three (23) (16%) are in the review process, fifty-three (53) (37%) have been completed, and twenty-one (21) (15%) have been suspended pending court action or other administrative action. Of the fifty-three (53) completed, nineteen (19) (36%) resulted in substantiated primary or secondary allegations.

Of the one hundred three (103) complaints initiated by State Police supervisors and members, nineteen (19) (18%) remain active, fourteen (14) (14%) are in the review process, fifty-nine (59) (57%) have been completed and eleven (11) (11%) have been suspended pending court action or other administrative action. Of the fifty-nine (59) completed, thirty three (33) (56%) resulted in substantiated primary or secondary allegations.

Summary of New Complaints:

The following table summarizes the total number of complaints received by OPS during the year 2020 that resulted in Internal Investigations, the origin of the complaints, the total number of Principals (members of the Division who have been identified as the subjects of the investigations) per complaint, and the general categories of the allegations.

| 2020 Number of Principals by Category for Internal Investigation | | | |
|---|---------------|------------|--|
| Complaint Classification | Origin | | Principals (Involved Members) |
| | Public | SP | |
| Admin. Violations | 4 | 44 | 48 |
| Alcohol Violation | 0 | 2 | 2 |
| Assault | 4 | 0 | 4 |
| Attitude and Demeanor | 31 | 0 | 31 |
| Differential Treatment | 78 | 6 | 83 |
| Domestic Violence | 4 | 12 | 15 |
| Driving Violation | 10 | 4 | 12 |
| Drug Violation | 0 | 0 | 0 |
| Excessive Force | 51 | 11 | 61 |
| Failure to Perform Duty | 22 | 15 | 37 |
| False Arrest | 2 | 0 | 2 |
| Improper Search | 3 | 0 | 3 |
| Other | 56 | 28 | 84 |
| Other Harassment | 3 | 1 | 4 |
| Theft | 2 | 4 | 6 |
| TOTALS | 270 | 127 | 392 |

Note: The complaints are broken down by the primary complaint classification, and segregated by the origin of the complaint.



Completed Discipline

The State Police disciplinary hearing system provides for three (3) formal classifications of disciplinary proceedings for substantiated violations of the NJSP Rules & Regulations. They are:

General Disciplinary Hearing: may result in a suspension of 30 days and up to termination, and/or a reduction in rank and/or grade.

Summary Disciplinary Hearing: may result in a suspension of up to 30 days.

Minor Discipline: may result in a suspension of up to 5 days.

**Note: The New Jersey State Police utilize a progressive discipline model. Some cases may appear to have similar allegations or circumstances and result in a different penalty; however, an officer's disciplinary history and a repetitive occurrence of offenses would result in increased discipline except in cases of egregious misconduct warranting termination absent progressive discipline. Some matters involve the same trooper and/or multiple discipline.*

Synopsis of Major Discipline

The following is a synopsis of General Disciplinary Matters completed during the calendar year 2020*:

General Disciplinary Matters Prior to June 15, 2020

- Member was criminally charged with fourth degree Criminal Sexual Contact and third degree Aggravated assault. The member entered into a guilty plea to Aggravated Assault. As a result of the plea agreement, the member was disqualified from any employment with the State of New Jersey and was terminated from employment with the Division.
- Member admitted to acting in an official capacity to the discredit of the Division while on-duty and violating the State of New Jersey Anti-Discrimination Policy by making inappropriate and disparaging remarks within the workplace. The member received a 30-day suspension.
- Member admitted to acting in both an official and unofficial capacity to the discredit of the Division. While on-duty the member presented a work related lecture without

*On June 15, 2020, Attorney General Grewal issued Attorney General Directive 2020-6, which directed the New Jersey State Police to disclose the names of members subject to major discipline since 2000. On June 7, 2021, the New Jersey Supreme Court upheld the Attorney General's authority to issue the Directive, and found that the identities of officer subject to major discipline since June 2020 may be disclosed per the Directive. Disclosure of the identity of State Police members involved in major misconduct prior to the June 2020 Directive is currently pending the resolution in litigation. *In re Attorney General Law Enforcement Directives Nos. 2020-5 and 2020-6, A- 26/27/28/29/30-20, June 7, 2021.*

obtaining authorization or approval. During the presentation, the member was in uniform and carrying the duty weapon assigned to another member. Additionally, while off-duty the member engaged in a verbal dispute, which required the response of law enforcement. Furthermore, the member violated the medical policy and procedures of the Division. The member received a 92-day suspension.

- Member was found guilty of acting in official capacity to the discredit of the Division while on-duty regarding two separate incidents. The member knowingly altered official documents associated with a Drinking Driving Report. Additionally, the member knowingly completed an Investigation Report, which contained false information regarding the identification of a suspect. The member was terminated from employment with the Division.

General Disciplinary Matters after June 15, 2020

- Tpr. I Mark Campagna #6779 admitted to acting in an official capacity to the discredit of the Division while on-duty by knowingly entering inaccurate and false information into the eDaily system. The member received a 45-day suspension.
- Tpr. I Todd Portadin #6873 admitted to acting in an official capacity to the discredit of the Division while on-duty by knowingly entering inaccurate and false information in an official report or record, disobeying a written order and failure to notify the division of prohibited conduct by another member. The member received a 365-day suspension.
- Tpr. Filipe Alves #7450 admitted to acting in an official capacity to the discredit of the Division while on-duty and failing to take appropriate police action. During the course of a motor vehicle stop, Tpr. Alves failed to act on the operator's admission of marijuana possession, and the belief of an active NCIC warrant. Additionally, Tpr. Alves knowingly provided inaccurate and false information to the Operational Dispatch Unit. The member received a 90-day suspension.
- Lt. Dawn Shyner #5217 was found guilty of failing to cooperate with an internal investigation by not providing full and complete information regarding possible misconduct by other members. The member received a 20-day suspension.
- DSG Edmund Masiejczyk #5295 was found guilty to acting in both an official and unofficial capacity to the discredit of the Division. The member consumed alcoholic beverages in his assigned troop transportation during a scheduled work day. Additionally, the member pled guilty in municipal court to Driving While Intoxicated after being involved in a motor vehicle crash in his personal vehicle while off duty. The member was terminated from employment with the Division.
- DSG Christopher DeAngelis #5988 admitted to acting in an official capacity to the discredit of the Division while on-duty and entering inaccurate information into Division



records. The member failed to follow proper procedures by falsely entering his own sick time. The member received a 30-day suspension.

- SFC Danyel Barnes #6292 admitted to acting in an unofficial capacity to the discredit of the Division while off-duty. The member witnessed an assault and failed to take appropriate police action or make proper notification. The member received a 60-day suspension.
- Tpr. Michael Kulik #7883 admitted to acting in an unofficial capacity to the discredit of the Division while off-duty. The member was arrested after driving a vehicle while under the influence of alcohol in the State of Indiana and attempted to use his position to gain favor with the investigating officer. The member received a 180-day suspension.
- Tpr. I Charles Travis #7074 admitted to acting in an official capacity to the discredit of the Division while on-duty. The member arrived late and left early from an overtime detail and subsequently falsified records related to his whereabouts. Additionally, the member operated his troop car in an unsafe manner. The member received a 45-day suspension.
- Det. I Jose Samol #6333 admitted to acting in an unofficial capacity to the discredit of the Division when he attempted to use his official position to secure a lesser sentence for a convicted criminal by authoring a letter to the courts and citing his position as a trooper. The member also maintained a questionable relationship with the convicted felon and provided false information concerning the relationship to internal investigators. The member received a 180-day suspension.
- Tpr. I Bartlomiej Koziel #7041 was criminally charged with second degree Endangering the Welfare of a Child, second degree Possession of a Weapon for Unlawful Purpose, third degree Criminal Restraint, third degree Terroristic Threats, fourth degree Aggravated Assault, and Criminal Mischief. The member entered into a Pre-Trial Intervention in which he was required to resign from his position with the New Jersey State Police. As a result, the member was terminated from employment with the Division.
- Sgt. Curtis Sand #6695 admitted to acting in an unofficial capacity to the discredit of the Division while off-duty. After consuming alcoholic beverages, the member made offensive comments towards a member of the public. Additionally, the member failed to treat responding law enforcement officers respectfully and made false statements to internal investigators. The member received a 120-day suspension.
- Tpr. Leonardo Arcos #7963 admitted to acting in an unofficial capacity to the discredit of the Division while off-duty. After consuming alcoholic beverages, the member attempted to settle a domestic disturbance and attempted to prevent responding law enforcement officers from investigating. The member received a 270-day suspension.



The following is a synopsis of Summary Disciplinary Matters completed during the calendar year 2020:

Summary Disciplinary Matters Prior to June 15, 2020

- Member admitted to acting in an unofficial capacity to the discredit of the Division while off-duty. The member was involved in a physical altercation, which required a police response. The member received a 20-day suspension.

Summary Disciplinary Matters after June 15, 2020

- SFC Paul Dreher #5258 was found guilty of acting in an unofficial capacity to the discredit of the Division while off-duty. The member caused property damage during an act of Domestic Violence and acted in an unprofessional manner towards other law enforcement officers. The member received a 10-day suspension.
- SFC Paul Dreher #5258 was found guilty of acting in an unofficial capacity to the discredit of the Division while off-duty as a result of his unprofessional behavior towards other law enforcement officers while attending a festival. The member received a 20-day suspension.
- Tpr. Adam-Paul Garcia #7616 admitted to acting in an official capacity to the discredit of the Division while on-duty and failing to maintain decorum. The member caused damage to a motorist's vehicle as it was driving through an accident scene. The member received a 20-day suspension.



Synopsis of Minor Discipline

The following information reflects a brief synopsis of the circumstances, which led to the imposition of *Minor Discipline* during the calendar year 2020. Although circumstances involving disciplinary cases may appear similar within these brief summaries, each case is judged on its own merits based on a specific set of facts, and the Superintendent determines the final discipline imposed.

- Member failed to secure evidence and follow MVR procedures. (Written Reprimand)
- Member failed to secure evidence and follow BWC procedures. (Written Reprimand)
- Member failed to submit a Reportable Incident Report after becoming aware that two subordinates failed to safeguard evidence. (Written Reprimand)
- Unauthorized use of troop transportation with accident involved. (Written Reprimand w/5 day suspension)
- Member failed to safeguard NJSP issued identification. (Written Reprimand)
- Member failed to safeguard NJSP issued identification. (Written Reprimand)
- Member arrested citizen without just cause, operated their troop car in an unsafe manner, failed to provide a Compliment/Complaint form, and follow BWC procedures. (Written Reprimand)
- Member failed to provide appropriate advice to subordinate seeking assistance during a criminal investigation. (Written Reprimand)
- Member approved an overtime request form without verifying the information. (Written Reprimand)
- Member failed to attend scheduled training and failed to correct an eDaily entry, which had been submitted. (Written Reprimand)
- Member relayed an unauthorized person in their troop transportation and failed to safeguard issued equipment. (Written Reprimand)
- Member witnessed a verbal altercation and failed to identify himself as a NJ State Trooper when state troopers arrived to investigate the incident. (Written Reprimand)
- Member lost the identification for two drivers on separate motor vehicle stops and failed to note the presence of a third passenger on the CAD Abstract Report. (Written Reprimand)



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- Member failed to activate the BWC during a motor vehicle stop and failed to properly secure the prisoner during transport. (Written Reprimand)
 - Member failed to properly secure a weapon discovered during an arrest, failed to document using force in the appropriate report, and failed to provide a Compliment/Complaint form. (Written Reprimand)
 - Member used profanity during a motor vehicle stop. (Written Reprimand)
 - Member failed to document the presence of a prisoner in the station in the CAD and failed to ensure all prisoners were released before ending their shift. (Written Reprimand w/5 day suspension)
 - Member failed to ensure all prisoners were released before ending their shift. (Written Reprimand w/5 day suspension)
 - Member engaged in a verbal and physical argument with their spouse while failing to deescalate the situation. (Written Reprimand w/5 day suspension)
 - Member authored an inaccurate report, failed to search an arrested individual, and failed to double-lock the handcuffs. (Written Reprimand w/2 day suspension)
 - Member entered their own sick time and failed to wait for approval before engaging in outside employment. (Written Reprimand)
 - Member failed to safeguard NJSP issued badge. (Written Reprimand)
 - Member failed to safeguard NJSP issued identification. (Written Reprimand)
 - Member failed to notify the Division of their involvement in a physical altercation in which the member sustained an injury and sought medical attention. (Written Reprimand)
 - Member failed to safeguard NJSP issued gas card. (Written Reprimand)
 - Member failed to safeguard NJSP issued identification. (Written Reprimand)
 - Member improperly handled NJSP shotgun causing an accidental discharge and damage to troop transportation. (Written Reprimand)
 - Member failed to safeguard NJSP issued identification. (Written Reprimand)
 - Member failed to safeguard NJSP issued cellular telephone. (Written Reprimand)



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- Member used position to compel responding troopers to deactivate their DIVR. (Written Reprimand)
 - Member failed to properly secure a prisoner. (Written Reprimand)
 - Member communicated information to a civilian, which was not available to the public. (Written Reprimand)
 - Member operated troop transportation in an unsafe manner causing damage. (Written Reprimand)
 - Member acted improperly during a child custody transfer and failed to properly utilize his BWC. (Written Reprimand)
 - Member permitted a suspended driver to operate a vehicle. (Written Reprimand)
 - Member failed to safeguard NJSP issued identification. (Written Reprimand)
 - Member left their assigned station area without permission or advising ODU. Additionally, the member utilized their assigned troop transportation without authorization prior to the start of their shift. (Written Reprimand)
 - Member failed to safeguard NJSP issued identification. (Written Reprimand)
 - Member failed to follow MVR procedures on multiple occasions. Additionally, member failed to follow a written order to obtain approval for duty leave. (Written Reprimand)
 - Member failed to safeguard an off duty weapon. (Written Reprimand w/5 day suspension)
 - Member failed to safeguard NJSP hat and hat badge. (Written Reprimand)
 - Member plead guilty to municipal ordinance related to operating an unregistered vehicle. (Written Reprimand)
 - Member failed to safeguard NJSP issued handcuffs. (Written Reprimand)
 - Member unwittingly permitted driver to exceed speed limit and operated troop transportation in an unsafe manner. (Written Reprimand)
 - Member failed to make a mandatory arrest during domestic violence investigation and made errors in associated report. (Written Reprimand)
 - Member failed to further inquire into possible alleged misconduct involving members within their command. (Written Reprimand)



- Member deactivated their BWC and DIVR, failed to properly investigate an impaired driver, and made errors in associated report. (Written Reprimand w/5 day suspension)
- Member failed to properly complete pre-operational checks for their BWC and DIVR, failed to activate their BWC when required, and failed to properly investigate an impaired driver. (Written Reprimand w/5 day suspension)
- Member made inappropriate remarks within the workplace, which violated the State of New Jersey Anti-Discrimination Policy. (Written Reprimand w/5 day suspension)
- Member improperly utilized social media for investigative purposes and failed to fully capture MV stop on DIVR. (Written Reprimand)
- Member compelled passenger to provide their name and identifying information without cause, used foul language, failed to record incident on BWC, and failed to secure prisoner with a seatbelt. (Written Reprimand w/5 day suspension)
- Member failed to safeguard NJSP issued identification. (Written Reprimand)
- Member improperly handled a firearm causing an accidental discharge. (Written Reprimand)
- Member failed to follow proper confidential source procedures. (Written Reprimand)



Summary of Completed Cases by Principal Resulting in Discipline Reporting Period: January 1, 2020 through December 31, 2020

| Actions Taken for Cases by Category in Year 2020 | | | | |
|--|---|---|-----------------------|-----------------------|
| Complaint Classification | Counseling/ Performance Notice Issued | Minor Discipline/ Including Written Reprimands Issued | Summary Discipline | General Discipline |
| Improper Search | 1 | 0 | 0 | 0 |
| Theft | 0 | 0 | 0 | 4 |
| Assault | 0 | 0 | 0 | 0 |
| Excessive Force | 0 | 0 | 0 | 0 |
| Differential Treatment | 0 | 0 | 0 | 2 |
| Other Harassment | 0 | 0 | 0 | 1 |
| Domestic Violence | 0 | 0 | 1 | 0 |
| Drug Violation | 0 | 0 | 0 | 0 |
| Alcohol Violation | 0 | 0 | 0 | 4 |
| False Arrest | 0 | 1 | 0 | 0 |
| Failure to perform duty | 13 | 11 | 0 | 6 |
| Driving violation | 2 | 4 | 0 | 2 |
| Attitude and Demeanor | 4 | 2 | 0 | 1 |
| Admin. Violation | 38 | 28 | 1 | 12 |
| Other | 14 | 23 | 3 | 10 |
| Laws and Statutes | 0 | 1 | 0 | 3 |
| Totals | 72 | 70 | 5 | 46 |

***NOTE:** This chart contains all disciplinary actions imposed in misconduct cases completed during the calendar year, regardless of the year the case was initiated. Total numbers include members who were terminated because of misconduct.

In some cases, a reportable incident may contain multiple allegations and principals. In cases with multiple substantiated allegations, the resulting discipline against a member is listed next to the Complaint Classification category considered the most severe.

Prosecution for False Citizen Complaints

As can be seen from this report, the Division of State Police takes citizen complaints seriously and fully investigates them. However, if a complaint is found to be fabricated and maliciously pursued, the complainant may be subject to criminal prosecution. During 2020, no complainants were criminally charged for filing false complaints against Division members.



Compliments

In addition to monitoring conduct of troopers to ensure conformance to the highest standards, the Division of State Police also accepts and appreciates all compliments submitted by the public regarding troopers' conduct. During 2020, the Division received seven hundred seven (707) citizen compliments regarding actions by enlisted members. These citizen compliments were received in one of the following manners: citizen generated letters of appreciation, the New Jersey State Police Citizen Compliment/Complaint Form, the OPS Toll-free Compliment/Complaint Hotline, and e-mails.

Report Note

The intake and disposition of complaints is an ongoing process. During internal investigations, cases may be reclassified because of information obtained during the investigatory process. During the year, the Division consistently shares case data with the OLEPS within the OAG. Due to the fluid nature of internal investigations and the directions taken during internal investigations, slight numerical differences may exist if compared historically.





