



NEW JERSEY STATE POLICE

# Office of Professional Standards

# ANNUAL REPORT

# 2019





## FROM THE COLONEL...

I am pleased to present the Governor, the Legislature and the citizens of New Jersey with the New Jersey State Police *2019 Office of Professional Standards Annual Report* (“the report”). The State Police began producing this report in the year 2000 in response to legislation providing the public with an ability to examine the internal affairs function of the State Police and be reassured that it is truly operating in a trustworthy and acceptable manner. This year is no exception. Herein, the reader will find clearly presented topics, including descriptions of the current Office of Professional Standards (OPS) Table of Organization and related office functions, an explanation of the classification process for all reportable incidents, the system by which incidents are addressed and disposed of, and finally, a detailed analysis of the data compiled during 2019.

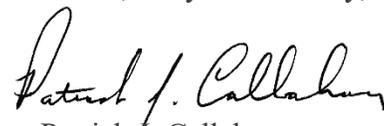
A law enforcement entity in a democratic society can tie its effectiveness directly to the level of trust it enjoys within the community it serves. A significant factor in gaining and maintaining that trust is ensuring that there is a strict allegiance to a highly professional and transparent internal affairs function. It follows that the execution of the internal affairs function within a professional law enforcement entity presents challenges that require constant and consistent vigilance. I believe that a fair review of the *2019 Annual Report* will support the conclusion that the New Jersey State Police maintains that level of vigilance.

This introduction will not restate all of the facts, figures and analysis articulated in this report, other than to remind the reader that troopers of the New Jersey State Police engaged in more than 1,700,000 police/citizen contacts during the calendar year 2019. Any single complaint reported to the OPS that was generated within that vast number of contacts was, without exception, assigned a number, classified, and addressed in accordance with established highly reputable best practices.

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

My personal commitment to the mission of the Office of Professional Standards is unwavering. I want to express my sincere appreciation for the hard work and dedication of the men and women of that office as, once again, I present to you the *2019 Office of Professional Standards Annual Report*.

Honor, Duty and Fidelity,

  
Patrick J. Callahan  
Colonel





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## Executive Summary

This report provides the Governor, State Legislature, the citizens of the State of New Jersey, and all other interested parties a brief history of the State Police internal affairs process and a comprehensive look at the disciplinary system employed by the Division. Included in the report are explanations of how the Division receives complaints, classifies the allegations, assigns cases for investigation, and adjudicates substantiated charges against enlisted members. The report also provides an overview of major and minor discipline imposed in 2019 as the result of substantiated allegations of misconduct and other corrective actions taken by the Division to address aberrant behavior.

### Office of Professional Standards

In 1999, the 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 new policy was adopted in January 2002. This revision resulted in the formation of two distinct bureaus within the office. As of December 2019, the Office of Professional Standards consisted of sixty-three (63) persons. This included eight (8) professional support personnel and fifty-five (55) enlisted persons. This figure represents an overall decrease of two (2) members from the previous year.

### Internal Affairs Investigation Bureau

The Internal Affairs Investigation Bureau is responsible for investigating all misconduct complaints made against enlisted members of the State Police. This bureau is commanded by a captain holding the position of bureau chief. The bureau also has an assistant bureau chief holding the rank of lieutenant. In addition, there are regional field units staffed with investigators, which are located in the northern, central, and southern parts of the state.

### Intake and Adjudication Bureau

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

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

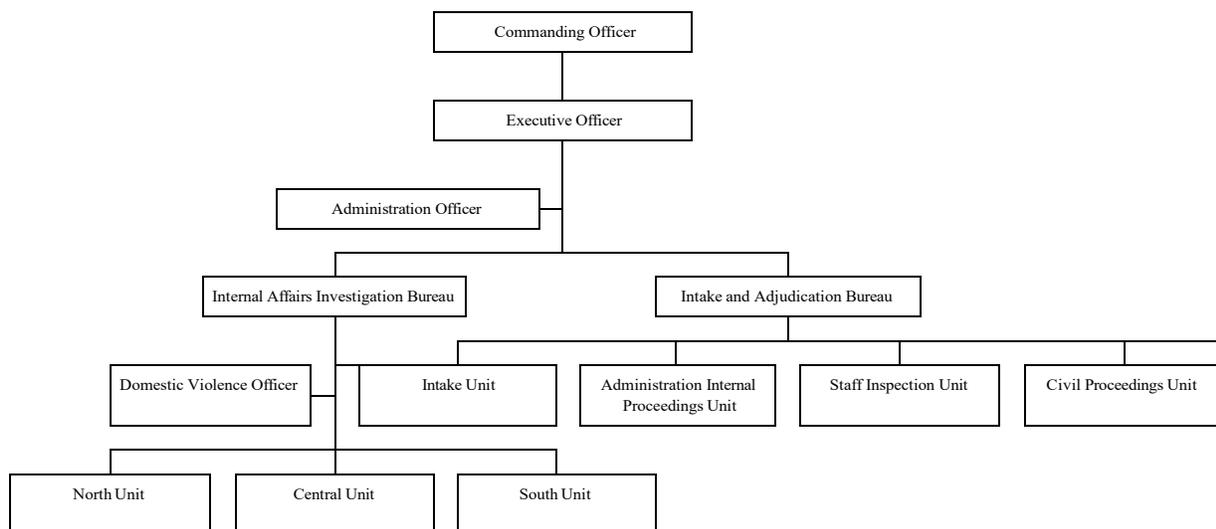


**Administrative Internal Proceedings Unit:** This unit is responsible for the adjudication of substantiated allegations of misconduct, convening disciplinary hearings and serving as a liaison between the Office of Professional Standards, the Office of the Attorney General, the Office of Law Enforcement Professional Standards, and the Office of Administrative Law.

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

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

## 2019 Organizational Chart



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## Office of Law Enforcement Professional Standards

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

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

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

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

## State Police Disciplinary Process

The New Jersey State Police is a statewide police organization that provides a full range of police services. The Division is comprised of four thousand, thirty-seven (4,037) employees, of which two thousand, eight hundred twenty-four (2,824) are sworn members, and one thousand, two hundred thirteen (1,213) are civilian members.\*

Due to the unique mission of the New Jersey State Police, the Office of Professional Standards is tasked with handling complaints from the public regarding troopers' conduct, as well as allegations of criminal conduct by members.

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\* As of December 2019



In 2019, troopers were involved in excess of one million, seven hundred fifty-five thousand, two hundred sixty-five (1,755,265) police/citizen contacts. Though most of these interactions were routine, many involved stressful and critical situations.

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

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

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

### **Complaint Process**

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

Complaints may be made in person at any State Police facility, by telephone or fax, or through regular mail. The Office of Professional Standards does not accept direct e-mail complaints;<sup>‡</sup> however, other State Agencies do, such as Citizen Services of the Office of the Attorney General, who, in turn, will forward such complaints to the Division of State Police.

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

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

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<sup>†</sup> State of New Jersey v. State Troopers Fraternal Association, 134 N.J. 393, 416 (1993).

<sup>‡</sup> The practice has changed in 2020 and complaints are currently accepted by way of e-mail to OPS.

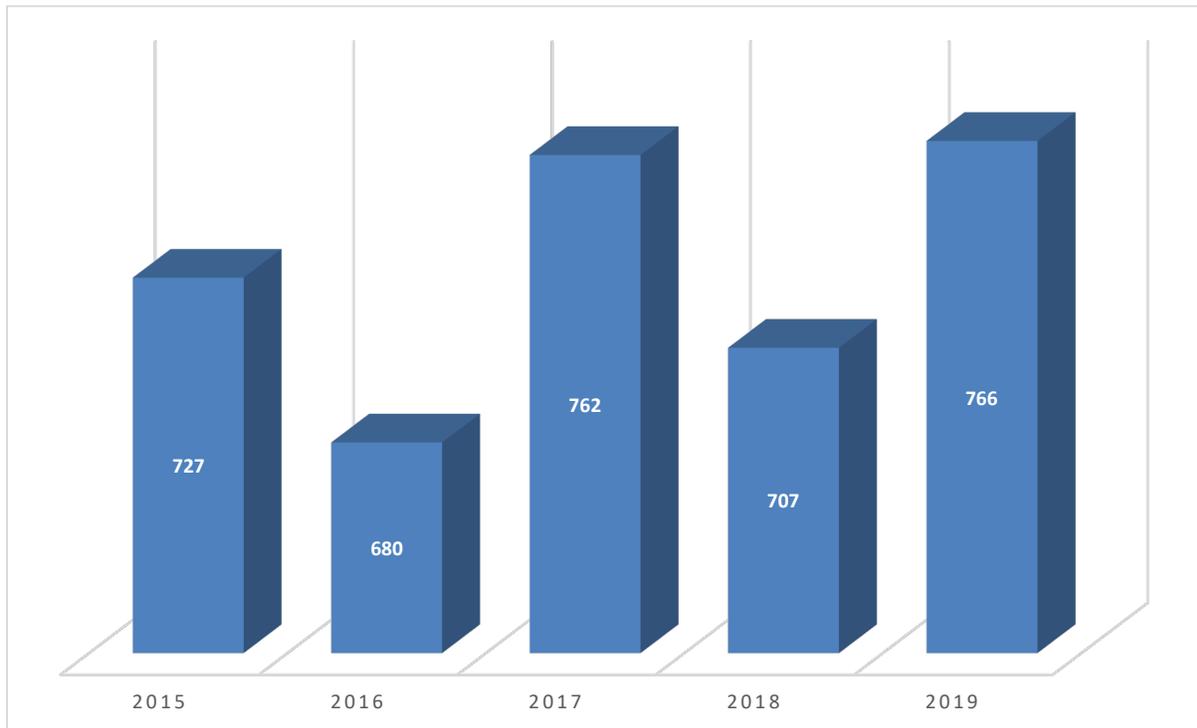


feedback, compliments or complaints about the operation of the Division and its personnel.

As stated previously, 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 by its members. This includes complaints made by citizens, as well as employment-related disciplinary matters.

During 2019, seven hundred sixty-six (766) total incidents were reported and classified, as compared to seven hundred seven (707) in 2018. This represents an 8.3% increase in the number of reportable incidents received in the year 2019, than those received in the year 2018, while the total number of the Division's enlisted personnel increased by twenty-nine (29) enlisted members, representing a 1.03% increase for the same period.

## Incidents Classified by Years



### Classification of Reported Incidents

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

#### Misconduct

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



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## **Performance**

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

## **Administrative**

When the Office of Professional Standards' review of the reported incident reveals that a trooper has not 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 and closed.

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

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

## **Referrals**

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

## **Shooting Reviews**

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

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



## Five Year Breakdown of Incident Classifications

	2015	2016	2017	2018	2019
<b>Misconduct</b>	212	203	248	205	229
<b>Performance</b>	54	34	7	6	2
<b>Administrative Issues</b>	422	398	439	438	455
<b>Compliance</b>	0	0	0	0	0
<b>EEO/AA Investigations</b>	4	0	4	4	0
<b>Non-Reportable Incidents/Referrals</b>	35	45	59	53	72
<b>Shooting Reviews</b>	0	0	5	1	8
<b>Totals</b>	<b>727</b>	<b>680</b>	<b>762</b>	<b>707</b>	<b>766</b>

### Origin of Complaints

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

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

In 2017, of the two hundred forty-eight (248) total misconduct complaints, one hundred fifty-four (154) (62%) were initiated by members of the public, and ninety-four (94) (38%) were initiated internally. Of the misconduct complaints initiated by the public, ninety-five (95) (62%) involved citizens who had been arrested or issued a motor vehicle summons by a member of the State Police. In addition, the Office of Professional Standards received seven (7) reportable incidents that were classified as Performance issues; four (4) (57%) of these complaints were initiated by members of the public, and three (3) (43%) were initiated internally.

In 2016, of the two hundred three (203) total misconduct complaints, one hundred thirty-six (136) (67%) were initiated by members of the public, and sixty-seven (67) (33%) were initiated internally. Of the misconduct complaints initiated by the public, sixty-eight (68)

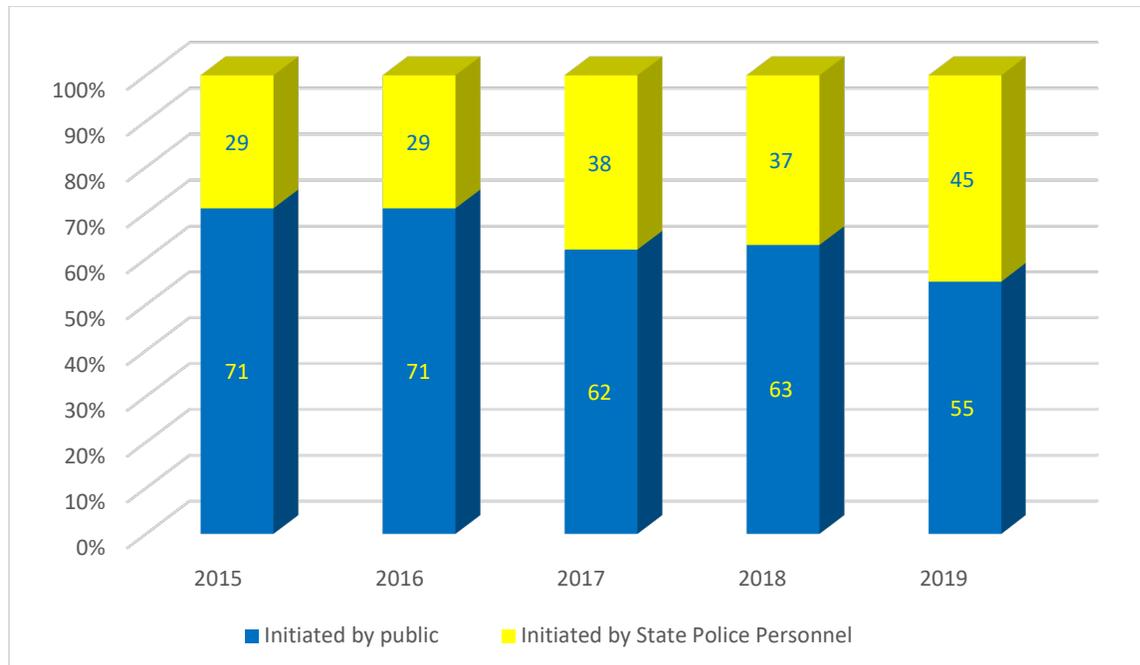


(50%) involved citizens who had been arrested or issued a motor vehicle summons by a member of the State Police. In addition, the Office of Professional Standards received thirty-four (34) reportable incidents that were classified as Performance issues; thirty-two (32) (94%) of these complaints were initiated by members of the public, and two (2) (6%) were initiated internally.

In 2015, of the two hundred twelve (212) total misconduct complaints, one hundred forty-three (143) (67%) were initiated by members of the public and sixty-nine (69) (33%) were initiated internally. Of the misconduct complaints initiated by the public, forty-one (41) (29%) involved citizens who had been arrested or issued a motor vehicle summons by a member of the State Police. In addition, the Office of Professional Standards received fifty-four (54) reportable incidents that were classified as Performance issues; forty-five (45) (83%) of these complaints were initiated by members of the public, and nine (9) (17%) were initiated internally.

### Five Year Comparison of Complaint Sources for Misconduct & Performance Matters

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



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## **Criminal Proceedings Involving Division Members**

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

### **Line of Duty: Citizen Initiated Criminal Matters**

On occasion, criminal charges are filed by citizens against members of the Division for incidents alleged to have occurred on-duty. Most are filed by individuals who were charged with motor vehicle and / or criminal offenses by a member. These complaints are assessed, evaluated, screened, and a determination is made as to whether the members' actions were within the scope of their official duties and therefore legally defensible. During 2019, criminal charges were filed against no members as a result of an interaction while on-duty.

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

An examination of our records has found one (1) trooper was charged with a crime during 2019. The member was charged with conduct that occurred while on-duty.

This case represents a criminal or disorderly persons offense filed against Division member acting in an official capacity while in the performance of their State Police duties. During 2019, the following charge was filed against the member as a result of interactions while on-duty:

- Member was charged with Tampering with Public Records or Information and Falsifying or Tampering with Records. The member entered into a Pre-Trial Intervention (PTI) program and as a condition of the PTI was required to forfeit their public employment.



## Off-Duty Conduct

**An examination of our records has found six (6) troopers were charged with crimes during 2019. All six (6) members were charged while off-duty.**

These cases represent criminal or disorderly persons offenses filed against Division members acting in an off-duty capacity and not related in any way to the performance of their State Police duties. During 2019, the following charges were filed against members as a result of off-duty conduct:

- Member was charged with two counts of Assault by Auto. The criminal court proceedings are pending.
- Member was charged with Resisting Arrest and Disorderly Conduct. The criminal charge was dismissed in court. The administrative charges are pending adjudication.
- Member was charged with Domestic Violence - Simple Assault. The criminal charge was dismissed in court. The administrative charges are pending adjudication.
- Member was charged with Operating a Vehicle While Intoxicated Endangering a Person. The member pled guilty to the charge. The member pled guilty to administrative charges.
- Member was charged with Possession of a Weapon for Unlawful Purposes and Aggravated Assault. The criminal court proceedings are pending.
- Member was charged with Endangering the Welfare of Child. The criminal court proceedings are pending.

Although some of the above criminal charges have been judicially dismissed, the troopers involved may still face Division administrative charges.<sup>§</sup>

## Assignment of Investigations

Of the two hundred twenty-nine (229) misconduct cases assigned in 2019, two hundred twenty-eight (228) were assigned to Internal Affairs Investigation Bureau investigators, and one (1) was referred to the Attorney General's Office, Office of Law Enforcement Professional Standards, for investigation.

The investigative process assesses the propriety of all conduct during the incident in which the alleged misconduct occurred. If, during the course of an investigation, there is an indication that misconduct occurred other than that alleged, the Office of Professional Standards will also investigate that additional potential misconduct to its logical

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<sup>§</sup> The information contained in this report was captured on April 2, 2020. The disposition of the administrative charges regarding the members will be published in subsequent reports.



conclusion. In addition, if a citizen requests to withdraw a previously made complaint, the investigation is continued with or without the assistance of the citizen to ensure proper trooper conduct.

## Allegations and Outcomes

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

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

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

## Misconduct Investigations Opened in 2019

There were two hundred twenty-nine (229) misconduct investigations opened in 2019. The following paragraphs report the status of these cases as of April 2, 2020.†† Of these cases, one hundred twenty-five (125) (55%) were initiated as the result of citizen complaints and one hundred four (104) (45%) cases were opened because of complaints made by State Police supervisors or other members.

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

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



Of the one hundred twenty-five (125) citizen-initiated investigations, twenty-two (22) (18%) remain active, nineteen (19) (15%) are in the review process, seventy-five (75) (60%) have been completed, and nine (9) (7%) have been suspended pending court action or other administrative action. Of the seventy-five (75) completed, seventeen (17) (23%) resulted in substantiated primary or secondary allegations.

Of the one hundred four (104) complaints initiated by State Police supervisors and members, seventeen (17) (16%) remain active, thirteen (13) (12.5%) are in the review process, sixty-five (65) (62.5%) have been completed and nine (9) (9%) have been suspended pending court action or other administrative action. Of the sixty-five (65) completed, forty-three (43) (66%) 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 2019 that resulted in Internal Investigations, the origin of the complaints, the total number of Principals (members of the Division who have been identified as the subjects of the investigations) per complaint, and the general categories of the allegations.

<b>2019 Number of Principals by Category for Internal Investigation</b>			
<b>Complaint Classification</b>	<b>Origin</b>		<b>Principals (Involved Members)</b>
	<b>Public</b>	<b>SP</b>	
Admin. Violations	22	46	68
Alcohol Violation	6	9	15
Assault	0	1	1
Attitude and Demeanor	7	0	7
Differential Treatment	85	3	88
Domestic Violence	3	7	10
Driving Violation	0	3	3
Drug Violation	0	1	1
Excessive Force	45	0	45
Failure to Perform Duty	21	11	32
False Arrest	2	0	2
Improper Search	1	0	1
Other	29	60	89
Other Harassment	2	0	2
Theft	11	1	12
<b>TOTALS</b>	<b>234</b>	<b>142</b>	<b>376</b>

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



## Completed Discipline

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

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

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

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

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

## Synopsis of Major Discipline

The following is a synopsis of General Disciplinary Matters completed during the calendar year 2019\*:

- Member admitted to acting in an official capacity to the discredit of the Division while on-duty and violating the State of New Jersey Anti-Discrimination Policy by making inappropriate and disparaging remarks within the workplace. The member received a 30-day suspension.
- Member admitted to acting in an official capacity to the discredit of the Division while on-duty and disobeying a written order by engaging in unprofessional conversation and questioning of a subject during a motor vehicle stop. Additionally, the member failed to follow MVR procedures. The member received a 30-day suspension.
- Member was criminally charged with fourth degree Falsifying or Tampering with Records. The member pled guilty to Falsifying or Tampering with Records and entered into the Pretrial Intervention Program. As a result of the agreement the member was disqualified from any employment with the State of New Jersey and was terminated from employment with the Division.
- Member admitted to acting in an official capacity to the discredit of the Division while on-duty and insubordination by engaging in a verbal and physical altercation with their supervisor. The member received a 45-day suspension.

\*On June 19, 2020, Attorney General Grewal issued Attorney General Directive 2020-6, which directed the New Jersey State Police to disclose the names of members subject to major discipline since 2000. On June 7, 2021, the New Jersey Supreme Court upheld the Attorney General's authority to issue the Directive, and found that the identities of officer subject to major discipline since June 2020 may be disclosed per the Directive. Disclosure of the identity of State Police members involved in major misconduct prior to the June 2020 Directive is currently pending the resolution in litigation. *In re Attorney General Law Enforcement Directives Nos. 2020-5 and 2020-6, A- 26/27/28/29/30-20, June 7, 2021.*

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- Member was criminally indicted with second degree Official Misconduct, second degree Pattern of Official Misconduct, second degree Computer Theft, and fourth degree Impersonation. The member entered into a guilty plea to one count of fourth degree Impersonation. As a result of the guilty plea to the referenced criminal charge, the member was disqualified from any employment with the State of New Jersey and was terminated from employment with the Division.
  - Member admitted to acting in an official capacity to the discredit of the Division while on-duty by engaging in a verbal and physical altercation with a subordinate. The member received a 30-day suspension.
  - Member admitted to acting in both an official and unofficial capacity to the discredit of the Division. While on-duty the member operated troop transportation in an unsafe manner at a toll plaza on a private roadway to improperly obtain toll tickets which the member then used off duty for personal use. Furthermore, the member knowingly entered inaccurate and false information into the eDaily system. The member received a 45-day suspension.
  - Member admitted to acting in an unofficial capacity to the discredit of the Division while off-duty by engaging in Domestic Violence assault. The member received a 45-day suspension.
  - Member admitted to acting in both an official and unofficial capacity to the discredit of the Division. While on-duty the member operated troop transportation in an unsafe manner at a toll plaza on a private roadway to improperly obtain toll tickets which the member then used off duty for personal use. The member received a 30-day suspension.
  - Member admitted to violating New Jersey Motor Vehicle Statute and acting in an unofficial capacity to the discredit of the Division while off-duty. The member pled guilty in municipal court to Driving While Intoxicated after being involved in a motor vehicle crash. The member received a 180-day suspension.
  - Member admitted to acting in both an official and unofficial capacity to the discredit of the Division. While on-duty the member operated troop transportation in an unsafe manner at a toll plaza on a private roadway to improperly obtain toll tickets which the member then used off duty for personal use. Furthermore, the member knowingly entered inaccurate and false information into the eDaily system. The member received a 45-day suspension.
  - Member admitted to acting in an official capacity to the discredit of the Division. While on-duty the member operated troop transportation in an unsafe manner at a toll plaza on a private roadway to improperly obtain toll tickets. The member received a 30-day suspension.
  - Member admitted to acting in an official capacity to the discredit of the Division while on-duty and violating the State of New Jersey Anti-Discrimination Policy by making inappropriate and disparaging remarks within the workplace, involving two separate



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cases. Additionally, the member improperly utilized Division computer resources for purposes other than those for which it was intended. The member received a 100-day suspension.

- Member admitted to acting in both an official and unofficial capacity to the discredit of the Division. While on-duty the member operated troop transportation in an unsafe manner at a toll plaza on a private roadway to improperly obtain toll tickets which the member then used off duty for personal use. Additionally, the member provided the improperly obtained toll tickets to an acquaintance. Furthermore, the member knowingly entered false information into the eDaily system. The member received a 60-day suspension.
- Member admitted to acting in an official capacity to the discredit of the Division while on-duty and violating the State of New Jersey Anti-Discrimination Policy by making inappropriate and disparaging remarks within the workplace. Additionally, the member inappropriately disclosed information gained through their official duty for purposes other than those for which it was intended. Furthermore, the member knowingly documented misleading information on their Daily Activity Patrol Log. The member received a 65-day suspension.
- Member admitted to acting in an official capacity to the discredit of the Division while on-duty and violating the State of New Jersey Anti-Discrimination Policy by making inappropriate and disparaging remarks within the workplace. Additionally, the member inappropriately disclosed information gained through their official duty for purposes other than those for which it was intended. The member received a 60-day suspension.
- Member admitted to acting in an unofficial capacity to the discredit of the Division and using their position to intimidate or gain favor. While off-duty the member attempted to use their official position to secure unwarranted privileges or advantages. The member received a 47-day suspension.

The following is a synopsis of Summary Disciplinary Matters completed during the calendar year 2019:

- Member admitted to acting in an unofficial capacity to the discredit of the Division while off-duty by failing to properly secure their Division issued duty weapon which led to the weapon being handled by a civilian. The member received a 30-day suspension.
- Member admitted to acting in an official capacity to the discredit of the Division while on-duty by negligently entering inaccurate information into the E-Daily system, creating paid time for which the member was not entitled. The member received a 20-day suspension.
- Member admitted to acting in an unofficial capacity to the discredit of the Division while off-duty by utilizing inappropriate language. Additionally, the member failed to notify the Division of a previous incident, which required a response from the local police department. The member received a 10-day suspension.



- Member admitted to acting in an unofficial capacity to the discredit of the Division while off-duty and disobeying a written order. The member inappropriately utilized their assigned troop transportation while off-duty in an unsafe manner causing a motor vehicle collision. The member received a 25-day suspension.
- Member admitted to acting in an unofficial capacity to the discredit of the Division while off-duty and disobeying a written order. The member took a cellular telephone during the course of an argument. Additionally, the member failed to notify the Division of previous domestic violence incidents and failed to properly secure a weapon. The member received a 20-day suspension.



## Synopsis of Minor Discipline

The following information reflects a brief synopsis of the circumstances which led to the imposition of *Minor Discipline* during the calendar year 2019. Although circumstances involving disciplinary cases may appear similar within these brief summaries, each case is judged on its own merits based on a specific set of facts, and the Superintendent determines the final discipline imposed.

- Member failed to properly secure a prisoner. (Written Reprimand)
- Member failed to safeguard NJSP issued identification. (Written Reprimand)
- Member failed to monitor the safekeeping of confidential files. (Written Reprimand w/2 day suspension)
- Member was aware that confidential files were not being properly secured and failed to take action. (Written Reprimand)
- Member approved an entry into the evidence ledger without physically verifying its accuracy. (Written Reprimand)
- Member failed to properly safeguard evidence and submitted an Investigation Report which was inaccurate. (Written Reprimand)
- Member failed to safeguard NJSP issued handcuffs. (Written Reprimand)
- Member failed to safeguard NJSP issued identification. (Written Reprimand)
- Member failed to safeguard a weapon. (Written Reprimand w/5 day suspension)
- Member failed to call in a motor vehicle stop, disobeyed a written order, failed to follow MVR procedures, and operated troop transportation in an unsafe manner. (Written Reprimand w/5 day suspension)
- Member received a motor vehicle summons while off duty. (Written Reprimand)
- Member failed to safeguard NJSP issued identification. (Written Reprimand)
- Member disobeyed a direct order from a superior to complete reports. (Written Reprimand)
- Member failed to safeguard NJSP issued handcuffs. (Written Reprimand)
- Member was insubordinate towards a commanding officer. (Written Reprimand w/2 day suspension)
- Member improperly used a Division computer and failed to notify a citizen of their right to file a complaint. (Written Reprimand)



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- Member failed to safeguard NJSP issued identification. (Written Reprimand)
  - Member failed to take appropriate police action. (Written Reprimand)
  - Member failed to take appropriate police action and failed to notify the Division of their receipt of a subpoena to testify in court regarding a civil matter. (Written Reprimand)
  - Member issued a motor vehicle summons, wherein the member had a direct personal interest that might reasonably be expected to impair the member's objectivity or independence of judgment. (Written Reprimand)
  - Member acted in an unprofessional manner and failed to notify the Division of a domestic incident which required a police response. (Written Reprimand)
  - Member displayed an inappropriate attitude and demeanor while interacting with a motorist and failed to ensure the interaction was captured on the body worn camera. (Written Reprimand)
  - Member acted in an unprofessional manner and failed to complete a Reportable Use of Force Form. (Written Reprimand)
  - Member failed to safeguard NJSP issued identification. (Written Reprimand)
  - Member failed to safeguard NJSP issued identification. (Written Reprimand)
  - Member failed to safeguard NJSP issued handcuffs. (Written Reprimand)
  - Member failed to report the theft of their NJSP issued identification. (Written Reprimand)
  - Member failed to safeguard NJSP issued badge. (Written Reprimand)
  - Member conducted a motor vehicle crash investigation which was found to be culpably inefficient. (Written Reprimand)
  - Member operated troop transportation in an unsafe manner causing damage and injuries. Additionally, the member failed to accurately document the incident. (Written Reprimand w/5 day suspension)
  - Member failed to notify the NJSP that they were named as a suspect in a criminal investigation. (Written Reprimand)
  - Member failed to safeguard NJSP issued identification. (Written Reprimand)
  - Member failed to safeguard NJSP issued identification. (Written Reprimand)
  - Member failed to properly secure a prisoner which resulted in an escape from custody and failed to follow BWC procedures. (Written Reprimand)



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- Member failed to report knowledge of another member's involvement in an act of domestic violence. (Written Reprimand)
  - Member failed to safeguard NJSP issued handcuffs. (Written Reprimand)
  - Member failed to safeguard NJSP issued identification. (Written Reprimand)
  - Member generated a social media post which violated the social media policy. Additionally, the member failed to properly secure their issued firearm. (Written Reprimand)
  - Member operated troop transportation in an unsafe manner causing damage and injuries. (Written Reprimand w/5 day suspension)
  - Member used profanity and threatening language towards a motorist and failed to follow MVR procedures. (Written Reprimand w/5 day suspension)
  - Member endorsed an overtime request form which contained inaccurate information. (Written Reprimand)
  - Member endorsed an overtime request form which contained inaccurate information. (Written Reprimand)
  - Member acted inappropriately while off duty. (Written Reprimand w/5 day suspension)
  - Member failed to properly document interactions with a Confidential Witness. (Written Reprimand)
  - Member failed to call in a motor vehicle stop, and failed to follow MVR procedures. (Written Reprimand)
  - Member failed to safeguard NJSP issued identification. (Written Reprimand)
  - Member failed to safeguard NJSP issued identification. (Written Reprimand)
  - Member inappropriately authored an endorsement letter containing misrepresentations and utilizing insubordinate verbiage. (Written Reprimand)
  - Member engaged in a verbal altercation with their spouse which required two separate police responses to their residence. (Written Reprimand w/2 day suspension)
  - Member generated a social media post which violated the social media policy. (Written Reprimand)
  - Member failed to safeguard NJSP issued identification. (Written Reprimand)
  - Member failed to safeguard NJSP issued badge. (Written Reprimand)



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- Member failed to safeguard NJSP issued identification. (Written Reprimand)
  - Member violated the sick leave policy and failed to submit a vacation itinerary. (Written Reprimand w/2-day suspension)
  - Member violated the sick leave policy. (Written Reprimand)
  - Member failed to follow MVR and BWC procedures and failed to properly secure a prisoner with a seatbelt. (Written Reprimand)
  - Member was culpably inefficient in supervising the approval of a subordinate's evaluation and following the Personnel Performance Evaluation System. (Written Reprimand)
  - Member was culpably inefficient in the supervision of civilian employees. (Written Reprimand)
  - Member acted in an insubordinate manner toward a superior officer. (Written Reprimand w/5-day suspension)
  - Member acted in an inappropriate manner toward another member. (Written Reprimand)
  - Member failed to notify the NJSP of personal knowledge of prohibited conduct by another enlisted member and failed to follow MVR and BWC procedures. (Written Reprimand)
  - Member failed to notify the NJSP of personal knowledge of prohibited conduct by another enlisted member and failed to follow BWC procedures. (Written Reprimand)
  - Member utilized their position as a member of the NJSP in an attempt to gain favor. Additionally, the member was not dressed properly for court. (Written Reprimand w/2-day suspension)
  - Member failed to safeguard NJSP issued handcuffs and other equipment. (Written Reprimand)
  - Member failed to follow the Division's vehicle maintenance procedures which resulted in engine damage. (Written Reprimand)
  - Member submitted an eDaily containing false information. (Written Reprimand w/2-day suspension)
  - Member violated the sick leave policy. (Written Reprimand)



## Summary of Completed Cases by Principal Resulting in Discipline Reporting Period: January 1, 2019 through December 31, 2019

Actions Taken for Cases by Category in Year 2019				
Complaint Classification	Counseling/ Performance Notice Issued	Minor Discipline/ Including Written Reprimands Issued	Summary Discipline	General Discipline
Improper Search	0	0	0	0
Theft	0	0	1	5
Assault	0	0	0	2
Excessive Force	0	0	0	0
Differential Treatment	0	0	0	3
Other Harassment	0	0	0	0
Domestic Violence	0	0	0	1
Drug Violation	0	0	0	0
Alcohol Violation	0	0	0	1
False Arrest	0	0	0	0
Failure to perform duty	7	12	0	0
Driving violation	2	2	1	0
Attitude and Demeanor	3	1	0	0
Admin. Violation	35	32	2	2
Other	7	18	2	0
Laws and Statutes	0	0	0	1
<b>Totals</b>	<b>54</b>	<b>65</b>	<b>6</b>	<b>15</b>

**\*NOTE:** This chart contains all disciplinary actions imposed in misconduct cases completed during the calendar year, regardless of the year the case was initiated.

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

### Prosecution for False Citizen Complaints

As can be seen from this report, the Division of State Police takes citizen complaints seriously and fully investigates them. However, if a complaint is found to be fabricated and maliciously pursued, the complainant may be subject to criminal prosecution. During 2019, no complainants were criminally charged for filing false complaints against Division members.



## Compliments

In addition to monitoring troopers' conduct to ensure conformance to the highest standards, the Division of State Police also accepts and appreciates all compliments submitted by the public regarding troopers' conduct. During 2019, the Division received seven hundred seventy-four (774) citizen compliments regarding actions by enlisted members. These citizen compliments were received in one of the following manners: citizen generated letters of appreciation, the New Jersey State Police Citizen Compliment/Complaint Form, the Office of Professional Standards Toll-free Compliment/Complaint Hotline, and e-mails.

## Report Note

The intake and disposition of complaints is an ongoing process. During internal investigations, cases may be reclassified as a result of information obtained during the investigatory process. During the year, the Division consistently shares case data with the Office of Law Enforcement Professional Standards within the Office of the Attorney General. Due to the fluid nature of internal investigations and the directions taken during internal investigations, slight numerical differences may exist if compared historically.









