

NEW JERSEY STATE POLICE
OFFICE OF PROFESSIONAL
STANDARDS
INTERNAL INVESTIGATION AND
DISCIPLINARY PROCESS
ANNUAL REPORT
2003



HONOR ☆ DUTY ☆ FIDELITY

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FROM THE SUPERINTENDENT . . .

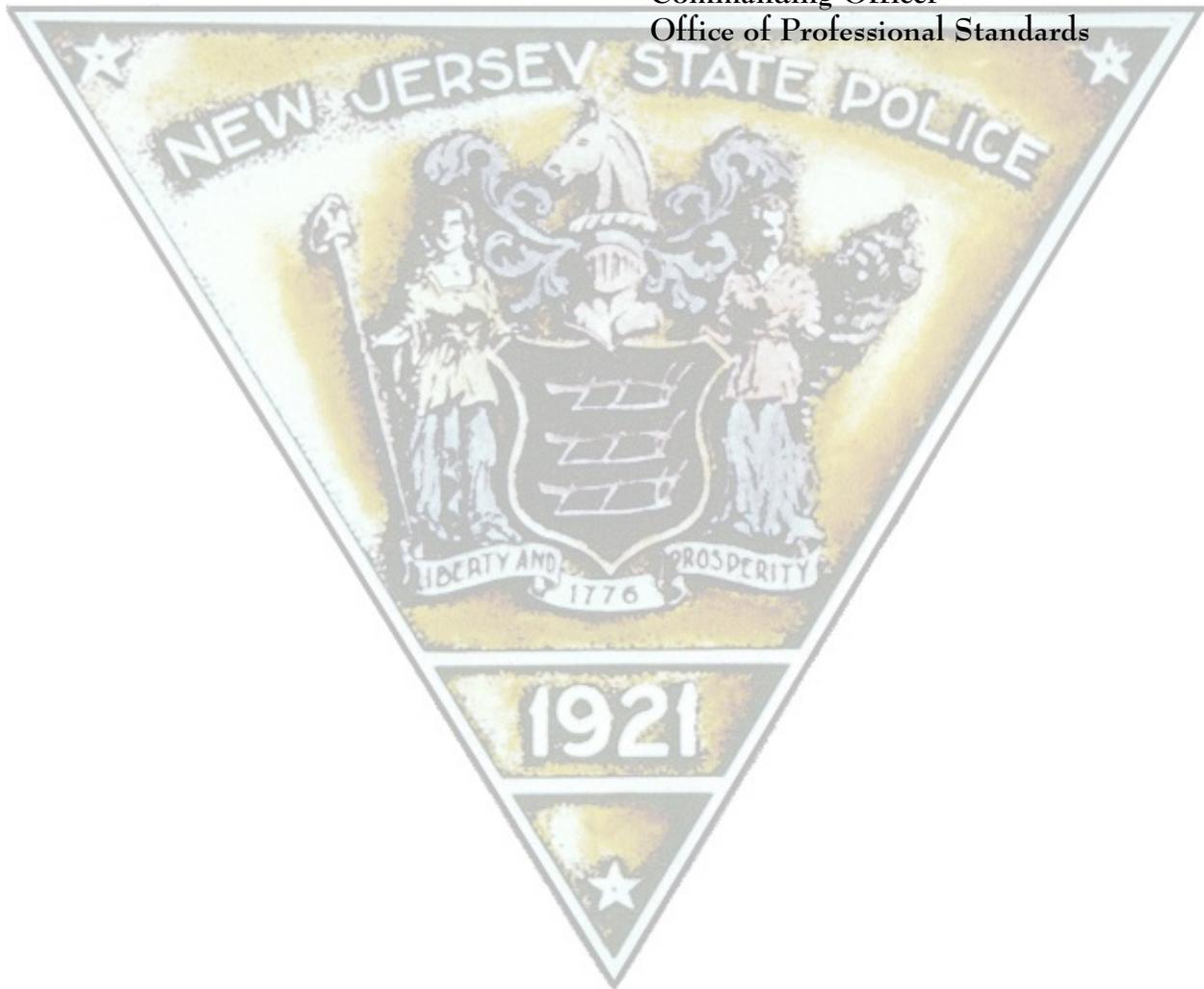
Honor, Duty and Fidelity

Joseph R. Fuentes
Colonel
Superintendent



FROM THE COMMANDING OFFICER, OFFICE OF PROFESSIONAL
STANDARDS . . .

Gordon E. Coleman, Major
Commanding Officer
Office of Professional Standards



EXECUTIVE SUMMARY

This report is intended to provide 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 overviews of major and minor discipline imposed in 2003 as the result of substantiated allegations and other actions taken by the Division to address aberrant behavior.

OFFICE OF PROFESSIONAL STANDARDS

Prior to 1999, the former Internal Affairs Bureau was charged with investigating and adjudicating complaints against enlisted members of the Division. The Bureau was commanded by a Captain who reported to a Major supervising the Division Staff Section. The Bureau consisted of a total nineteen persons, sworn and civilian, and was divided into three units.

The Investigation Unit was responsible for receiving complaints, classifying allegations, conducting internal investigations, and tracking cases. This unit included seven full time investigators.

The Administrative Internal Proceedings Unit was responsible for the adjudication of substantiated allegations, convening advisory boards and disciplinary hearings, tracking civil complaints against the Division and its members, and acted as a liaison between the Internal Affairs Bureau Chief and the Attorney General's Office. This office was composed of three enlisted persons and one civilian support person.

The Staff Inspection Unit was 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 counseling members found to be deficient in work product or have exhibited unacceptable attitudes towards other members or the public. This unit consisted of two enlisted persons.

In 1999, the Attorney General's Office conducted a review of the Division's disciplinary system. As a result of this review, the Internal Affairs Bureau was reorganized and the Office of Professional Standards 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 the Office of Professional Standards was completely revised and the policy was adopted in January 2002. As of December 31, 2003, the Office of Professional Standards consisted of 64 persons. This includes 14 professional support personnel and 50 enlisted persons including 26 full time, experienced investigators.

The Office of State Police Affairs within the Office of the Attorney General was established in 1999 by the Attorney General as an external entity to the State Police that continues to work 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. In addition to the Deputy Attorneys General and State Investigators who man the Office of State Police Affairs, three enlisted members of the Division are permanently assigned to that office.

Under the consent decree entered into between the United States and the State of New Jersey on December 30, 1999, independent monitors have access to and the ability to review and request additional work on all internal investigations. The Office of State Police Affairs, the Office of Professional Standards, and the independent monitors continued to work together during 2003 reviewing internal investigations and the disciplinary process. They have endeavored to improve the system even further. The Office of Professional Standards has demonstrated substantial compliance with the requirements of the consent decree.

The commitment by the State of New Jersey, the Attorney General, and the Superintendent to the most thorough, fair, and efficient 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.

STATE POLICE DISCIPLINARY PROCESS

The New Jersey Division of State Police is a statewide police organization that provides a full range of police services. During 2003, the sworn complement was 2,732 at its highpoint. The civilian complement peaked at 1,408. In 2003, troopers were involved in an excess of two million 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.¹

The State Police, as an employer, is made up of over 4,100 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 troopers' conduct and allegations of criminal conduct by members.

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 since the statistics also include internally generated allegations of violations of the Division's Rules and Regulations.

COMPLAINT PROCESS

The New Jersey State Police accepts, reviews and responds to all complaints received from the public. Complaints may be made in person at any State Police facility, by telephone or fax, or through the mail. The Office of Professional Standards does not accept direct e-mail complaints, but other state agencies, such as the Office of the Attorney General Citizen Services, sometimes forward complaints of this nature that they receive. 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.

¹State of New Jersey v. State Troopers Fraternal Association, 134 N.J. 393, 416 (1993)



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

During 2003, 1,062 total incidents were reported and classified compared to 952 in 2002, 886 incidents in 2001, 716 incidents in 2000 and 524 incidents in 1999. This represents a 12% increase in the number of reportable incidents received in the year 2003 over those received in the year 2002.

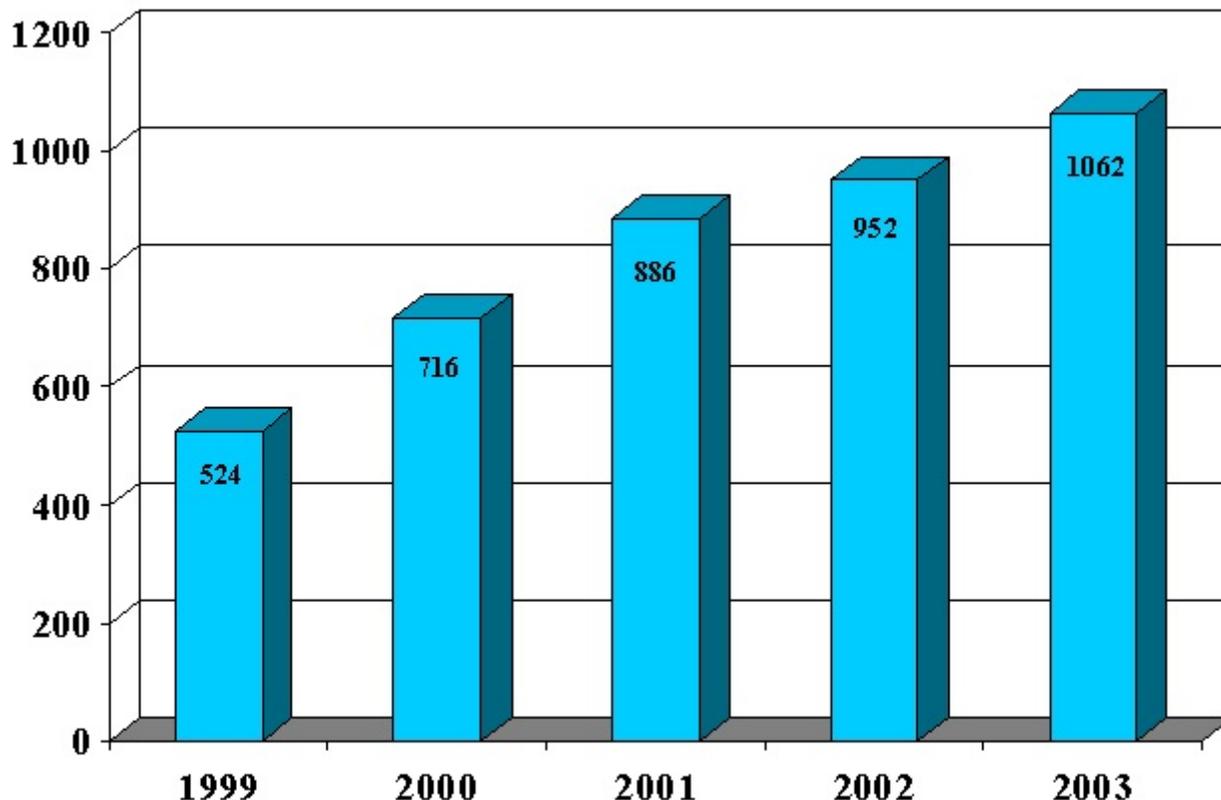
The increase in the number of reportable incidents may be attributed in some part to the continued media attention the State Police receives. Additionally, the aggressive outreach campaign initiated in late 1999 educating the public as to how to make a complaint against or submit a compliment for a member of the Division was continued in 2003. Posters and signs describing the complaint process can be found in every State Police facility and state operated highway service area. In addition, 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 trooper's conduct.

Also, during 1999, the State Police instituted and advertised a 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 while providing an alternative to citizens concerned about complaining directly to the State Police. Each of these initiatives has provided citizens significantly more opportunities to provide feedback, compliments or complaints about the operation of the Division and its personnel. These efforts continued throughout 2003. Therefore, an increase in the number of reportable incidents is a logical outcome of these efforts.



Five Year Comparison of Number of Incidents Reported



CLASSIFICATION OF REPORTED INCIDENTS

Before January 2002, complaints that were received by the former Internal Affairs Bureau and the current Office of Professional Standards were reviewed and classified as Misconduct, Administrative, or EEO/AA Matters referred to the office for disciplinary action. In January 2002, the revised Standing Operating Procedure governing the classification of complaints was adopted. A fourth classification, Performance, was added. Since the adoption of the revised S.O.P., minor infractions and inadvertent procedural violations that were previously considered Misconduct are now classified as Performance Issues. In 2003, a fifth category, Compliance, was added. This classification is used when the Administrative Absence Unit in the Human Resource Management Bureau detects and substantiates a violation of the Division's sick leave policy and forwards the case to the Office of Professional Standards for adjudication.



MISCONDUCT

When incidents are reported to the Office of Professional Standards, they are placed in one of four categories after being reviewed by the Commanding Officer. If the Division receives a complaint that a trooper has committed a serious, willful, or wanton violation of the Division's Rules and Regulations, Standing Operating Procedures, or any applicable federal or state statutes, the matter is classified as Administrative Misconduct, and an Internal Investigation is initiated.

PERFORMANCE

Performance is a new category introduced in January 2002 with the adoption of the revised Standing Operating Procedure governing incident classification. When a complaint is reviewed and it is determined that an enlisted member of the Division committed a minor infraction, the matter is classified as a Performance Issue. These matters are returned to the members 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 to the Office of Professional Standards through his/her chain of command detailing the corrective actions taken to resolve the issue.

ADMINISTRATIVE

When the reported incident does not infer a trooper has violated any of the Division's Rules and Regulations, Standing Operating Procedures, or applicable federal or state laws, the incident is classified as an Administrative matter.

EEO / AA INVESTIGATION FORWARDED TO O.P.S. FOR DISCIPLINARY ACTION

When the Division's Equal Employment Opportunity / Affirmative Action Bureau conducts an investigation and allegations are substantiated against enlisted members of the Division, those cases are forwarded to the Office of Professional Standards for disciplinary action.

COMPLIANCE INVESTIGATIONS FORWARDED TO O.P.S. FOR DISCIPLINARY ACTION

When the Administrative Absence Unit in the Human Resource Management Bureau detects and substantiates a violation of the Division's sick leave policy and forwards the case to the Office of Professional Standards for adjudication.



Five Year Breakdown of Incident Classifications

	1999	2000	2001	2002	2003
MISCONDUCT	357	580	642	391	414
PERFORMANCE				262	300
ADMINISTRATIVE ISSUES	167	128	239	294	340
COMPLIANCE					2
EEO / AA INVESTIGATIONS FORWARDED TO O.P.S. FOR DISCIPLINE	0	8	5	5	6
TOTALS	524	716	886	952	1,062

In 2003, of the 414 total misconduct complaints, 263 (63.5%) were initiated by members of the public and 151 (36.5%) were initiated internally. In addition, the Office of Professional Standards received 300 reportable incidents which were classified as Performance Issues.

In 2002, 262 cases that would have previously been considered Misconduct were classified as Performance Issues. In addition, 391 matters were classified as Misconduct. The total of these two categories, 653 cases, required management intervention on the part of the Division. For the purposes of the chart displayed below, the cumulative number of Performance Issues and Misconduct Complaints is being used. Of the 653 combined cases, 512 (78%) were initiated by the public and 141 (22%) were internally generated.

Of the 642 misconduct complaints received and processed in 2001, 518 (81%) were initiated by members of the public and 124 (19%) were initiated internally. Of the complaints initiated by the public, 229 (44%) were initiated by citizens who had been arrested or issued a motor vehicle summons by a member of the State Police. Sixteen (3%) complaints were initiated as a result of an allegation of off-duty conduct relating to domestic violence. The remaining 273 (53%) of the externally initiated complaints were made by citizens who, based solely on their complaints, did not indicate that they were arrested nor received any type of motor vehicle summons.

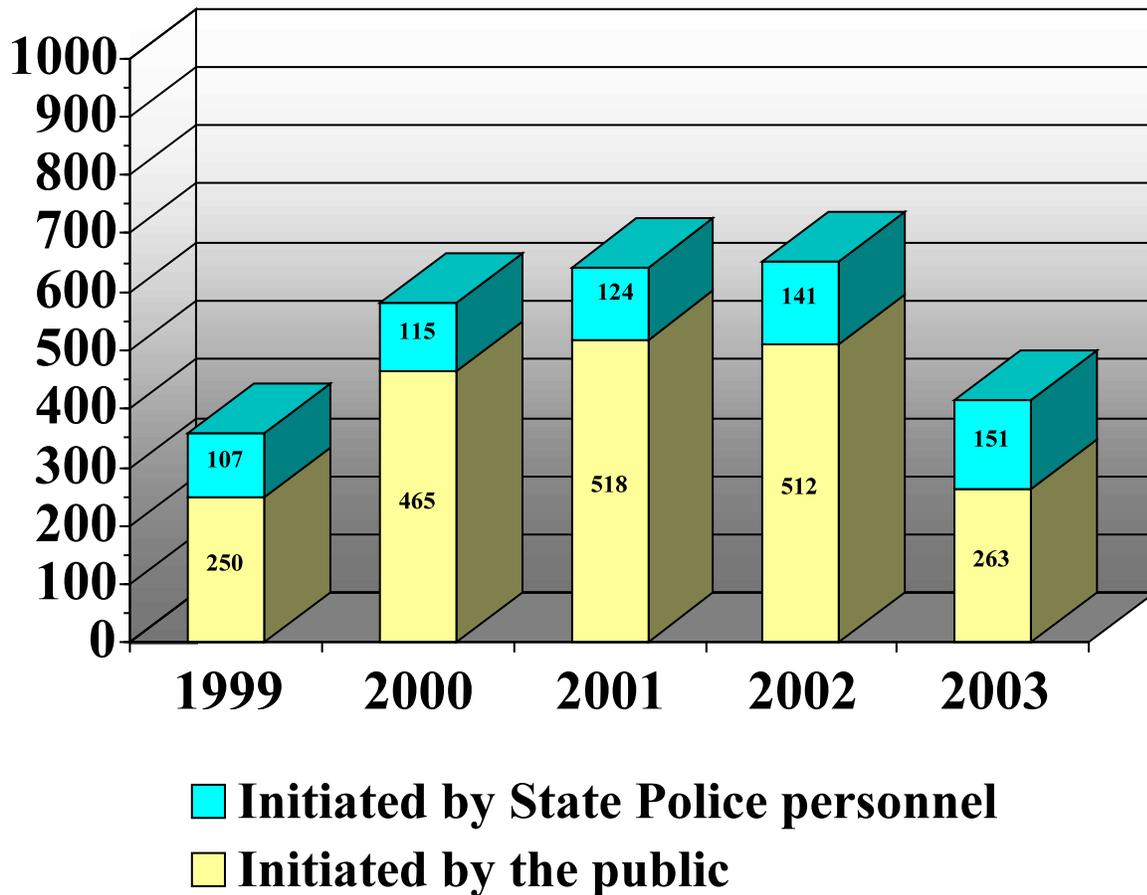
Of the 580 misconduct complaints received and processed in 2000, 465 (80%) were initiated by members of the public, and 115 (20%) were initiated internally. Of the complaints initiated by the public, 266 (57%) were initiated by citizens who had been arrested or issued a motor vehicle summons by a member of the state police. Eleven (12%) complaints were initiated as a result of an allegation of off-duty conduct relating



to domestic violence. The remaining 188 (41%) 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 357 total misconduct complaints, 250 were initiated by members of the public and 107 were initiated internally.

FIVE YEAR COMPARISON OF COMPLAINT SOURCES



CRIMINAL PROCEEDINGS INVOLVING DIVISION MEMBERS

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, 2003 and December 31, 2003, the following criminal complaints were signed or were pending against members of the Division:

LINE OF DUTY: CITIZEN INITIATED CRIMINAL MATTERS

On occasion, criminal charges are filed against members of the Division for incidents alleged to have occurred on-duty. Most are filed by individuals, (not law enforcement agencies) who were charged with motor vehicle and/or criminal offenses by the member. These cases are reviewed and a determination is made that the members' actions were within the scope of their official duties and legally defensible.

During 2003, one member was charged with Harassment by a motorist to whom he had issued a motor vehicle summons. The charge was Administratively Dismissed.

One member was charged with Simple Assault by a citizen he had arrested. The charge was Administratively Dismissed.

ON-DUTY CONDUCT: STATE POLICE OR OTHER LAW ENFORCEMENT AGENCY INITIATED PROCEEDINGS

In some cases a member is criminally charged for on-duty conduct 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.

During 2002, one member was charged with Official Misconduct by the Hunterdon County Prosecutor's Office. It is alleged that the member engaged in inappropriate sexual conduct while on duty. As a result of the publicity generated by this case, two other victims have come forward and made similar allegations against the same member. The matter is still pending court.



During 2003, this Division charged a member with Theft when an allegation the member removed the tires from his assigned troop car and replaced them with worn tires of a different make was substantiated. This matter is pending court.

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. During 2003, the following off-duty incidents were investigated:

Member was charged with Aggravated Assault. The member was subsequently indicted for Aggravated Assault. The matter is pending further action by the county prosecutor's office.

Member was charged with Simple Assault and Harassment (Domestic Violence). These charges were Administratively Dismissed.

Member was charged with Simple Assault (Domestic Violence). The member was found Not Guilty.

Member was charged with Harassment. The charges were Administratively Dismissed.

Member was charged with Assault (Domestic Violence). The member resigned effective June 19, 2003.

Member was charged with Assault (Domestic Violence). The charges were Administratively Dismissed.

Member was charged with Simple Assault (Domestic Violence). The charges were Administratively Dismissed.

Member was charged with Simple Assault (Domestic Violence). The charges were Administratively Dismissed.

Member was charged with Theft by Deception. The charges were Administratively Dismissed.



ASSIGNMENT OF INVESTIGATIONS

Of the 414 misconduct cases assigned in 2003, 383 were assigned to Internal Affairs Bureau investigators, 4 were referred to the Office of State Police Affairs for investigation, and 27 were assigned to other State Police supervisory personnel for investigation.

ALLEGATIONS 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 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.

CASES COMPLETED IN 2003

One of the major 2002 initiatives of the Office of Professional Standards was to address the issue of timeliness with regard to the Division’s disciplinary process. On January 11, 2002, there were 707 active Internal Investigations. In addition, there were 132 case in the review process. As of December 31, 2002, the Office of Professional Standards completed 935 cases, some dating back to 1997. Cases are considered completed when



it has been determined that no further action is to be taken, or when disciplinary action has been imposed. This effort has been continued in 2003. The Office of Professional Standards strives to complete cases in timely manner.

Of the 494 investigations completed in 2003, 287 (58%) were the result of citizen complaints. Of these cases, 86 (30%) resulted in substantiated primary or secondary allegations.

Of the 494 internal investigations completed in 2003, 207 (42%) were the result of internally generated complaints. Of these cases, 93 (45%) resulted in substantiated primary or secondary allegations.

Of the 494 completed investigations in 2003, 179 (36%) resulted in a substantiated original allegation or secondary allegations.

The total of 494 completed investigations included 1 (0.2%) from 1997, 2 (0.4%) from 1998, 11 (2.2%) from 1999, 15 (3%) from 2000, 24 (4.9%) from 2001, 180 (36.4%) from 2002 and 261 (52.8%) from 2003.

The table below represents case level findings and actions taken for the 494 cases closed in 2003. Cases were classified according to the most serious allegation in that case, and the disciplinary action reported is the result of that substantiated allegation. The number of disciplinary actions is commensurate with the number of cases where there were substantiated allegations. Secondary allegations and multiple principals are not addressed in this table.

SUMMARY OF COMPLETED CASES
REPORTING PERIOD: JANUARY 1, 2003 THROUGH DECEMBER 31, 2003

Cases Completed by Category in Year 2003					
Complaint Classification	Counseling / Written Warnings Issued	Written Reprimands Issued	Summary Disciplinary Hearings Held	General Disciplinary Hearings Held	No Further Action ¹
Improper Search	1				10
Theft					4
Assault					10 ²
Excessive Force					32
Differential Treatment	1	1			77

¹Includes cases closed as Insufficient Evidence, Unsubstantiated, Unfounded, Exonerated and Administratively Closed.

²Includes one case which was merged with another pending case.



Other Harassment				1	8
Domestic Violence				5 ³	20
Drug Violation				1 ⁴	1
Alcohol Violation				2 ⁵	1
Failure to Perform Duty	8	21 ⁶	3	7 ⁷	23
Driving Violation	1		1 ⁸	2	12
Attitude and Demeanor	3	5			12
Admin. Violations	20	32 ⁹	7 ¹⁰	6 ¹¹	31
Other	9	15 ¹²	9	9 ¹³	83
TOTALS	43	74	20	33	324

³One member resigned prior to the imposition of discipline.

⁴One member resigned prior to the imposition of discipline.

⁵One member resigned prior to the imposition of discipline.

⁶Two members resigned prior to the imposition of discipline.

⁷Four members resigned prior to the imposition of discipline.

⁸One member resigned prior to the imposition of discipline.

⁹Three members resigned prior to the imposition of discipline.

¹⁰Two members resigned prior to the imposition of discipline.

¹¹Three members resigned prior to the imposition of discipline.

¹²Three members resigned prior to the imposition of discipline.

¹³Four members resigned prior to the imposition of discipline.



MISCONDUCT INVESTIGATIONS OPENED IN 2003

There were 414 misconduct investigations opened in 2003. Of these cases, 268 were initiated as the result of citizen complaints and 146 cases were opened because of complaints made by State Police supervisors or other members.

Of the 268 citizen initiated investigations, 5 (1.9%) remain active, 47 (17.5%) are in the review process or pending discipline, 206 (76.9%) have been completed, and 10 (3.7%) have been suspended pending court action or other administrative action. Of the 206 completed, 37 (18%) resulted in substantiated primary or secondary allegations.

Of the 146 complaints initiated by State Police supervisors or members, 5 (3.4%) remain active, 31 (21.2%) are in the review process or pending discipline, 94 (64.4%) have been completed, and 16 (11%) have been suspended pending court action or other administrative action. Of the 94 completed, 34 (36.2%) resulted in substantiated primary or secondary allegations.

SUMMARY OF NEW COMPLAINTS

The following table summarizes the total number of complaints received by the Office of Professional Standards during the year 2003 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 2003, which includes complaints from 2003 and earlier: Please refer to the tables on the following page.¹⁴

¹⁴Note: 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.



SUMMARY OF NEW COMPLAINTS
REPORTING PERIOD: JANUARY 1, 2003 THROUGH DECEMBER 31, 2003

2003 Cases Received by Category for Internal Investigation			
Complaint Classification	Origin		Principals
	Public	SP	
Improper Search	3	2	7
Theft	2	3	8
Assault	10		17
Excessive Force	27	1	52
Differential Treatment	77	3	109
Other Harassment	5	3	11
Domestic Violence	10	7	17
Drug Violation		3	3
Alcohol Violation	3		3
Failure to Perform Duty	23	17	74
Driving Violation	7	3	10
Attitude and Demeanor	8	2	12
Admin. Violations	32	52	126
Other	61	50	146
TOTALS	268	146	595



MAJOR CASE OVERVIEW

During 2003, a small number of the Division's 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 four Division members pending the completion of the investigation and disposition of the allegations.¹⁵

MAJOR INVESTIGATION SYNOPSIS

An investigation was initiated based on a report a member removed tires from his assigned State Police vehicle and replaced them with worn tires of a different make. The member was charged with Theft and is suspended without pay pending the outcome of the case.

An investigation was initiated when the Division received a complaint a member engaged in questionable off-duty conduct with the complainant's 14-year-old son. An allegation of Inappropriate Off-Duty Conduct has been substantiated. This matter is pending the result of a General Disciplinary Hearing.

The Division received information from a local police department about a member engaging in Inappropriate On-Duty and Off-Duty Conduct. An investigation was initiated and allegations of Inappropriate On-Duty and Off-Duty Conduct, Misuse of State Police Computers and Telephones, Misuse of a Troop Car, and others were substantiated. This matter is pending a General Disciplinary Hearing.

An investigation was initiated when the Division received information from a local police department a member was accused of Aggravated Assault related to an off-duty incident. The allegation was subsequently substantiated and the member was indicted. The member was suspended without pay pending further action by the county prosecutor's office.

An investigation was initiated when the Division received information from a security guard indicating a member told him to destroy evidence. Allegations of Failure to Perform Duty, Questionable On-Duty Conduct, Inappropriate On-Duty Conduct, Failure to Take Appropriate Police Action, Failure to Properly Secure Evidence, and others were substantiated. This matter is pending a General Disciplinary Hearing.

¹⁵Please note that one case may appear in more than one category within this report.



COMPLETED DISCIPLINE

The State Police disciplinary system provides for three formal dispositions of substantiated violations of Rules and Regulations. They are:

- GENERAL DISCIPLINARY HEARING : may result in termination, suspension of any duration imposed by the 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 Disciplinary Hearings convened during calendar year 2003:

Member pled guilty to violating the motor vehicle statutes, specifically by losing control of his personal vehicle, striking a parked vehicle and departing the accident scene without reporting it. Member also pled guilty to making intentional false statements and for filing misleading reports in connection with the incident, and was subsequently suspended for (90) days.

Member pled guilty to taping over a portion of the MVR tape from their assigned troop car to destroy a portion of the tape which contained a conversation with a motorist on a stop. Member also pled guilty to another incident in which the member threatened a civilian, utilized his troop car off duty without authorization, failed to document a reportable incident in the CAD system, and filing an erroneous report. Member was suspended for (45) days.

Member pled guilty to failing to call in a motor vehicle stop, failing to utilize the MVR, failing to document the motor vehicle stop on a patrol chart, failure to perform duty by not taking any enforcement action, and for inappropriate conduct on duty by asking the motorist for her telephone number. Member was suspended for (10) days.

Member pled guilty to driving while under the influence of alcohol and being arrested. Member also pled guilty to failing to perform duty by not intervening



during an altercation between a friend of his and another citizen, in which his friend assaulted the other citizen. Member also pled guilty to abusing the Division Sick Leave policy and operating his personal motor vehicle several times while his driver's license was suspended. Member also pled guilty to being insubordinate and disrespectful to an Internal Affairs Investigator. Member was suspended for (1) year, required to successfully complete an alcohol rehabilitation program, and pass a fitness for duty exam.

Member pled guilty to failing to report an on duty motor vehicle accident, failing to utilize the MVR equipment in his troop car, and failing to document the stop or accident on his patrol chart. Member was suspended for (90) days.

Member pled guilty of being a participant in a domestic violence incident in which the other person involved was assaulted. The member also failed to notify the Division of his involvement. Member was suspended for (30) days.

Member pled guilty to failing to call in a motor vehicle stop, failing to utilize MVR equipment, using excessive force against the motorist, and exhibiting a poor attitude and demeanor. Member was suspended for (30) days and required to attend an anger management program.

Member pled guilty to abusing the Division Sick Leave policy by calling out sick after asking a supervisor for the day off and being denied due to minimum manpower requirements. Member also pled guilty to using foul and abusive language towards his supervisor. Member was suspended for 30 days.

Member pled guilty to exhibiting conduct which was of harassing nature toward another member of the Division, providing false information to Internal Affairs Investigator, and for engaging in unauthorized employment. Member was suspended for (90) days.

Member pled guilty to violating the State of New Jersey Policy Prohibiting Discrimination, Harassment or Hostile Work Environments in the Workplace by making numerous derogatory racial remarks to members of the Division. Member entered into a plea agreement in which he was permitted to utilize his accrued leave time and then retired.

Member pled guilty to being a participant in a domestic violence incident, while off duty, in which he assaulted the other participant. Member was suspended for (30) days.



Member pled guilty to three counts of questionable conduct while off duty, specifically by being a participant in domestic violence incidents. Member was suspended for (121) days.

Member pled guilty to failing to call in a motor vehicle stop, failing to utilize MVR equipment, failing to document a motor vehicle stop on a patrol chart, and questionable conduct for asking a motorist to meet the member that evening at a night club. Member was suspended for (60) days.

Member pled guilty to improperly stopping his ex-girlfriend, issuing her motor vehicle summonses, and failing to notify the municipal court of his relationship with the defendant. Member was suspended for (30) days.

Member pled guilty to being involved in a domestic violence incident, while off duty, and submitting a misleading report about the incident. Member was suspended for (30) days.

Member pled guilty to violating the State of New Jersey Policy Prohibiting Discrimination, Harassment or Hostile Work Environments in the Workplace by sexually harassing another member. Member was suspended of (30) days.

The following is a synopsis of discipline imposed as a result of Summary Disciplinary Hearings convened during calendar year 2003:

Member pled guilty to writing a recommendation to a highway authority for a specific tow company on New Jersey State Police stationary. Member was suspended for (5) days.

Member pled guilty to unauthorized employment for acting as a private security guard for an entertainment performer without requesting permission from the Division. Member was suspended for (20) days.

Member pled guilty to writing a recommendation to a highway authority for a specific tow company on New Jersey State Police stationary. Member was suspended for (5) days.

Member pled guilty to questionable conduct on duty for signing another member's name on several motor vehicle summonses and issuing same to motor vehicle violators. Member was suspended for (10) days and required to pass a fitness for duty examination.

Member was found guilty of failing to take proper action after being advised by medical personnel that a subject who was involved in a motor vehicle accident



tested positive for cocaine when being treated at a hospital for injuries sustained. Member was suspended for (5) days.

Member pled guilty to questionable conduct for becoming involved in an off duty altercation and failing to notify Division of the incident. Member was suspended for (14) days.

Member pled guilty to submitting a pay report for overtime compensation for attending municipal court which had previously been postponed and the member was notified. Member was suspended for (10) days.

Member pled guilty to making false statements to Internal Affairs Investigators and for having a party with alcohol for underage guests. Member was suspended for (6) days.

Member pled guilty to questionable association for associating with a subject he knew had been arrested by the DEA for distribution of CDS and for submitting false Travel Vouchers for mileage the member did not travel. Member was suspended for (10) days.

Member pled guilty to failing to perform duty by failing to properly address a complaint of a violation of the State of NJ Policy Prohibiting Discrimination, Harassment or Hostile Work Environments in the Workplace and for providing false information during an internal investigation. Member was suspended for (10) days.

Member pled guilty to using foul and abusive language toward a superior officer and questionable conduct by engaging in a verbal altercation with the same superior officer. Member was suspended for (6) days.

Member pled guilty to questionable conduct for engaging in a verbal altercation in which the member jumped on the hood of a motorist's vehicle, while off duty, causing physical damage to same. Member also pled guilty to failing to report the incident to the Division. Member was suspended for (15) days.

In addition, seven members resigned/retired from the Division of State Police in lieu of disciplinary hearings. Two other enlisted members retired during 2003 with pending internal investigations that were completed with recommended discipline.



SYNOPSIS OF MINOR DISCIPLINE

In addition to disciplinary hearings, during the year 2003, there were 118 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:

Eighteen were issued for Lost Equipment/Identification

Sixteen were issued for Culpable Inefficiency

Twelve were issued for Failure to Supervise

Eleven were issued for Failure to Call in a Motor Vehicle Stop

Ten was issued for Inappropriate Actions On-Duty

Eight were issued for Incomplete, Erroneous or False Reports

Six were issued for Improper Comments/Language

Six were issued for Failure to Enter into C.A.D.

Five were issued for Failure to Follow MVR Procedures

Four were issued for Inappropriate Actions Off-Duty

Three were issued for Failure to Notify Operational Dispatch Unit

Three were issued for Failure to File an Internal Complaint

Three were issued for Failure to Conduct a Proper Investigation

Three were issued for Failure to attend Mandated State Police Training

Two were issued for Questionable Conduct On-Duty

Two were issued for Unauthorized Outside Employment

Two were issued for Violation of Department of L&PS Anti-Discrimination Policy

One was issued for Unauthorized Use of Troop Car



One was issued for Violation of Vehicle Pursuit Policy

One was issued for Failure to Appear in Court

One was issued for Improper Search of Motor Vehicle

OPEN CASES AS OF DECEMBER 31, 2003

Active Investigations at end of year:	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>Total</u>
	1	0	1	1	8	49	60

Completed Investigations pending review:	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>Total</u>
	1	2	1	9	79	92

Cases stayed pending outcome of criminal proceedings or administrative reasons:	33
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Substantiated cases pending formal hearing:	20
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Substantiated cases pending minor discipline:	10
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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.

COMPLIMENTS

During 2003, the Division of State Police received 1,095 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, and e-mails.

