

NEW JERSEY STATE POLICE

OFFICE OF PROFESSIONAL STANDARDS

INTERNAL INVESTIGATION AND DISCIPLINARY PROCESS

ANNUAL REPORT 2000



HONOR ☆ DUTY ☆ FIDELITY

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FROM THE SUPERINTENDENT . . .

General H. Norman Schwarzkopf, the first superintendent of the New Jersey State Police set the mission statement for this newly created force on December 5, 1921 by issuing General Order #1 which reads:

“It shall be the duty of the members of the New Jersey State Police to prevent crime and pursue and apprehend offenders. Members should bear in mind that the prevention of crime is of greater importance than the punishment of criminals. The force individually and collectively should cultivate and maintain the good opinion of the people of the State by prompt obedience to all lawful commands, by a steady and impartial line of conduct in the discharge of its duties and by cleanly, sober and orderly habits and by a respectful bearing to all classes.”

The words of General Schwarzkopf clearly demonstrate that he was a man of vision, who understood the true nature of law enforcement. When many today seek to redefine their organization’s “mission statement,” General Schwarzkopf’s words clearly are as important today as they were in 1921. His words speak to the proud tradition that has guided this organization for almost 80 years.

During the year 2000 we added the concept of performing our duties “Constitutionally and with Compassion” to our “Core Value” statement. This brief statement which was originated by former police commissioner Bill Bratton speaks to what I believe the central focus of law enforcement should be during this century. General Order #1 and our newly adopted “core values” statement bring a timeless quality and a continuing sense of mission to each trooper of this organization.

General Schwarzkopf stated, “THE FORCE INDIVIDUALLY AND COLLECTIVELY SHOULD CULTIVATE AND MAINTAIN THE GOOD OPINION OF THE PEOPLE OF THE STATE.” This simple statement is paramount to success of any law enforcement agency. Our job is to serve “every” citizen of this state.

From the first day of service as Superintendent, I understood that as the leading law enforcement agency of the state, we have a great responsibility to ensure that we in fact policed ourselves to the best of our ability. This understanding has led to my making our internal affairs process, a model for law enforcement. We have reorganized, we have increased in size, we have provided more career opportunities to the personnel in this area, but most importantly we have stressed the need for thoroughness and impartiality in all we do.

It is my opinion that in the last year we have created an internal affairs unit, the Office of Professional Standards (OPS), that understands and is guided by both General Order #1 and our core value statement. Through OPS we hope to ensure that we maintain the “good opinion of the people of the state.” Reviews conducted to date by the Federal monitor and the Office of the Attorney General have reinforced my opinion that we are on track in our efforts.

On March 1, 2000, the state police established a new discipline policy for personnel of this Division. It is anticipated that the effects of this policy will be seen during this year as year 2000 cases progress through the system. This report, which is only the second of its kind, is a great improvement over what was released last year. It is my intent to make this an annual report available for review by the public. We believe that demonstrating what we do to police ourselves will in fact aid in “maintaining the good opinion of the people of the state.” Just as we have put into place new personnel and new policies in an effort to strengthen our internal affairs system, it is my belief that the disciplinary policy of March 1, 2000 will bring about additional change in the conduct of our personnel.

While I believe that we have notable accomplishments in these areas, problems still remain. One issue overshadows everything else. “Timeliness” is a major point in any effective disciplinary system. Our troopers, their Associations, the public, the Federal monitor, the Office of the Attorney General and I all share great concern regarding the time period required to bring internal investigations to conclusion. At the present time we have more than 120 cases that are 12 to 24 months old and 7 cases that are more than 24 months old. In addition, we have 132 cases that are between 4 to 12 months. We are attempting to create a system in which all but the most complex cases are completed within 120 days. This goal, however, will not be accomplished in the short term.

It is also important to note that since 1998, internal investigations have increased from 221 to 584 in the year 2000. As can be seen cases had more than doubled. Further, as was stated, we have increased the thoroughness and review of each of these cases. The increase in cases and review process has resulted in a lengthening of the investigative period. We are currently exploring ways to streamline both investigations and the review process.

I must also note another very important issue. In reviewing cases that have completed the investigative phase, it has become very apparent to me that we receive numerous complaints that have little or no merit. The mobile video camera has served as a great investigative tool in resolving allegations of misconduct. In 67 cases alone the review of these videotapes has allowed us to expeditiously close investigation. In

addition, videotapes have been of great assistance in expediting investigations that must be conducted. As you will note in the report, we have moved to prosecute four individuals for filing complaints that were totally without merit.

In the coming year, it is my intent to discuss with the Attorney General and County Prosecutors the merit of bringing additional charges against individuals, who have no basis for their complaints. In order for the state police to meet its goal of resolving cases in a 120-day period, cases that have “no” merit must be reduced. It is clear from investigations conducted in 2000 that a number of individuals have filed complaints in the hopes of resolving or mitigating traffic summonses they have received. The videotapes and even their own statements point directly to this condition.

At the present, I have directed that only in the most unusual circumstances would we request prosecution for false police reports. This fact can be seen in that we have only recommended four prosecutions in more than 937 cases during the last two years. A review of the cases would indicate there are several more in which we could have recommended prosecution.

As I have stated the State Police since March 1, 2000 has been subjected to a new discipline system. During each of the last three years the State Police has issued approximately 400,000 summonses or been involved in some type of negative encounter with the public. Further, the issue of “Racial Profiling” and concerns regarding this issue have impacted on the opinion of the citizens of this state. Despite these factors the State Police has received only 469 complaints from outside this agency. While at the same time the State Police has received 537 letters of compliments on its complaint form, 854 letters of appreciation, 29 toll-free hotline calls and 4 e-mail messages in each case the State Police was praised for the work they do on a daily basis.

As the current Superintendent, I recognize what General Schwarzkopf said in 1921, we must “maintain the good opinion of the people.” We will dedicate ourselves to stronger self-policing. We will make available to the general public information in this regard to ensure they have a vehicle to determine what we are doing. The public also has a part in this matter. They also must not abuse the system for personal gain. I seek to resolve all issues of genuine concern. No State Trooper should be allowed to conduct herself or himself in a manner to bring discredit to this organization. While at the same time, members of the public should note that malicious allegations that have no foundation are also unacceptable and may also be subject to investigation.

In closing let me state that my goal is for every citizen and trooper to have complete confidence in this organization as it pertains to fairness. I recognize that as in any family, there will be those that stray from the correct path. We are prepared to

address such issues. We have improved and pledge to continue in our efforts during the current year.

Let me again state that I have committed myself to ensure that the words of General Schwarzkopf are embraced in both body and spirit by every member of this Division. We will be guided by his statement that "THE FORCE INDIVIDUALLY AND COLLECTIVELY SHOULD CULTIVATE AND MAINTAIN THE GOOD OPINION OF THE PEOPLE OF THE STATE."

Honor, Duty and Fidelity

Col. Carson J. Dunbar, Jr.
Superintendent New Jersey State Police

FROM THE SUPERVISOR,
OFFICE OF PROFESSIONAL STANDARDS . . .

This Report is intended to provide the public and members of the Division of State Police an open and candid analysis of complaints against Division personnel. It is also hoped that this Report will increase awareness of the high standards of conduct required of New Jersey State Troopers. The information contained herein should permit the citizen and trooper alike to evaluate the commitment and diligence with which the Division undertakes to maintain both this standard and the confidence and trust of the public in delegating to the State Police the solemn responsibility to police our own.

The members of this democratic society have entrusted the police with awesome power and authority over individual rights. These powers must be exercised without abusing individuals or abridging rights. At the same time, police officers, as members of our democratic society, have rights which must be accorded and similarly respected when allegations of misconduct are made against them.

The Office of Professional Standards, cognizant of these obligations to citizens and to the individual trooper, will ensure a fair and thorough investigation of allegations of misconduct and violations of rules and regulations. Prompt and thorough investigations provide a service to citizens who may be aggrieved by State Police action. They also protect enlisted members who may have been wrongfully accused. The Office of Professional Standards will continue to strive to develop and maintain citizen and member confidence in the integrity of the process.

The Office of Professional Standards is committed to promoting public and member confidence in the ability and obligation of the New Jersey State Police to maintain the high standard of police conduct required of law enforcement officers in a democratic, American society. In doing so, the values and traditions of the New Jersey State Police will be upheld and the Division will continue to maintain its reputation as a leader among law enforcement agencies in the nation.

Joseph R. Brennan, Major
Supervisor
Office of Professional Standards
New Jersey State Police

INTRODUCTION:

THE DISCIPLINARY PROCESS OF THE NEW JERSEY STATE POLICE:

The New Jersey State Police is a full service, statewide police organization. During 2000, the sworn compliment was 2,625 at its highpoint. Over the year, troopers of the State Police were involved in hundreds of thousands of police citizen contacts. Many 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.

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

The New Jersey State Police accepts, reviews and responds to all complaints received from the public. These include anonymous complaints, complaints from third party witnesses and complaints from parties not directly involved in the incident from which an allegation arises. Notwithstanding the occurrence of citizens requesting to withdraw a previously made complaint, the investigation is continued with or without the assistance of the citizen making the complaint. 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, the Division also investigates the additional potential misconduct to its logical conclusion.

The State Police, as an employer, is made up of over 3,700 employees including the aforementioned sworn members and the Division's civilian professional and support personnel. Due to the unique mission of the State Police, the Office of Professional Standards handles complaints from the public about a troopers conduct, allegations of criminal conduct on the part of a member and also adjudicates routine employee

discipline handled for other state and local employees as personnel matters under New Jersey Department of Personnel rules and regulations.

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 arising from citizen complaints alleging line of duty misconduct on the part of a trooper.

During the year 2000, significant initiatives and events have taken place to enhance the internal affairs and disciplinary process and to increase public confidence. The reorganization of the office formerly known as the Internal Affairs Bureau to establish the Office of Professional Standards moved the investigative and adjudication functions from the Division Staff Section and placed them under the control of a Major reporting directly to the Superintendent. The Office of State Police Affairs, Office of the Attorney General, was established in 1999 by the Attorney General as an external entity to the State Police that works jointly with the Division reviewing all complaints, investigations and adjudications handled by the Office of Professional Standards. The Office of State Police Affairs also has the authority and staff to conduct its own investigations as well as to handle matters at the request of the State Police.

Under the consent decree entered into between the United States and the State of New Jersey on December 30, 1999, federal monitors have access to and the ability to review and request additional work on all internal investigations. State Police Affairs, the Office of Professional Standards and the federal monitors worked together during 2000 reviewing internal investigations and the disciplinary process and have endeavored to improve the system even further. This joint effort continues during 2001.

The commitment by the State of New Jersey, the Attorney General and the Superintendent to the most thorough and fairest system possible is demonstrated by the increase in investigative and support personnel assigned to the Office of Professional Standards and the development and acquisition of a state of the art information technology case tracking system.

In January 1998, the former Internal Affairs Bureau consisted of 19 persons, sworn and civilian. This included seven investigators. As of January 21, 2001, the newly established Office of Professional Standards was made up of 54 persons. Of this number, 23 are full time, experienced investigators. Additionally, the authorization exists to hire 5 professional support personnel and the selection process is currently ongoing.

2000 OVERVIEW:

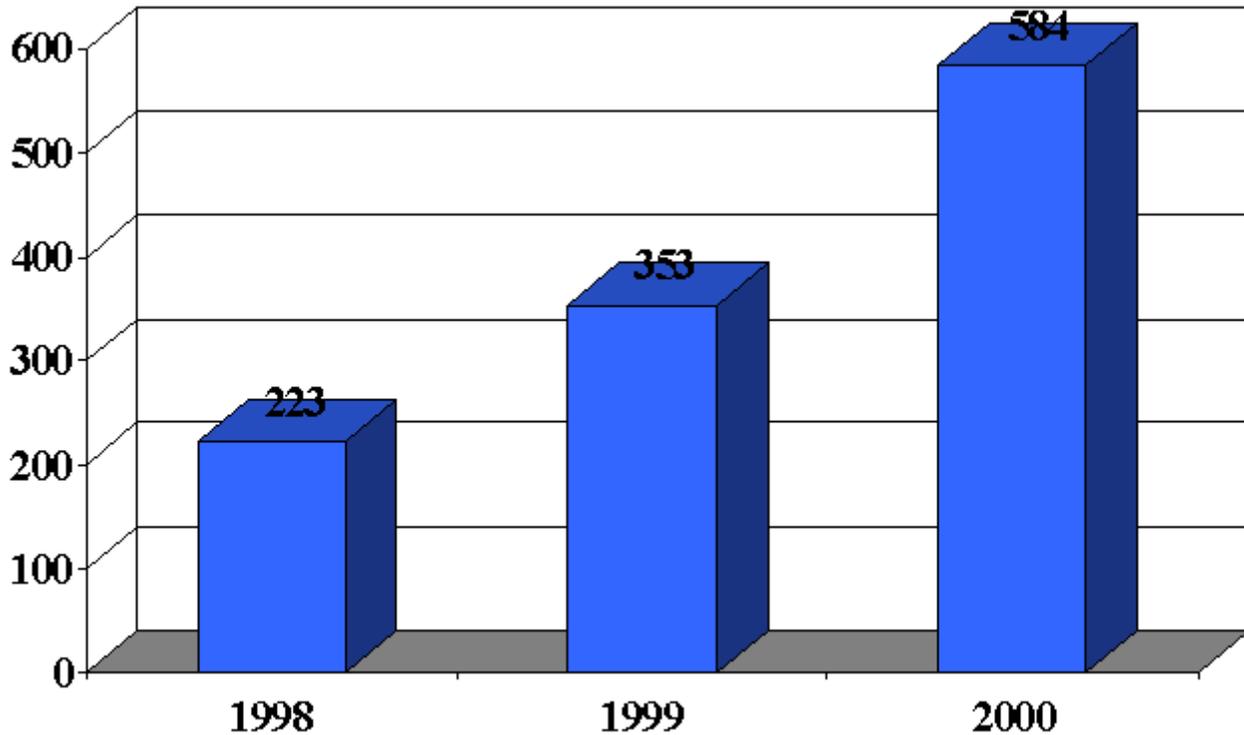
COMPLAINTS RECEIVED:

The Intake Unit of the Office of Professional Standards is responsible for receiving, documenting and processing all complaints alleging misconduct or a violation of State Police rules and regulations against sworn members of the New Jersey State Police. This includes complaints made by citizens as well as employment related disciplinary matters.

During the year 2000, 584 complaints were received and processed by this unit compared with 353 complaints in 1999 and 223 complaints in 1998. This represents a 65% increase in the number of complaints received in the year 2000 over those received in the year 1999.

The increase in the number of complaints may be attributed in some part to the media attention that the State Police has received. Additionally, an aggressive outreach campaign was initiated in late 1999 educating the public as to how to make a complaint against or submit a compliment for a member of the Division. Posters and signs describing the complaint process have been placed in every State Police facility and state operated highway service area. Additionally, every on-duty member interacting with the public carries informational brochures and compliment complaint forms which must be provided to anyone who objects to the troopers conduct. Also, during 1999, the State Police instituted and advertised the toll free hot line available twenty-four hours which goes directly to the Office of Professional Standards. Finally, the Office of State Police Affairs within the Office of the Attorney General, external to the State Police, accepts and investigates complaints and provides an alternative to citizens concerned about complaining directly to the State Police. Each of these initiatives has given the Division and the citizen significantly more opportunities to provide feedback, compliments or complaints about the operation of the Division and its personnel. Therefore, an increase in the number of complaints is a logical outcome of these efforts.

Three Year Comparison of Complaints Received

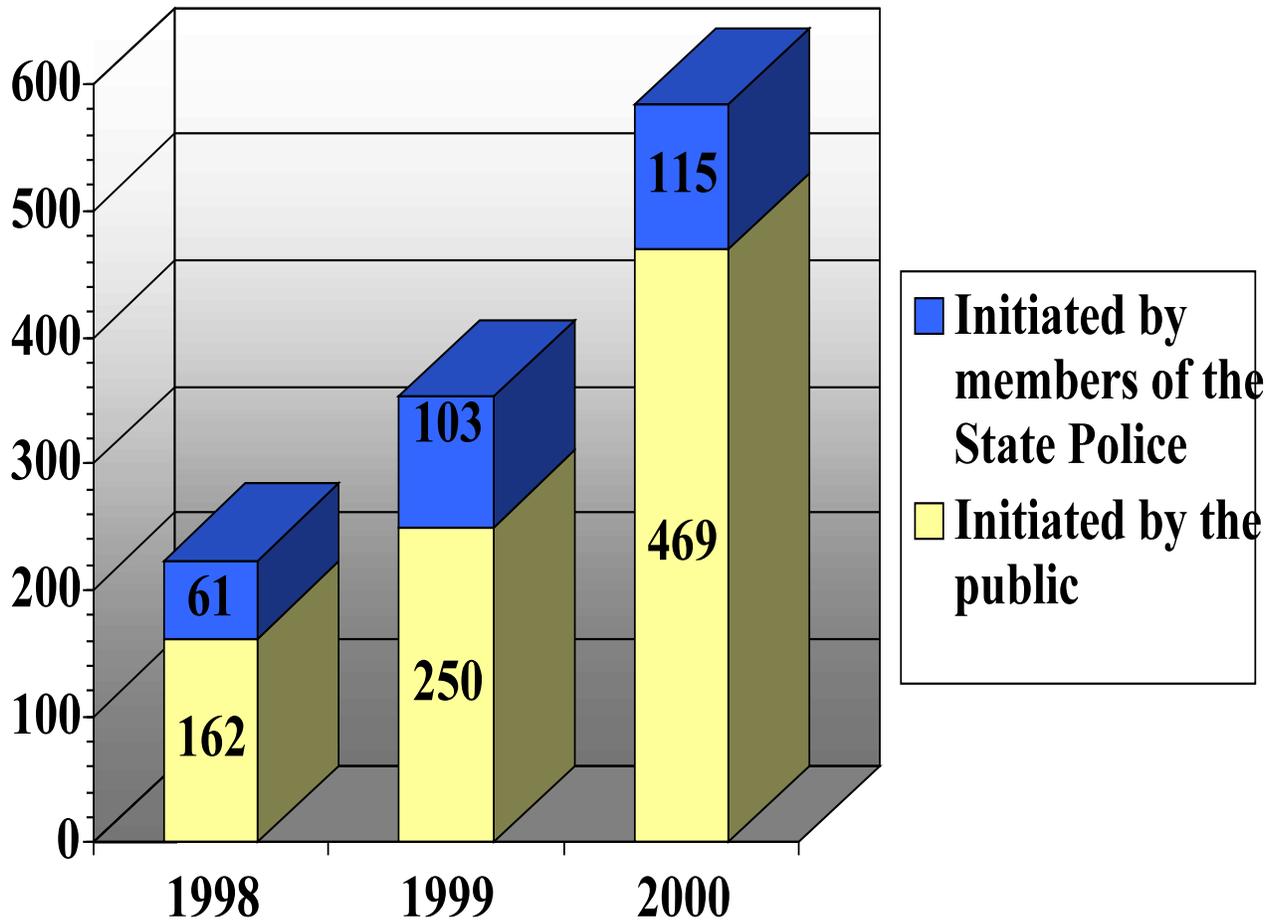


ORIGIN OF COMPLAINTS:

Of the 584 complaints received and processed in 2000, 469 were initiated by members of the public, and 115 were initiated internally. Of the complaints initiated by the public, 266 or 57% were initiated by citizens who had been arrested (56) or issued a motor vehicle summons (210) by a member of the state police. Six complaints were initiated as a result of an allegation of off-duty conduct relating to domestic violence. The remaining 197 or 42% of the externally initiated complaints were by citizens who were not arrested nor had they received any type of motor vehicle summons.

In 1999, of the 353 total complaints, 250 were initiated by members of the public and 103 were initiated internally. Of the 223 total complaints initiated in 1998, 162 were initiated by members of the public and 61 were initiated internally.

Three Year Comparison of Citizen Initiated and State Police Initiated Complaints



CRIMINAL PROCEEDINGS INVOLVING MEMBERS OF THE STATE POLICE:

The Office of Professional Standards investigates all matters where a member of the State Police has become the subject of a criminal proceeding. Criminal proceedings arise in a variety of ways. They can be initiated as a result of an investigation by Office of Professional Standards personnel; they may be the result of state or federal criminal investigations; they may arise from off-duty 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. Each matter represented below is the subject of a pending internal investigation.

Between January 1, 2000 and December 31, 2000, the following criminal complaints were signed or were pending against members of the Division:

Line of Duty: Citizen Initiated Criminal Matters

The following criminal charges were filed against members of the Division for incidents alleged to occur on-duty. Most were filed by individuals, (not law enforcement agencies) who were charged with motor vehicle and/or criminal offenses by the member. These cases have been reviewed, and it was administratively determined or pending determination that the member's actions were within the scope of official duties and legally defensible.

Member was charged with Harassment. This matter is pending court.

Member was charged with 2 counts of Aggravated Assault and 1 count of Harassment. This matter is pending court.

Member was charged with Assault. This matter is pending court.

Member was charged with Assault and Criminal Trespass. This matter is pending court.

Two members were charged with Simple Assault. These charges are pending court.

Member was charged with Harassment. The charge was dismissed.

Member was charged with Harassment. The member was found Not Guilty.

Member was charged with Assault. This charge was Administratively Dismissed.

Member was charged with Assault. The member was found Not Guilty.

Member was charged with Assault. The member was found Not Guilty.

Member was charged with Harassment, Assault, and Improper Behavior. The member was found Not Guilty.

Member was charged with Aggravated Assault. This charge was Administratively Dismissed.

Member was charged with Aggravated Assault. This charge was Administratively Dismissed.

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

In these cases, a member has been criminally charged by the State Police or other law enforcement agency and/or there has not been a finding that the member's behavior was within the scope of the member's official duties:

DATE OF OFFENSE	CRIME/OFFENSE	STATUS (as of January 16, 2001)
5/22/2000	Assault	Pending Court
2/6/2000	Terroristic Threats Assault	Dismissed 5/17/2000
1/27/2000	Theft	Guilty 12/18/2000 Pending Disciplinary Action
12/17/1999	Assault	Guilty 8/1/2000; Resigned 11/1/2000 Prior to the Imposition of Discipline

4/19/1999	Official Misconduct Attempted Murder Aggravated Assault Tampering With Public Records	Pending Trial
4/19/1999	Official Misconduct Attempted Murder Aggravated Assault Tampering With Public Records	Pending Trial
2/21/99	Assault Harassment	Not Guilty 8/15/2000
1/16/98	Official Misconduct Bribery Gifts to Public Servants	Guilty 5/24/1999 Dismissed from the Division on 5/16/2000

Off-duty Conduct:

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.

Member was charged with Simple Assault. This charge was Administratively Dismissed.

Member was charged with Obstructing the Administration of Law and Failure to Disperse. This matter is pending court.

Member was charged with Criminal Trespass and Criminal Mischief. These charges were dismissed.

Member was charged with Assault. This charge was Administratively Dismissed.

Member was charged with Simple Assault. This charge was Administratively Dismissed.

Member was charged with Aggravated Assault W/Firearm and Possession of a Weapon for Unlawful Purpose. The member was found Not Guilty at jury trial.

Member was charged with Criminal Mischief and Possession of Weapon for Unlawful Purpose. These charges are pending court.

Member was charged with Terroristic Threats and Assault. These charges were Dismissed.

Member was charged with Possession of CDS (Cocaine) and Possession of Narcotic Paraphernalia. The member was admitted to Pre-Trial Intervention Program and was subsequently dismissed from the Division for related violations.

Member was charged with Assault. The member was found Not Guilty.

Member was charged with Assault and Harassment. The member was found Not Guilty.

Member was charged with Harassment, Assault and Improper Behavior. The member was found Not Guilty.

Member was charged with Threat to Kill, Assault, and Disorderly Conduct. These charges were Administratively Dismissed.

Member was charged with Aggravated Manslaughter, Vehicular Homicide, and Aggravated Assault. This matter is pending court.

ASSIGNMENT OF INVESTIGATIONS:

Of the year 2000 complaints, 378 were assigned for investigation to members of the Office of Professional Standards, 19 were referred to the Office of State Police Affairs for investigation, and 187 were assigned to other State Police supervisory personnel for investigation.

ALLEGATION CATEGORIES AND OUTCOMES:

All complaints are categorized based on the alleged offense. As of September 1, 2000, completed investigations, upon review by the Superintendent, are 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 State Police rules, regulations, protocols, standard operating procedures, directives, 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 that the alleged conduct did occur but did not violate State Police rules, regulations, operating procedures, directives or training.
- Insufficient evidence: an allegation is determined to be “insufficient evidence” where there is insufficient evidence to decide whether the alleged act occurred.

Prior to September 1, 2000, completed investigations, upon review by the Superintendent, were determined to have one of the following three dispositions:

- Substantiated: an allegation was determined to be “substantiated” if a preponderance of the evidence showed a member violated State Police rules, regulations, protocols, standing operating procedures, directives, or training
- Unfounded: an allegation was determined to be “unfounded” if a preponderance of the evidence shows that the alleged misconduct did not occur or that the member’s actions were justified, legal, and proper.
- Unsubstantiated: an allegation was determined to be “unsubstantiated” if the investigation produced insufficient information to prove or disprove the allegation.

Of the 469 citizen initiated complaints in 2000, 174 have been resolved. During the intake phase 67 were closed by investigation and/or review of mobile video recordings of the incidents where the evidence showed that there were no violations of State Police policies or procedures. In addition, 107 investigations were completed. Of the 107 completed investigations, 10 (9.3%) resulted in a substantiated finding. Investigation continues into 295 citizen complaints.

Of the 115 complaints initiated by State Police supervisors or members in 2000, 34 investigations were completed. Of the 34 completed, 18 (52.9%) resulted in substantiated findings. Eighty-one of these complaints are pending investigation.

YEAR 2000 SUMMARY OF NEW COMPLAINTS AND COMPLETED CASES:

The left side of the following table summarizes the total number of complaints received by the Office of Professional Standards during the year 2000 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), and the general categories of the allegations. The right side summarizes the adjudication of cases by category that occurred during the year 2000, which include complaints from 1999 and earlier:

Please refer to the tables on the following page.¹

¹Note: The intake and disposition of complaints is an ongoing process. During investigations matters may be reclassified. During the year, the Division also reports case data to the federal monitors as well as to the Office of the Attorney General which each publish case data. Due to the fluid nature of the handling of these matters, slight numerical differences may exist if the reports are compared.

NEW JERSEY STATE POLICE, OFFICE OF PROFESSIONAL STANDARDS
SUMMARY OF NEW COMPLAINTS
REPORTING PERIOD: JANUARY 1, 2000 THROUGH DECEMBER 31, 2000

2000 Cases Received by Category for Internal Investigation			
Complaint Classification	Origin		Principals
	Public	SP	
Improper Search	7		5
Theft	4	2	6
Assault	45	3	53
Excessive Force	4		7
Differential Treatment	79		81
Other Harassment	44	3	43
Domestic Violence	8	3	15
Drug Violation	1	2	2
Alcohol Violation		1	1
Failure to Perform Duty	42	26	62
Driving Violation	43	1	33
Attitude and Demeanor	110	1	111
Admin. Violations	12	61	78
Other	70	12	78
TOTALS	469	115	575

NEW JERSEY STATE POLICE, OFFICE OF PROFESSIONAL STANDARDS
SUMMARY OF COMPLETED CASES
REPORTING PERIOD: JANUARY 1, 2000 THROUGH DECEMBER 31, 2000

Cases Completed by Category in Year 2000						
Complaint Classification	Written Reprimands Issued	Summary Disciplinary Hearings Held	General Disciplinary Hearings Held	Charges Filed Summary Disciplinary Hearings	Charges Filed General Disciplinary Hearings	Closed as Unfounded, Unsubstantiated, Insufficient Evidence
Improper Search						4
Theft			1			3
Assault						9
Excessive Force						
Differential Treatment						27**
Other Harassment	5			1	2	11
Domestic Violence	1	1		2	3	5
Drug Violation						1
Alcohol Violation						
Failure to Perform Duty	6					18
Driving Violation						32
Attitude and Demeanor						57
Admin. Violations	64	2	7	20	17	11
Other						45
TOTALS	76	3	8	23	22	223

** In 2000, 6 or 22% of the 27 cases closed in the Differential Treatment category resulted in Substantiated secondary allegations.

MAJOR CASE OVERVIEW FOR 2000:

During 2000, a small number of the Division's 2,625 enlisted personnel were involved with allegations of serious misconduct. These included administrative violations, violations of the public trust and, in some cases, criminal allegations. The Office of Professional Standards has initiated investigations into these violations which have resulted in the suspension of 4 Division members, and the suspension and subsequent resignation of 1 Division member all pending the completion of the investigation and disposition of the allegations. Please note that one case may appear in more than one category within this report.

MAJOR INVESTIGATIONS SERIOUS MISCONDUCT BREAKDOWN:

Criminal Law Violations	2
Firearms Use and Related Conduct	1
Illegal Drug Use and Related Conduct	2

MAJOR INVESTIGATIONS SYNOPSIS:

Criminal Violations:

Member was suspended after being arrested by a local police department for Obstructing the Administration of Justice, Resisting Arrest, and Failure to Disperse.

Member was suspended after being charged with Theft as a result of being observed by other State Police personnel on a surveillance camera in a state police facility removing property he did not own from a secured locker. The member was subsequently found guilty of the aforementioned charge in municipal court.

Firearms Use and Related Conduct:

Member was suspended after being arrested by a local police department after an off duty incident involving discharging a weapon and was charged with Criminal Mischief, Possession of a Weapon for Unlawful Purpose, and Tampering with Evidence.

Illegal Drug Use and Related Conduct:

Member was suspended after an annual Medical Review Examination urine screening was positive for an illegal controlled dangerous substance and the member refused to provide a second mandatory urine specimen. The member subsequently resigned from the Division pending disciplinary charges.

Member was suspended after an Office of Professional Standards investigation developed information indicating the member had ingested an illegal controlled dangerous substance off-duty and a subsequent urine screening was positive for the presence of an illegal substance.

COMPLETED DISCIPLINE:

The State Police disciplinary system provides for 3 formal dispositions to substantiated violations of rules and regulations. They are:

General Disciplinary Hearing: may result in termination, suspension of any duration imposed by Superintendent, and/or a reduction in rank and/or grade

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

Written Reprimand: may result in a suspension of up to 5 days

SYNOPSIS OF MAJOR DISCIPLINE:

The following is a synopsis of discipline imposed as a result of General and Summary Disciplinary Hearings during 2000:

Member plead guilty to violating rules and regulations regarding properly reporting his activities and was suspended for 30 days.

Member plead guilty to violating rules and regulations regarding dissemination of confidential information and was suspended for 10 days.

Member plead guilty to being culpably inefficient by not taking any enforcement action during a one month period and was suspended for 5 days.

Member plead guilty to providing misinformation during an internal investigation and was suspended for 20 days.

Member plead guilty to violating rules and regulations regarding possession of unauthorized weapons and was suspended for 30 days.

Member plead guilty to being culpably inefficient with regard to duties as a supervisor and was suspended for 6 months.

Member plead guilty to bringing discredit to the division with regard to operation of a motor vehicle off duty and was suspended 30 days.

Member was found guilty of violating the Attorney General's Law Enforcement Drug Testing Policy and was terminated from the State Police.

Member was found guilty of official misconduct (inappropriately accepting cash from a motorist in return for not performing his official duty) and was terminated from the State Police.

Member was separated from the Division when a pre-trial agreement in which the member agreed to resign was enforced.

Member was charged with improper handling of a prisoner and appeared at a General Disciplinary Hearing. This matter is pending a decision by the Superintendent.

In addition, three members resigned/retired from the Division of State Police in lieu of disciplinary hearings. Seven other enlisted members retired during 2000 with pending internal investigations. Three of these investigations were subsequently completed with recommended discipline.

The Office of Professional Standards has 23 General Disciplinary Hearings and 22 Summary Discipline Hearings scheduled to be held in 2001.

SYNOPSIS OF MINOR DISCIPLINE:

In addition to disciplinary hearings, during the year 2000 there were 76 Written Reprimands issued by the Superintendent for a variety of offenses. These include suspensions from 0 to 5 days. The following is a synopsis of Written Reprimands issued by the Superintendent:

Fourteen were issued for Lost Equipment

Twelve were issued for violations of unit scheduling and work assignment policies uncovered during an audit of a specific unit's activities.

Eleven were issued for Failure to Comply with Orders, Policies or Directives

Nine were issued for Failing to Call in Motor Vehicle Stops

Nine were issued for Incomplete, Erroneous or False Reports

Six were issued for Questionable Conduct

Six were issued for Engaging in Inappropriate Comments

Three were issued for Culpable Inefficiency

Two were issued for Leaving Assigned Patrol Area

One was issued for Failure to Appear in Court

One was issued for Failure to Safeguard Evidence

One was issued for a Domestic Dispute

One was issued for Failing to take an Internal Complaint

One was issued for Failure to Perform Duty

OTHER CORRECTIVE ACTIONS:

The Superintendent, in conjunction with the Office of Professional Standards, implemented a Written Warning Program during the year 2000 in which inappropriate or deficient conduct by a member not appropriate for or not requiring a disciplinary sanction may be documented in a formal manner. The institution of the Written Warning Program was designed to appraise and improve individual performance of members where minor, procedural deficiencies are noted which may or may not constitute a violation of a Rule, Regulation or Order.

The Written Warning is issued by the Office of Professional Standards at the direction of the Superintendent as a result of a review of an internal investigation, a mobile video recording or by other means by which the Superintendent becomes aware of the specific conduct deemed to be inappropriate. The Written Warning does not impact upon a member's promotional eligibility, record of conduct or consideration for a specialist selection. The Written Warning remains active for monitoring purposes for five years so that in the event that a member engages in similar inappropriate conduct, the affected member's conduct for any repetitive violation will be closely scrutinized and may result in discipline or further counseling.

In the year 2000, eighteen Written Warnings were issued to members whose conduct ranged from unprofessional or inappropriate comments made during a motor vehicle stop, to failure to take appropriate action as a member or supervisor when receiving a citizen complaint. In addition, the Office of Professional Standards is in the process of issuing 37 Written Warnings as the result of an investigation into violations of unit scheduling and administrative practices.

PROSECUTIONS FOR FALSE CITIZEN COMPLAINTS:

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.

Several cases were referred to the Office of the Attorney General for review when evidence clearly showed that the allegations against members of the Division were false. Three persons were successfully prosecuted during the year 2000:

Complainant was charged after his notarized statement alleging misconduct by a member was proven to be false. The motor vehicle stop was captured on video and audio and the complainant's allegations were found to be false.

Complainant was prosecuted after testifying before a municipal court judge about a motor vehicle violation. The complainant made false allegations against a member during his testimony. When the municipal court judge reviewed an audio and video recording of the motor vehicle stop, the judge found the complainant to be untruthful. The complainant was indicted and prosecuted for False Swearing.

Complainant alleged that a member threatened him during a motor vehicle stop. A review of the audio and video recording of the stop showed that the complainant's allegation was false. The complainant was indicted for Falsely Incriminating Another.

COMPLIMENTS RECEIVED IN 2000:

During 2000, the Division of State Police received 1,424 citizen compliments regarding actions by enlisted members. The aforementioned citizen compliments were received in one of the following four manners, citizen generated letters of appreciation, the New Jersey State Police Citizen Compliment/Complaint Form, the Office of Professional Standards Toll-free Compliment/Complaint Hotline (both of which were initiated in April of 2000), and e-mails. Following is a breakdown of the citizen compliments received during the past year:

<u>Letters of Appreciation:</u>	854
<u>Citizen Compliment/Complaint form:</u>	537
<u>Toll-free Hotline:</u>	29
<u>E-mail:</u>	4
Total	<u>1,424</u>

OPEN CASES AS OF DECEMBER 31, 2000:

Active Investigations at end of year:	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>Total</u>
	7	122	265	394
Completed Investigations pending review:				149
Cases stayed pending outcome of criminal proceedings:				7
Substantiated cases pending formal hearing:				45
 Age Profile of Pending Investigations as of 12/31/00				
Between 0 and 4 months old:				133
Between 4 and 12 months old:				132
Between 12 and 24 Months old:				122
Older than 24 Months:				<u>7</u>
Total				394