



**REPORT  
AND  
RECOMMENDATIONS  
of the  
STATE OF NEW JERSEY  
COMMISSION OF INVESTIGATION  
on  
NEWARK BOARD OF EDUCATION  
SECURITY OFFICERS**



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State of New Jersey  
COMMISSION OF INVESTIGATION

COMMISSIONERS

ARTHUR S. LANE  
CHAIRMAN

WILLIAM S. GREENBERG  
HENRY S. PATTERSON, II

26 WEST STATE STREET  
TRENTON, N.J. 08608  
TELEPHONE (609) 292-8767

JAMES T. O'HALLORAN  
EXECUTIVE DIRECTOR

JAMES J. MORLEY  
DEPUTY DIRECTOR

JOHN O. DAVIES  
EXECUTIVE ASSISTANT

COUNSEL  
PAUL D. AMITRANI

JAMES A. HART  
GERARD P. LYNCH  
Charlotte K. Gaal

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TO: The Governor and the Legislature  
and Newark Board of Education

The New Jersey State Commission of Investigation  
herewith submits this Report on the School Security System  
of the Newark Board of Education. This transmittal is made  
under Section 10 of L. 1979, Chapter 254 (N.J.S.A.  
52:9M-10), of the Act creating the Commission.

Respectfully submitted,

Arthur S. Lane, Chairman  
Henry S. Patterson, II, Commissioner  
William S. Greenberg, Commissioner

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NEWARK  
BOARD OF EDUCATION  
SECURITY OFFICERS

INTRODUCTION

In the fall of 1983 the New Jersey State Commission of Investigation received reports of irregularities in the operation of board of education security forces, specifically in Newark and possibly in other school districts. An evaluation of these reports prompted the Commission to adopt, on November 2, 1983, a resolution authorizing an inquiry into:

Whether the laws of the State of New Jersey regulating the appointment, training, conduct, and funding of board of education security officers are being faithfully executed and effectively enforced; and whether the laws, regulations, and local board of education policies pertaining to such officers are adequate to effectuate the public policy of this State.

During the next several months the Commission conducted a canvass of major school districts throughout the State. These districts included Newark, Jersey City, Paterson, Trenton and Camden. SCI lawyers, agents and accountants interviewed various state, county and local officials directly or indirectly involved in school security programs, subpoenaed numerous administrative records, operational reports and other documents, and took sworn executive session testimony at the Commission's office.

The bulk of these investigative efforts soon centered on Newark's Department of Security Services and Drug Enforcement because its problems were the most serious, complex and pervasive. Indeed, the Commission's review of other school districts uncovered no deficiencies of such substance as to warrant continued probing. In Newark, on the other hand, the school security force was found to have been plagued from its outset by misrule and misconduct. Certain essential reforms have been initiated in recent months, some as a result of stringent disciplines imposed by Prentiss E. Thompson since his appointment on July 29, 1983 as the Department's executive director and some by the Board of Education reacting to the SCI's investigation. These few belated improvements, however, have had only a superficial impact because of 15 years of administrative and operational improprieties. The 57,000 students attending classes in the city's 82 schools cannot be guaranteed, under present security conditions, the peaceful surroundings so necessary to their intellectual and physical maturation as responsible adults. The parents of Newark's public school children -- indeed, all of Newark's taxpayers -- merit a far safer educational atmosphere than now exists. For that reason, the SCI in this report not only will specify the problems its investigation has uncovered but will

also recommend corrective actions for consideration by the Newark Board of Education as well as certain reforms that deserve the attention of the Legislature and the State Department of Education.



## NEWARK'S SCHOOL SECURITY PROBLEMS

### Preface

Most of the basic difficulties that beset the Newark School District's Department of Security Services and Drug Enforcement stem from the absence of any original statutory source for its authority to function. No resolution creating the Department and defining its structure and responsibilities can be found. As Robert Ahmad, II, Executive Director of the Office of Board Affairs, reported to the Board of Education on October 3, 1983: "...regarding the alleged resolution approved by the board sometime in the late 1960's, attached please find the only documentation on file in the Office of Board Affairs, which addresses the position of security guard..." The attachment consisted of fragmented school board minutes indicating the establishment of the positions of School Security Guard and Supervisor on May 28, 1968; the specification of civilian clothes, including photographs and identification tags, to be worn by such guards on November 26, 1968; and the appointment of a roster of security guards at \$5,300 yearly on February 25, 1969. Since no one has known under what statutory authority the Department was created its functional expansion during the past 15 years of unprecedented social change has been based to a large extent on whatever those in charge assumed were its responsibilities and objectives. A faulty management pattern, lacking statutory definition and guidance, is largely to blame for the overall staff and operational deterioration that afflicts the Department.

### The Police Powers Issue

The Board of Education has obtained 75 percent reimbursement of the annual cost of its security force under N.J.S.A. 18A:17-42 through 45. This law, enacted in 1967, but now inadequate to fulfill its purpose, authorizes the employment of state-aided "public school law enforcement officers" to assure the safety and welfare of public school students while attending classes. The law requires the State Commissioner of Education to promulgate rules and regulations. This promulgation, in addition to indicating the procedures for establishing a public school security force and for obtaining the 75 percent cost reimbursement, also bans the bearing of firearms in school buildings, an issue to be discussed later in this report.

With no other available guidelines, it could be presumed that from the time of the initial State reimbursement the Newark public school security force consisted of law enforcement officers subject to N.J.S.A. 18A:17-42 through 45. However, the SCI's investigative counsel, James A. Hart, III, asked Louis C. Rosen, the Board's general counsel at that time, to clarify the statutory basis for the appointment of such personnel. On February 2, 1984, Rosen responded that the Board's appointments have been pursuant to N.J.S.A. 18A:6-4.2 et seq. This law, effective in 1970, authorized public schools, among other educational institutions,

to appoint individuals "to act as policemen for the institution." In addition to stipulating more precisely than N.J.S.A. 18A:17 how such policemen were to be appointed and trained, the statute specified that they shall, while on school property and on contiguous streets, "possess all the powers of policemen and constables in criminal cases and offenses against the law." In his letter to the SCI, Rosen declared that he based his opinion that the Board's security personnel were appointed as "policemen" under 18A:6-4.2 et seq. on job descriptions and actual performance:

For instance, our security personnel do exercise all powers of policemen in criminal cases and offenses against the law during terms of duty on school properties. They investigate, question, stop and arrest individuals who, in their opinion, trespass on public property or individuals who engage in disorder or criminal activity.

The absence of any original statutory citation for the appointment process was noted during an SCI executive session discussion with Columbus Salley, Executive Superintendent of the Newark school system:

Q. Did you ever have occasion to search the records of your department to determine whether or not the board of education had passed a resolution either at the time the security department was first organized or any time thereafter stating in effect that security personnel were to be appointed pursuant to N.J.S.A. 18A:6?

A. As I recall, there's never been any real definitive statement in that regard in any of the records that I've been privy to. I think that's been part of the ambiguity and the lack of clarity around this whole issue. We can't really find a board action that would delineate itself along your lines of inquiry so that I can say yes, it took place on this date and, yes, from this point on forward in time they behaved pursuant to statute and regulation. I can't say that. The record seems to be incomplete.

Q. Did the board just recently pass a resolution stating in effect that security officers were to be considered police officers appointed under 18A:6?

A. Yes, they did that March the 13th at the board's work action session.

As Superintendant Salley observed, on March 13, 1984, the Newark Board of Education adopted a resolution recognizing that its security employees have in the past and continue to "exercise

the full and appropriate police powers granted to them under the authority of Title 18A...." This resolution also mandated that all appropriate steps, including training, be taken to bring the force in compliance with the resolution.

### The Local 617 Issue

Local 617 of the Service Employees International Union, AFL-CIO, represents about 1,000 Newark Board of Education workers, including security and public property guards, custodial workers, bus superintendents, laborers, repairmen and central office clerks. Local 617's leadership disagrees with the Board of Education resolution of March 13, 1984, that members of the security staff have full police powers. Note the following excerpts from the testimony of Curtis Grimsley, president and business agent of Local 617, at the SCI:

- Q. Does the union have a policy or a position concerning whether or not Board of Education security officers should arrest brother union members for crimes those union members have committed on Board of Education property?
- A. The position that the union takes is that the security guards within the Newark Board of Education are not security officers and should have no power of arrest; further, that the other employees in the Board of Education should not be subjected to the procedures that have been followed by the security guards because there's a union contract which states that there's a disciplinary process that should be followed when any infraction against board policy takes place.
- Q. Are you aware that state law empowers board of education security officers with full police powers, including the power of arrest?
- A. No, I'm not.

This conflict between the school administration and Local 617 is of critical concern to each faction because N.J.S.A. 34:13A-5.3 states that "no policeman shall have the right to join an employee organization that admits employees other than policemen to membership."

The conflict also confirms the validity and logic of the reason for such a statute, according to both the SCI's investigative findings and testimony by witnesses. Numerous disciplinary problems have arisen within the Security Department and between the security force and custodians and other members of Local 617 that threaten to undermine the entire school security system. Executive Director Thompson's authority to run the Department is being thwarted, official directives and assignments for handling statutory and regulatory violations are being ignored, and an obvious -- and dangerous -- reluctance exists

among some security officers to investigate or arrest other Local 617 members for alleged wrongdoing. A glaring example of the insubordination, confusion, inefficiency and waste caused by this conflict occurred during 1983. This case involved a guard of public property who was assigned by Thompson to monitor the comings and goings of alleged "no show" custodians assigned to the headquarters building. Thompson had received information that as many as nine custodians would punch the time clock and then leave the premises. After conferring with an official of Local 617, the guard refused the assignment, stating that it was contrary to his job description and that he would not spy on another union member. This individual was suspended by Thompson, but the union filed a grievance and the dispute had to be submitted to arbitration in line with Local 617's collective bargaining contract. The property guard subsequently was ordered reinstated. This disciplinary breakdown, no matter what its ultimate resolution, derailed an inquiry that could have required the dismissal of Board employees for accepting wages they did not earn and could have spurred corrective steps to improve the productivity and effectiveness of the custodial staff.

Thompson during his testimony at the SCI frequently cited administrative and disciplinary difficulties caused by Local 617's intrusion into his management of the Security Department:

- Q. You indicated that another problem area was a failure to report crimes by some of your employees. Could you elaborate upon that for us, please?
- A. Okay. Many of the -- all of my -- all of the security personnel are in unions, and the security officers are in Local 617. I have problems with the union influencing and intimidating my people as to where their loyalty lies and job descriptions and duties.

Again:

- Q. Did you have other problems ... specifically after the arrest of three custodians for two separate incidents of theft?
- A. Yes. We've had confrontations wherein the method that I use to apprehend security personnel and also custodians, as far as that's concerned, anyone else who's committing a criminal act, where, according to them, they feel that I do not have the right and/or powers to make arrests.

In addition, it's in violation of their contracts, that these individuals are to be given a warning and that they're supposed to be disciplined. The first time I apprehend them they're to get a verbal warning. The second time I'm suppose to counsel them. The third time I'm suppose to submit it in

writing, and I believe the fourth time I am to seek disciplinary action, to wit, a suspension for one to three or five days, something of that nature.

Q. Are they taking that position because that's what's set forth in the collective bargaining agreement?

A. No, they're taking that position because that's what they want. I don't see anyplace within the contract where it says when a person commits a criminal act I am to give them any type of warning.

Q. That is my next question. They want you to follow this process that you just set forth even though you caught someone in the act of committing a crime, is that correct?

A. That's correct. They have led campaigns against me as far as my use of the Miranda warning, which you read in the newspaper wherein that I submit it to them -- that whenever I apprehend a person or a person is a prime suspect, prior to questioning that person and asking for a statement, a confession, I state them their Miranda warnings. It's their feeling I have no right to do that, it intimidates the people, and what these people are doing is not really criminal, it should be handled in an administrative disciplinary way as opposed to me actually making the arrests.

And again:

Q. What position does the Board of Education take?

A. The Board of Education, I believe, currently takes the position that they should be arrested.

Q. Have you and the union appeared before the Board of Education and made your respective positions known?

A. That's correct. That was when the union led a campaign against me stating that I had no right to make the arrest; I had no powers to make the arrests; and that I was not a policeman; this was an educational institution and that these individuals should be handled, dealt with administratively as far as the disciplinary rules are concerned in their contract.

Q. You're saying that the union led a campaign against you. Can you tell me what the union did during this campaign?

- A. The campaign was that they got X amount of security officers and also union -- other union members to come forward before the Board of Education to speak out against that which I was doing. That which I was doing was nothing more than conducting investigations and apprehending individuals on drugs, selling drugs, theft and no show, and also the use of Miranda warning whenever I took a statement or questioned a person that I knew -- that I considered the prime suspect; and in doing so the Board of Education had several hearings where I had to produce documents to substantiate that which I was doing.

Newark Schools Superintendent Salley also recalled at the SCI the administrative and personnel problems stemming from the dispute with Local 617 over the definition of the school security officer's job responsibilities. Counsel Hart reminded Salley of an interview with a Commission agent about Local 617. Salley's testimony:

- Q. At that time you made a statement that the union during your tenure has engaged in efforts to disrupt the educational system and to avoid the detection of improprieties within the union. Can you explain to the Commissioner what you meant by that statement?
- A. Yes. We are in the business of educating young people and it's obvious you can't do that in environments that are not conducive to teaching and learning. Therefore, you have to create the climate that is conducive to teaching and learning and one such way is to make sure that people feel secure in the physical environment in which the learning and the teaching are taking place.

Mr. Thompson brings a tremendous amount of competence in dealing with security matters. He has been able to ferret out people who have belonged to 617 who have not given us a full day's work for a full day's pay. And some will give you a full day's effort but it will be according to the priorities that they set in that environment. Some of it has to do with maybe drug dealings. Some use it as an opportunity to steal. That is, we caught several people who were pilfering and ripping off the Board of Education. Then a lot of public protest was generated by people associated with Local 617 accusing us of being Gestapo.

The public smear was that I somehow through Mr. Thompson was using the resources of the Board to beat up on innocent people -- people who would be caught with a trunkful of meat, or people who would be caught signing out and being paid for work that they did not perform, or where we found that security people were contact people in dealing in drugs or people who were molesting our children. And when I said that they were blocking our efforts at reform, I'm alluding to that.

We had public hearings where they actually sent to the microphone people in their bargaining unit to verbally abuse and attack Mr. Thompson and myself. I guess that's par for the course but, nonetheless, that was a tactic that they chose to use.

Actually the labor union dispute was a problem the Board of Education itself created -- that is, those members of the Board who in April, 1975, voluntarily agreed to allow Local 617 to represent security officers as well as custodians and other employees in a single bargaining unit. The Board's subsequent action in March, 1984, in formally subscribing to a law which characterizes security officers as "policemen" -- and therefore subject to the labor union membership restrictions of yet another statute -- was a direct contradiction of the 1975 action.

Superintendent Salley questioned the motives of the 1975 decision to allow security officers to join a union whose members would include employees the officers would have to police. The testimony:

Q. Dr. Salley, I have to ask you a question about something that occurred prior to your tenure there and I want you to understand that right up front. Back in 1975, the Newark Board of Education voluntarily agreed to allow union local 617 to represent security officers, office and clerical employees, and custodians as a single bargaining unit. Now, state law prohibits police officers from belonging to a bargaining unit in which nonpolice officers are also members. Are you in a position to tell me why it was back in 1975 that the Board voluntarily agreed to accept the officers in a union with nonpolice officer personnel?

A. I don't know what weight you give to impressionistic data because I don't have any hard data because I wasn't there...There seems to have been a tendency prior to my tenure of the Board voluntarily giving up

those things that were not necessarily in its best interest.

The SCI learned that the Board was attempting to separate its security force from Local 617 membership in order to eliminate the conflicts that were at the root of the Security Department's most serious difficulties. Salley was asked about this when he testified at the SCI:

- Q. Is the Board at the present time undertaking any steps to separate the security officers from Local 617?
- A. Yes. First of all, the resolution directs me and really encourages me to take whatever appropriate administrative or fiscal steps to be in compliance with (Title) 18A as well as other regulations; and Mr. Thompson, who's the executive director, has, I think, initiated something before PERC (Public Employment Relations Commission) that would bring about the phasing out of this personnel from the rest of 617.

#### The Firearms Issue

Just as Title 18A has conflicting references to a school security position as being that of a "policeman", a "security officer" or a "law enforcement officer," it also has been the basis for a contradictory viewpoint on firearms. N.J.S.A. 18A:6-4.2 et seq. contains no prohibition against policemen employed by schools carrying weapons and N.J.S.A. 2C:39-6c(1) specifically authorizes such officials to carry firearms while on duty. But, under the Education Commissioner's regulations required by N.J.S.A. 18A:17 et seq., security officers cannot carry weapons on school property. Again a critical ambiguity has developed because of the absence of any original statutory citation for the creation of Newark's School Security Department.

A disturbing finding of the SCI's inquiry has been the failure of the Board to adopt and promulgate any formal policy and detailed guidelines on the carrying of firearms by employees of the Board's security force. While emphasizing its concern in this area, the Commission wants to make clear that no allegations have been made and no evidence of any kind has surfaced that firearms are being carried by security employees in schools during school hours. The SCI's inquiry was directed at the issue of security officers carrying firearms while on patrol duty outside of school hours.

Director Thompson confirmed in his SCI testimony that some security employees are armed, that the school board knows it, but that no written policy on the subject has been formulated:

- Q. Can you tell me approximately how many employees you have that carry firearms while on duty?



- A. I think maybe eight. I'm not certain of the number, but there are individuals that do carry firearms.
- Q. Do you know what the authority is for those individuals to carry firearms?
- A. That's a good question. As far as the Board of Education, there is no authority by the Board members, to my knowledge, for them to carry weapons. The individuals who do carry weapons, some of them are special police officers, Newark special police officers; some have just regular carrying permits; and then there's one individual who's employed by the post office as a security officer there who is licensed to carry a weapon. However, my concern is that these individuals have Civil Service status as security officers with the Board of Education and they're working in that capacity, not in the capacity as a special police officer for the City of Newark, and not in the capacity of a post office guard; and until this matter is cleared, I have given orders that no one is to carry a weapon.
- Q. Does the Board of Education have a written policy concerning the carrying of firearms?
- A. No, they do not. We have had discussion in that matter at hearings, but as far as something clear-cut that's documented, no.
- Q. Is the Board aware that at least certain security officers had been carrying weapons while on duty?
- A. Yes, I did make them aware of that because that's a matter that has to be addressed immediately, because if they are to carry weapons, who is to train them? By statute they must have biannual training. I am a State firearms instructor. Am I to train them? The liability: If they injure someone, does that fall on the Board of Education, does it fall on the City of Newark, does it fall on the Federal government -- these are questions.

Thompson also testified that the Board has neither owned nor issued weapons to any security officers and that the armed officers have not received adequate training, if any, to his knowledge. Yet, he continued, there are duty assignments and other circumstances that warrant the arming of certain security guards. For example, security officers who serve as escorts for the transfer of school cafeteria proceeds to a school safe or a bank depository must be armed. Thompson added:

... I feel that the patrol division should be armed. These individuals that patrol these streets in the City of Newark at night time from four to twelve and also midnight tour of duty. I have patrolled the streets with them, and when you go into a school looking for a suspect and you don't know what type of weapon that suspect has, you're at a great disadvantage. In addition, I believe the nature of the investigations that I have assigned, my investigators should be qualified and also certain supervisors. I'm referring to your night supervisors now. Your night supervisors are out on patrol also and we have -- well, under my leadership in the four or five months I've been there, we have arrested individuals for -- one of the latest arrests was a rape that was occurring in the rear of a school where one of my patrolmen happened to ride by and this woman was being beaten and she was screaming rape and he called for immediate backup and Newark P.D. responded and the arrest was made. And as you may recall, just a couple of days ago on school property a Newark police officer was shot in his attempt to apprehend a robbery suspect. We're in a high visibility crime area.

Q. Do you know whether or not, prior to your taking the job, security officers carried firearms within school buildings -- within schools, during school hours?

A. To my knowledge, no one ever carried a firearm within the school during school hours, authorized.

Osborne Frazier, a security consultant who was Director Thompson's predecessor, began working for the Newark Board of Education as a security officer in 1969. He was promoted to chief officer in 1974 and to departmental director in 1976. His testimony at the SCI was revealing since his recollections spanned practically the entire history of the Newark school security system. On certain issues, such as the question of firearms policy or guidelines, Frazier confirmed the Board's failure to take appropriate action from the outset of the system. In addition, he described the confusion that arose because of the intermix of security guards and "special police officers" on the Department's payroll. Excerpts from Frazier's testimony:

Q. Mr. Frazier, throughout your employment with the Board of Education, either as a guard or later on as director of security services, did the Board of Education have a firearms policy in so far as guards carrying firearms was concerned?

A. No security guards ever carried firearms.

Q. After you were the director did a certain limited number of your security guards hold the status of special Newark police officers?

A. That's correct, sir.

Q. Did they carry weapons while on duty as a school security officer?

A. Not as a school security officer, no. As a patrolman.

Q. And was the special police officer also a Newark school security guard or security officer?

A. In some instances, no. They were just special police officers hired, that were paid by the Board.

Q. In some instances were they?

A. We had some special police officers that were also employed by the Board, yes.

Q. During the occasions that the special police officers who were also employed by the Board of Education transported sums of money, did they carry weapons?

A. Yes, they did. Yes.

Q. Did the Board of Education ever set forth a policy statement concerning the carrying of firearms by security officers who were also special Newark police officers?

A. No, sir.

Q. Did you ever issue, as the director, a set of guidelines or a policy concerning the carrying of firearms?

A. Yes, sir.

Q. Did you distribute that written policy to your security guards?

A. All of my security guards, and I even posted it in some of the work areas, that's correct.

Q. Did the policy prohibit the carrying of firearms?

A. Yes, it did.

Q. Under any and all circumstances?

A. That's correct.

Q. Did the Board of Education provide any training, to your knowledge, to any security guards with regards to firearms?

A. No, sir.

- Q. Did the Board of Education ever issue any type of weapons to security officers?
- A. None whatsoever.

Newark Police Chief Charles M. Zizza told the SCI that so-called "special police officers" employed by the Newark Board of Education as security guards were not only carrying firearms illegally but were also illegally utilizing the special officer status. Following are portions of Chief Zizza's testimony on this subject:

- Q. Do you know whether or not there are any special police officers who are employed by the Newark Board of Education in their security department?
- A. To my knowledge, most recently I was made to understand that between five or seven persons that hold commissions as special officers have been employed by the Board of Education.
- Q. Now, you mentioned before that when an individual applies for the position of a special police officer he's required to file a certificate or proof that he has a promise of employment in the security field; is that correct?
- A. Yes, sir.
- Q. What is the reason for that requirement?
- A. Well, that's to prevent people from simply applying for a commission so that they may carry a gun or possess weapons or have -- you know. Sometimes you find people who are on ego trips and like to carry badges. So to prevent that from happening and allow people to apply for a commission so they can carry a gun and badge and so forth, they must show us some proof of employment.
- Q. Of the special police officers employed by the Board of Education, did any of those file a promise of employment by the Board of Education of Newark at the time they applied for special police officer status?
- A. I don't think so.
- Q. In other words, they obtained their special police officer status for employment by entities other than the Board of Education?
- A. To my knowledge, yes.
- Q. Do the seven that are with the Board of Education now comply with the rules and regulations promulgated by your department?
- A. In this instance I don't consider them special officers at all because they have

hired themselves out as some kind of guard for the Board of Education. They're wearing a uniform that has a patch on each shoulder that says Board of Education, and it came to our attention, I'd say three or four weeks ago, that they were in fact carrying the badge that said Newark special police. And we simply had them all notified that they were in violation, that they were not working as Newark special police and they couldn't wear that badge. If they wear that badge they'd have to wear the entire uniform and represent the City of Newark or the Newark Police Department.

At this point I don't perceive or feel that they represent the special police at all. They're just hired as guards by the Board of Education.

Chief Zizza testified that the security officers who were notified they could not act as special police officers were also informed that they should not carry firearms:

Q. In view of the fact that these individuals don't comply with the rules and regulations as promulgated by your department and that they're not employed as special police officers by the Board of Education, do they have the powers of arrest?

A. No, they do not.

Q. Do they have the right to carry weapons?

A. No, they do not.

Q. Chief, do you know whether or not any security officers who are employed by the Newark Board of Education have state permits to carry weapons?

A. We have three who have state permits to carry weapons in the course of their duty.

But these permits were issued because in the main they indicated that at a given time of the day they were transferring money from cafeterias, going from one cafeteria to another and picking up money and going to the bank. And that state authorization to carry a weapon applies only to that particular function and to apply to police work, can carry a gun during their employment. There is a restriction on their permit.

Q. Does state law require approval by you as chief of the municipality for the issuance of a permit to an individual who resides in Newark?

A. Yes.

Q. Did you ever approve any applications?

A. I know at least in one instance, maybe two, I had disapproved.

#### **No Board Guidelines**

Another Departmental deficiency that relates to the hazy origin of the security force has been the failure of the Board to promulgate formal written guidelines setting forth the rules, regulations, duties and procedures to which Department personnel must adhere. Security Director Thompson told the SCI that, after he was unable to locate any Board publication of this nature, he accidentally came upon a so-called school security "program" that was prepared in 1969 by School Attendance Director Anthony G. Coppola. The Board was to have replaced this interim guide with a "more complete manual" -- but never did so. Thompson's testimony on this subject:

Q. Now, when you took on the position of director of security you asked the Board for any documentation and material setting forth exactly what it was that the Security Department was suppose to do, what the job requirements were and so forth; is that correct?

A. Well, not the Board members themselves. Certain Board members. I asked the president of the Board at that time, and he didn't have the information; and I decided to go to the security department itself; and I asked the former director and also the chief who was acting director; and then I began to ask just supervisors and just officers, you know, where did they derive their powers from, what was the extent of their power? I would give them an example, a hypothetical. What if A, B and C happened, what would you do? And if you did do it, what gave you the authority to do it? And no one gave me those answers.

Q. Neither the president of the Board or any officer within the Security Department you spoke to could provide you with any written documentation?

A. That's correct.

Q. And I take it then no one supplied you at that time with Exhibit C-7, which was the (guidelines) document prepared by Anthony Coppola back in 1969?

- A. That's correct. That came into existence after my review of the statute governing public school law enforcement officers and after actions I was taking to deal with the criminal element that we had within the Board of Education, and the union opposing the actions that I took. This came out of various hearings where the Board members ordered that we put together some facts as to how the security department came about, et cetera.
- Q. And if you look at the second page of the exhibit, the last sentence of that memo says, "A more complete manual for school security guards is in process of preparation." Have you ever found, since you've taken over the director's job, a more complete manual?
- A. To my knowledge, that manual was never completed and does not exist.

#### **Minimal Job Qualifications/Requirements**

Until Thompson became security director in 1983, the requirements for employment as a security guard in Newark's schools were minimal -- and even one or another of them frequently was ignored. Job applicants apparently were required only to be Newark residents and at least 21, to submit a medical certificate, and to obtain a criminal background record -- a "rap sheet" -- from the Newark Police Department. Thompson has strengthened and increased the qualifications for the job of security officer but, as of June, 1984, these were still subject to labor union negotiation pending submission to the Board for final approval. An important additional qualification to be required is at least a high school education. Further, Thompson has proposed strengthening the background clearance of an applicant by requiring a "clean record" free of criminal convictions and other elements indicative of potential on-the-job problems. Also, rather than a criminal record check limited to Newark Police Department data, which would not reveal any criminality outside the City, Thompson would utilize files on criminal record input from all local, state and national law enforcement jurisdictions.

As noted previously, the Board of Education never promulgated a manual that would have established rules, regulations and procedures for departmental operations and which would have prescribed job requirements for security officers. However, as also pointed out earlier, there were suggested job obligations in a departmental "program" that was prepared by a school attendance officer in 1969, which Thompson discovered only by chance. But even these minimal job requirements were violated to the point that, even if most members of the force are qualified and capable,

too many others are misfits whose continued employment poses a threat to school security. Thompson testified about these conditions as SCI counsel Hart thumbed through the 1969 "program's" job standards:

Q. Now, turning to the third page, Roman numeral three is entitled "Minimum Qualification Standards" with a listing of several, the first one being, "Be able to read and write." Could all guards read and write when you took over the job?

A. To my knowledge, they could.

Q. The second one is "Be of good moral character and never convicted of a crime of moral turpitude." Can you tell me whether or not, based upon your observations in the last four months, that qualification had been followed by any of your predecessors?

A. No, it had not.

Q. It had not been followed, meaning that at least some individuals who had been employed had been convicted of crimes of moral turpitude?

A. Yes.

Q. The third one is "A responsible and reputable citizen of the community"? Can you tell me whether or not that qualification had been followed prior to your taking over the job?

A. No, that had not.

Q. Why do you say that?

A. Because of the individuals that are currently there. That's what I'm judging that on....because I still have individuals who are within the security department that clearly violate.

Q. You would say they are irresponsible individuals?

A. Definitely.

Q. And could you give me some examples of what you consider to be irresponsible?

A. Irresponsible meaning that there are security officers that I've terminated that were apprehended under the influence of alcohol and drugs. There are individuals that I've terminated that have actually left a school unattended. Not only did they leave the school unattended but they stuck some form of object into the door so they could be able to get back into it, and they leave the school for several hours and return. They left the



door ajar like that, that means anyone could have access to the building to rip the building off. Then we have examples of other individuals I terminated for no show, where they report to a school and disappear and do not return at all. They might stay on site maybe an hour.

Q. Okay. All right. Another note indicates that "Guards must have an annual medical examination within 30 days of the anniversary date of the previous examination." Can you tell me whether or not those annual medical examinations were conducted prior to your taking over the director's job?

A. No, they were not. That was not adhered to.

Q. Letter G states that "No guard shall use tobacco in any form while engaged in guard duty." Can you tell me whether or not that requirement had been followed either prior to or after you assumed the directorship?

A. Prior to, no, it was not.

Q. You're saying that guards while on duty used tobacco?

A. And alcohol.

Q. And alcohol?

A. And on occasion drugs. After my taking the position I cut an order -- actually before I took the position -- to let them know what to expect, and that the alcohol or tobacco and/or drugs was directly in violation and I would deal with it swiftly.

The absence of standard requirements for job performance ranged from uniforms to operating procedures, according to Thompson's testimony:

Q. You also mentioned there was a lack of uniformity in regards to the clothing worn.

A. That's correct.

Q. And also in regard to standard operating procedure.

A. Yes, that's correct.

Q. Taking the clothing first, is there a prescribed uniform for security officers?

A. There is now.

Q. Was there one prior to your taking over the director's job?

- A. No. There was -- they had several, and what would happen, the individuals intermingled the clothing and that's the way they reported to work.
- Q. And what guidelines have you set up since you took over insofar as uniform is concerned?
- A. I have chosen a uniform outfit that is mandatory that -- every person assigned to security, pending their assignment, must wear; and there's no deviation from those, right down from the coat to the shoes.
- Q. You also said there was a lack of uniformity insofar as standard operating procedures go. Could you elaborate on that, please?
- A. As far as submitting a report, making arrests, did you have the powers to make an arrest? Who were they responsible to, the principals or were they responsible to me? Things of that nature.
- Q. Prior to your taking over your job was there a written set of guidelines or standard operating procedures for security officers?
- A. None to my knowledge.
- Q. Is there any now?
- A. I'm in the process of drafting rules and regulations.

#### **16% Have Crime Histories**

The SCI investigated the background of Security Department employees on the payroll as of May 5, 1984. This inquiry included a search for criminal records in the files of state and federal law enforcement agencies and the National Crime Information Center. The results were alarming. Of 239 employees checked, 38 or 16 percent had criminal records. These arrests, indictments or convictions ranged from disturbing the peace to robbery and even homicide. One employee's record showed at least a dozen arrests and convictions between 1979 and 1983. In the course of this individual's criminal forays, which resulted in charges of commercial sex, property theft and armed robbery, he utilized at least nine aliases, two sets of Social Security numbers and seven different birth dates. Another employee had a warrant outstanding for his arrest. Yet another was found to have a history of 14 arrests for a variety of offenses as well as convictions for assault and obstructing justice. In reviewing the criminal histories of these 38 security guards, the Commission found that 17 had been arrested prior to their employment and that seven of these and the other 14 employees were involved in criminal offenses since employment.

Despite this high incidence of crime in the collective background of Newark's school security officers, many of those with criminal histories remain on active duty. Under Thompson, an effort is being made to weed them out but this essential reform is being impeded by the same contradictions and misunderstandings over executive jurisdiction and disciplinary authority that the Commission emphasized at the beginning of this report.

Thompson in his SCI testimony described numerous examples of on-the-job misconduct and alleged criminal acts attributable to the poor personal and professional caliber of so many of the security officers. He recalled that he once "apprehended" -- not arrested -- three guards who became drunk on duty, smoked marijuana and damaged glass partitions. Thompson said he obtained signed confessions not only of this misconduct but also of submitting a false report of the episode. Thompson reported that a public property guard whose dismissal he finally obtained in October, 1983, had previously been brought up on charges 11 times within a six-month period, prior to Thompson's appointment as director. This officer's misconduct included illicit use of drugs and alcohol, a problem Thompson reported as widespread, according to the testimony:

- Q. Mr. Thompson is there anything else that leads you to believe that drugs or alcohol is a problem within the security office -- or a problem for security officers within the Newark Board of Education?
- A. Yes. I still have currently under investigation approximately 8 to 10 individuals for the use of drugs and/or alcohol while on duty.

Another problem Thompson was confronted with when he became director involved security officers who performed outside jobs when they were supposed to have been on duty in the school system. His testimony on so-called "no-show" employees:

- Q. You indicated that another problem area that you had noticed was the situation of no-show jobs. Could you tell us what leads you to believe that that is a problem within your department?
- A. Yes. In the month of August, 1983, I began to make spot checks of my security people after receiving some anonymous calls; and those spot checks revealed that those individuals were not on their job at the job site; and these were individuals within my department. In addition, in checking individuals out to see whether or not they were on patrol and whether they parked their vehicle and left the streets, I found out that I had problems with individuals staying on patrol.

- Q. Could you characterize how widespread that problem is?
- A. Prior to my taking this position, I would say it was widespread. However, upon my apprehending and terminating individuals and referring it to the prosecutor's office for prosecution, the no shows within my department I feel I have under control.
- Q. Now, you stated you felt that no shows were a significant problem within the department prior to your taking over the position. Can you tell me what it is that lead you to reach that conclusion?
- A. The anonymous telephone calls that I received directly to me in addition to the anonymous letters or notes that came to me.
- Q. Do you have any investigations pending into no-show jobs so far as your personnel is concerned?
- A. My department right now I'd say is clean as far as no-show jobs. I believe that.
- Q. Mr. Thompson, other than the two individuals that you terminated, did you have occasion to discipline anyone else for not being present at their station or on patrol when they were suppose to be?
- A. Yes, I did. Approximately five individuals, some of the individuals on patrol division. One individual had parked his vehicle after only a couple hours of patrol and had gone into his home and did not return for approximately five hours to his vehicle. I kept his vehicle under surveillance from approximately 2:30, 3 o'clock, to maybe 6 o'clock, at which time I stole the vehicle and took it to Newark P.D. and advised Newark P.D. that I had the vehicle and that when the individual called for it to report it stolen that they didn't have to send a patrol car there, that it was an internal investigation. And among individuals that I have actually terminated was an individual who was assigned to a school and instead of staying on his job at his post he left that school, stuck a piece of cardboard in the door and walked approximately about two miles away to watch a basketball game. I terminated him. And then there are other individuals that I have come across that were not on their post that were not terminated, but did receive some form of disciplinary warnings.

No-show employees in other school board departments, including custodial, are a Security Department concern, Thompson said, because any one leaving his post in a school building must notify security personnel. Thompson indicated in his testimony that no-show activity among school custodians was rife:

Q. Have you noticed a problem with no shows within other departments of the Board of Education? For instance, custodians?

A. Yes, that is a serious problem.

Q. Could you elaborate?

A. The custodians basically work during the daytime from eight to four -- eight to three and from three to eleven. I found that many custodians would come in at three o'clock and would leave before five o'clock and not return. I found other custodians that come in and sign in at three and do not return and work another job.

Q. How many such instances have you discovered in your four-and-a-half-month tenure?

A. Let's see. I have maybe 20.

Q. And would it be fair to say that your opinion is that these 20 are just the tip of the iceberg, so to speak?

A. Yes.

Q. When a custodian who's working the three to eleven shift, for example, must leave the building thereby leaving the building unattended by anyone, is he required to notify your department?

A. Yes, he is...I recall in one place we came across nine in one building. So, as I said, the number is up, is high.

Q. All nine custodians in one building left?

A. There was only one custodian left and he's the one that punched everybody out. As a matter of fact, it led to an investigation wherein that I had to terminate one of my guards of public property.

Thompson testified that he employs "drug educators who don't believe in staying in the job" and that regular school teachers are also being investigated for leaving their posts:

Q. Let me ask you this: Are teachers allowed to leave their school buildings during the day and if so, under what circumstances?

A. Only with the permission of the principal and also during their lunch hour, but my investigations are of individuals who are leaving and are gone for the majority of the day.

- principal or anyone that they're leaving?
- A. That's correct.
- Q. And if a teacher was leaving his school building at a time when he was supposed to be teaching and at a time when he was being paid for teaching, would it be the responsibility of a security officer to report that?
- A. Yes, to the central office.
- Q. Okay. Has the central office received any such reports concerning teachers from security officers, to your knowledge?
- A. None to my knowledge.
- Q. Mr. Thompson, are you presently investigating any allegations of teachers leaving their jobs in the schools and going to work at other jobs or taking care of other business?
- A. Yes.
- Q. Could you tell me approximately how many such investigations are being undertaken at this time?
- A. Approximately five or six...There's one thing I'd like to clarify regarding my security officers.
- Q. Yes, sir.
- A. And that is this: They do have an obligation, as I understand -- as far as I'm concerned, they have an obligation that anything that is suspicious in nature or criminal in nature to report to the central office for further investigation.
- Q. Would that pertain to a teacher, for example, who is leaving the school building on a daily basis when he's supposed to be teaching?
- A. Sure. If that teacher has a pattern of leaving at a certain time and the security officer is aware that teacher should be within that class or within that building, they have an obligation to report it.

Thievery of school property by security officers is also a problem, Thompson testified:

...In my department I had a very, and I feel I still do have a very serious problem with theft...I am currently investigating allegations of at least six other security officers for various thefts.

- Q. Could you tell us what type of property is being stolen from the school buildings from the City of Newark?
- A. Meats out of freezers. And when I say meats, I'm referring to 20 to 200 pounds of meat taken. Typewriters, video equipment, and household items. Anything a person would want, want to use around their home they would take.
- Q. Can you tell me what it is that leads you to believe that security officers are involved in these thefts that you're talking about?
- A. Again, anonymous tips from reliable informants -- anonymous tips and also reliable informants that have proven out -- that have proven themselves in the past. In addition, just reviewing some of these individuals' personnel files, seeing where they had been apprehended or suspected of certain crimes and no formal disciplinary action was taken against them.
- Q. How many such instances have you come across in the personnel files?
- A. I can't say. I don't recall because I am still in the process of reviewing all personnel files.

Thompson also reported on thefts by non-security employees of the Board, including custodians. Indeed, the theft of meat by custodians was so enormous, he testified, that one school had to serve meatless lunches to its pupils. Thompson's testimony on crimes by certain custodians:

- Q. Have you uncovered instances where Board of Education employees, other than security officers, are involved in thefts?
- A. Dealing with custodians first. I have apprehended and arrested several custodians for theft, and further investigation revealed that these individuals were stealing meats from the freezers within the school district. And when I say meats, I'm referring to these schools that feed the kids, prepare their lunches and they have maybe three or four freezers. Some of the freezers are as high as six feet high. And custodians have returned at nighttime, broken back into the school and/or left a door ajar so they could get back into the school; backed a truck, station wagon or van up to said school and unloaded the freezers of meat. As matter of fact, University High School on three separate occasions had meatless lunches for the students because of this type of theft.

- Q. Did you put any monetary value on the amount of meat that has been stolen?
- A. I'm in the process of now doing that through the director of cafeterias, but we're talking about high in the thousands of dollars, very high; and further investigation of two of the custodians at different schools revealed that these individuals were actually stealing the meats, you know, a hundred, 200 pounds of meat and selling them at fast-food restaurants within the city.
- Q. Can you tell me approximately how many investigations you have ongoing concerning custodial thefts of the schools?
- A. Maybe eight to ten that are presently -- that are not closed out.

Thompson said several security officers have informed him that Local 617 leaders advised them not to report "brother union members" they observed in the act of committing a crime. Both Local President Grimsley and Vice President John G. Johnson denied this accusation in their testimony at the SCI. Nonetheless, SCI investigators have documented statements by security personnel confirming Thompson's allegations. Thompson insisted that at least some security employees were more prone to follow union directions than departmental orders:

- Q. Have any of your security officers admitted to you that they have been advised by the local that they should not report brother union members whom they observed in the act of committing crimes?
- A. Yes, several officers. I had confrontations with Mr. Johnson and Mr. Grimsley regarding that very same matter.
- Q. Generally speaking, these guards who have admitted to you that pressure has been put upon them by the union not to report brother union members, do these guards take the position or do they agree with your position that they should report and/or arrest an individual they observe committing a crime, or do they agree with their local? Do they take the position they don't want to report these individuals?
- A. I would say some of them agree with my position, others disagree with me totally and are more loyal to the union and will adhere to that which the union suggests or dictates.
- Q. Did a union member at one time or another, a union officer, I should say, make a statement to the effect that the local was declaring war upon you?
- A. Yes, sir.



- Q. Let me ask -- I'm sorry.
- A. In addition, the union position, which I cannot understand, not only does it deal with the criminal element, it goes so far as dealing with the basic training of these people that I want to institute.
- Q. Yes.
- A. In a discussion with them, telling them I was raising the standards where a person had to pass some form of physical, that there was an age limit that's going to be initiated, in addition the people had to have a high school education and clean record. In another campaign against me to the board members they argued outright that I should not be allowed to institute such changes, particularly with the criminal record.
- Q. What position has the Board taken in that regard?
- A. It hasn't been resolved as of this date, so I am still instituting that which I feel is right.

SCI Counsel Hart asked Thompson why he himself was conducting so many investigations rather than assigning such work to his staff:

- Q. It strikes me as being somewhat unusual that you as the director of the department would be out in the wee hours of the morning conducting investigations when you have this many personnel working for you. Can you tell me why it is that you've been conducting the investigations that you have?
- A. Well, initially I came in and was attempting to clean my department, because I knew that particularly in a certain division that I had gross problems with my patrol, some patrolmen stealing, actually loading their patrol cars up with whatever they wanted out of a school. And in trying to apprehend some of them I took a couple guys into confidence and staked out a place and to find out after sitting out there all night on the roof that someone dropped a dime on the investigation.

And to make believers of my department, I just started handling -- all of my investigations I handled alone, and that's why.

## No Training

Newark school security guards have had little or no formal professional, physical or educational training. This fact is frightening in view of the SCI's findings of widespread abuse and misuse of their official positions. Director Thompson is trying to rectify this lack but is confronted with formidable obstacles. Also, the Newark Board is confronted with a potentially prohibitive cost impact if the extensive training required under N.J.S.A. 18A:6-4.4 is imposed. This report will suggest possibly more feasible alternatives in its Recommendations Section. At this point, however, it is important to record the cause and effect over the years of the lack of formal training for the security force. Thompson described in his testimony at the SCI the many negative aspects of this neglect:

Q. Is there anything that you can add insofar as a lack of training for security officers?

A. Yes. For example, you know, my people do not have the knowledge of criminal law, of what the term probable cause means, they do not have the knowledge of the criminal judicial systems, let's say, from time of arrest and what constitutes an arrest right through your trial procedure. They're lacking the investigative techniques so as to not violate an individual's rights. Things of that nature.

Q. And that type of problem would be solved, would it not, if security officers undertook, as mandated by statute, a training course approved by the Police Training Commission?

A. That's correct. Yes.

Q. You also mentioned that another problem area was the physical condition of some of your security officers, is that right?

A. That's correct.

Q. What type of problem is that? What type of problem have you seen with the physical condition of your employees?

A. That some of them, as far as their basic health, are overweight. There's just no physical fitness program or any physical type of training, and I'm relating just the things a person could correct such as the weight problem, things of that nature.

Q. I take it that you feel some sort of physical training program is necessary for school security officers?

A. Particularly in your patrol division and investigative division. They are apt to come across a situation wherein they would have to

defend themselves more readily than an individual, let's say, assigned as a security guard within the school. However, if we exercise their duties as the statute outlines it to be, then they should receive some form of physical training.

Q. I take it what you're saying, in effect, there is a certain physical danger or hazard presented by the job requirement itself, referring to a few of your security guards, they're in danger of harm because of their poor physical condition; is that correct?

A. That's correct.

Q. Now, at the time you assumed the directorship, was there a training program in effect for security guards?

A. No.

Q. No formal program at all?

A. None whatsoever.

Q. Prior to your taking over the position was there any training in the area of patrolling and observation techniques?

A. I believe when this program first came into effect there was a class that did go to the Newark Police Academy for a period of two weeks and they did graduate, I think; and after that there were no more, that was it.

Q. Subsequent to '69 there's been no formal training program approved by the Police Training Commission, for example, for security guards?

A. No, definitely not.

Q. Are you aware that State laws require such training for board of education security officers?

A. Yes, I am.

Q. Have you taken any steps or do you intend to take any steps to comply with that requirement?

A. Yes, I am. As a matter of fact, this month we're having a seminar. From that seminar I hope to get the funds and set up some type of criteria...we're going to have to slowly but surely put them through a regular police training course. Which, I might add, the union is in total opposition to.

### Poor Liaison With Newark Police

Under Director Thompson, whose career background includes 13 years as an Essex County prosecutor's detective and three years as a Montclair policeman, liaison with Newark, County and State law enforcement agencies appears to be improving. However, the relationship between the Newark school security officers and Newark Police Department -- a cooperative arrangement is absolutely essential to the success of the security force -- has been poor, according to Police Chief Zizza. He testified about this at the SCI:

- Q. Could you describe, Chief, the relationship between your department and the Newark Board of Education security office?
- A. Up until most recently, I don't believe we've had too much liaison with the Board of Education Security Department.

Through the years insofar as the Board of Education is concerned, not just this administration, but over the many, many years I've been a police officer, we found that they tend to sweep some of the matters under the rug, and that we were not always made aware of crimes and offenses that were committed in and about the school areas.

Most recently the press carried a story of the Board of Education's director, Prentiss Thompson, indicating that they had taken some 200 weapons from students in the schools, brass knuckles, guns, knives, and then looked back at our records to find out how many of these possessions of dangerous weapons incidents had been reported to us, and we found that in the period of time, which is from last August up until the time of that press release, which was sometime in January, that they had reported to us a total of 12 incidents where people were in possession of dangerous weapons, and of those 12 instances two of them were with guns. But they made this grandiose display of some 200 weapons which we know nothing about, and these things have never been brought to our attention.

Unfortunately, there was also some statement made by the responsible people in the Board of Education that because they had confiscated all these weapons that the safety environment within the schools was a lot better than the safety environment outside the schools.

So my question to those authorities is where did they find the 200 weapons, outside the school or inside the school? And, of course, their answer is they found them inside the school. Then you wonder how many weapons they did not find, because if they're saying the atmosphere outside the school is unsafe and they have 200 weapons they confiscated in the school, and by the same token they have to suggest to me they confiscated those weapons on the street rather than the school, but they say they confiscated them in the school.

COMMISSIONER PATTERSON: It also suggests to you there may be another 2,000 weapons around the school -- I'm making up a figure.

THE WITNESS: They haven't searched every student, every locker, but you wonder how many weapons have not been found.

## RECOMMENDATIONS

### Preface

While this report focuses on the Newark school security system, its findings of misconduct, mismanagement and other deficiencies should be studied by every school district in New Jersey which sponsors a security program. (Copies of this report are being sent to all districts receiving State-funded reimbursements for school security costs). The Commission earlier noted that it had canvassed a number of school district security departments but, except for Newark, had found no apparent operational faults of such consequence as to warrant continued inquiry. These districts should realize, however, that this decision by the Commission does not mean that their operations are without defects. Indeed, if the SCI had the financial and personnel resources to extend its probe as deeply into other districts as in Newark, one or another of the deficiencies that were found to be widespread in Newark also might have been revealed elsewhere. Therefore, this report's pinpointing of statutory omissions and defects, of administrative disfunctions and of personnel abuses should serve as a statewide guide for self-improvement. The recommendations also should provide a basis for such self-analysis.

The recommendations that follow are listed in specific categories. One section, of course, is aimed at correcting problems that beset Newark's security program. In addition, the SCI has suggested statutory revisions that should be considered by the Governor and the Legislature and regulatory changes that should be reviewed by the State Education Commissioner. These last two categories of proposed reforms are considered vital by the Commission in order to eliminate the basic statutory contradictions that could undermine all school district security programs. They will be discussed first.

### Legislative Proposals

#### Revisions of Title 18A

This report has noted the problems that have resulted from the ambiguities and contradictions of the various sections on school security and safety in Title 18A, particularly 18A:6-1 et seq. and 18A:17-4.2 et seq. For example, the former refers to educational institution "policemen" and the latter to public school "law enforcement officers," without any cross-reference explanation. Since 75 percent State-funded reimbursement for certain security forces is provided only by the latter statute, school districts such as Newark, where a need for security guards with full police powers has been indicated, must restructure their security forces into separate categories to facilitate the reimbursement privilege. Furthermore, since adequate school security requires the monitoring of non-security school employees in schools during school hours, the same prohibition of N.J.S.A. 34:13A-5.3 against policemen, including educational institution

policemen, belonging to a labor union that admits other than policemen to membership should apply to the so-called public school "law enforcement officers." Further, because of the reimbursement provision, Chapter 17 of Title 18A should identify those whose jobs qualify for reimbursement by some other title, such as monitor, guard or prefect, nomenclature that does not denote full police responsibility as the word "law enforcement officer" does. Also, the reimbursement law should specify what "cost" is to be partly defrayed, such as salaries, uniforms, health, pension or other employment benefits, etc. Finally, fingerprinting of all school security job applicants, whether or not in the reimbursement category, should be a statutory requirement to facilitate criminal background checks.

## **State Education Department Proposals**

### **Rules Revision**

Whatever statutory revisions are made, if the State Education Commissioner is still required to promulgate rules and regulations for those in the reimbursement category of security guards, such a compilation should be far more extensive than at present. It should include minimal qualification requirements including full criminal background clearance, should specify a program of special training for recruits and should mandate the issuance of a written set of personnel and procedural guidelines by the school board. Further, the Department should consult with the Police Training Commission on establishing minimum standards for the training of school security guards who are not defined as policemen.

## **Proposals For Newark Board of Education**

### **Legal Clarification**

The Newark Board of Education should amend its resolution of March 13, 1984, to provide for a bifurcated security force of 1) school guards whose hours would conform generally to daily school hours and whose duties would be primarily of a monitoring nature in school buildings and on school property and 2) security police officers who would patrol buildings and other school property primarily before and after normal school hours. Whatever phraseology is utilized to provide for separate groups of guards who function in the schools during school hours and those who investigate crimes and who patrol and police buildings and other school property outside of school hours, there should be an overall prohibition against either type of security personnel joining a collective bargaining group that allows non-security employees to become members.

### **Firearms Policy**

The Board should immediately adopt a firearms policy stipulating which employees are eligible to carry weapons, requiring special training in the use and care of such weapons, delineating a formal registration process that will mandate periodic requalification, and specifying the times, places and other circumstances when and where firearms can or cannot be carried.

### Security Force Guidelines

The Board should promulgate formal written guidelines setting forth the rules, regulations, duties and procedures of the various types of security personnel. These guidelines should specify the sanctions that will be imposed for violation of the various job performance requirements.

The manual should also list minimal qualifications necessary to apply for a security position, including at least a high school education, a physical examination and medical certification of good health and a full criminal background clearance.

Job performance requirements for each job title and rank also should be detailed in this manual so there is no question by an employee of the extent of his duties and jurisdiction.

### Employees With Crime Records

Because of the failure of previous administrations to require a thorough screening of security job applicants prior to their employment, certain members of the force on active duty have criminal records and should be dismissed at once. Besides an instant weeding out of undersirables, the Board should institute a thorough review of all present employees to determine if they are fully qualified to retain their positions. As stated, a thorough background check of every job applicant should be made through local, state and federal law enforcement agencies and the National Crime Information Center and no one who has been guilty of a crime of moral turpitude should be employed or allowed to remain in employment.

### Training Programs

The Board should immediately arrange for the training of all present officers who are to be catalogued as police officers in a program approved by the Police Training Commission and require all recruits in this category to successfully complete such training. Further, the Board, with the cooperation of the Police Training Commission, should establish another, less stringent, training program for security employees in the school monitoring category and arrange for gradual participation of present eligible employees in such a program.

### Liaison With Newark Police

Additional progress and effort should be encouraged by the Board to increase and improve liaison between the Board's Security Department and Newark Police Department. More cooperation than presently exists should be extended by both groups and conferences should be encouraged to work out written plans for handling certain crimes and emergencies that require joint action.

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(The SCI investigative team for this report consisted of Counsel James A. Hart, III, team leader, Special Agents Anthony J. Quaranta and Raymand H. Schellhammer, and Accountant William V. Miller).









