

NEW JERSEY STATE POLICE  
OFFICE OF PROFESSIONAL  
STANDARDS  
INTERNAL INVESTIGATION AND  
DISCIPLINARY PROCESS  
ANNUAL REPORT  
2007



HONOR ☆ DUTY ☆ FIDELITY

From the Superintendent.....	4
Executive Summary.....	5
Office of Professional Standards.....	5
Internal Affairs Investigation Bureau.....	5
Intake and Adjudication Bureau.....	5
Intake Unit.....	5
Administrative Internal Proceedings Unit.....	6
Management Review Unit.....	6
Staff Inspection Unit.....	6
Civil Proceedings Unit.....	6
2007 Organizational Chart (Table).....	7
Office of State Police Affairs.....	8
State Police Disciplinary Process.....	8
Complaint Process.....	9
Five Year Comparison of Number of Incidents Reported (Chart)	
.....	10
Classification of Reported Incidents.....	11
Misconduct.....	11
Performance.....	11
Administrative.....	11
EEO / AA Investigations Forwarded to O.P.S.....	11
Compliance Investigations Forwarded to O.P.S.....	11
Five Year Breakdown of Incident Classifications (Table)	
.....	12
Origin of Complaints.....	12
Five Year Comparison of Complaint Sources (Chart)	
.....	14

Criminal Proceedings Involving Division Members	15
Line of Duty: Citizen Initiated Criminal Matters	15
On-duty Conduct: State Police or Other Law Enforcement Agency Initiated Proceedings	15
Off-duty Conduct	15
Assignment of Investigations	16
Allegations and Outcomes	16
Substantiated	16
Unfounded	16
Exonerated	17
Insufficient Evidence	17
Misconduct Investigations Opened	17
Summary of New Complaints (Table)	18
Completed Discipline	19
General Disciplinary Hearing	19
Summary Disciplinary Hearing	19
Minor Discipline	19
Synopsis of Major Discipline	19
Synopsis of Minor Discipline	22
Summary of Completed Case (Table)	24
Prosecution for False Citizen Complaints	25
Compliments	25

FROM THE SUPERINTENDENT...

I am pleased to present the Governor, the Legislature and the citizens of New Jersey with the New Jersey State Police, *2007 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 2007.

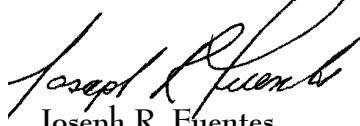
A law enforcement entity in a democratic society can tie its effectiveness directly to the level of trust it enjoys within the community it serves. A significant factor in gaining and maintaining that trust is ensuring that there is a strict allegiance to a highly professional and transparent internal 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 *2007 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 two million police/citizen contacts during the calendar year 2007. 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 State Police Affairs (OSPA), Office of the Attorney General. Twice annually, the OSPA 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 the OPS continues to operate at a high 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 *2007 Office of Professional Standards Annual Report*.

Honor, Duty, and Fidelity



Joseph R. Fuentes  
Colonel  
Superintendent

## EXECUTIVE SUMMARY

This report is intended to provide the Governor, State Legislature, the citizens of the State of New Jersey, and all other interested parties a brief history of the State Police internal affairs process and a comprehensive look at the disciplinary system employed by the Division. Included in the report are explanations of how the Division receives complaints, classifies the allegations, assigns cases for investigation, and adjudicates substantiated charges against enlisted members. The report also provides overviews of major and minor discipline imposed in 2007 as the result of substantiated allegations and other 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 ultimately resulted in the formation of two distinct bureaus within the office. On December 31, 2007, the Office of Professional Standards consisted of 63 persons. This includes 13 professional support personnel and 50 enlisted persons.

## 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 north, central and south Jersey.

## INTAKE AND ADJUDICATION BUREAU

The Intake and Adjudication Bureau is also commanded by a captain, as bureau chief, and lieutenant, as assistant bureau chief. The bureau is divided into five (5) units with varying responsibilities:

The Intake 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 the complaints.

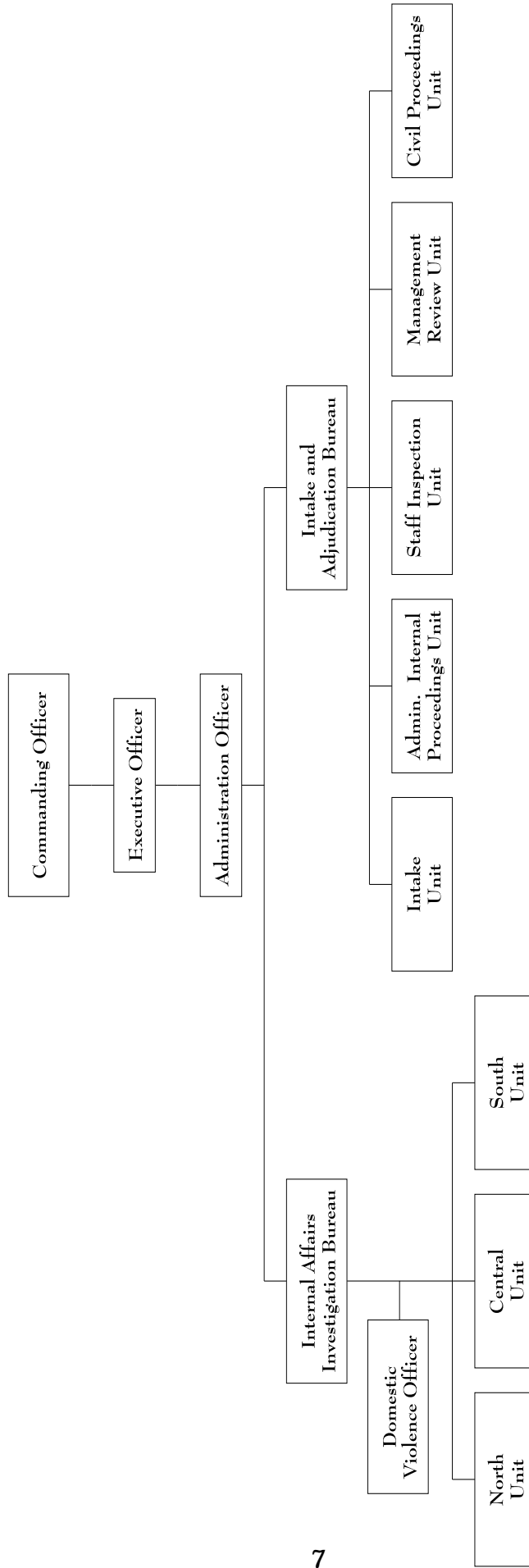
The Administrative Internal Proceedings Unit: Responsible for the adjudication of substantiated allegations, convening disciplinary hearings, and acts as a liaison between the Office of Professional Standards and the Office of the Attorney General, Office of State Police Affairs, and the Office of Administrative Law.

The Management Review Unit: Responsible for the design, implementation, documentation, evaluation, and improvement of the Division's internal controls. The Unit also assists sections and bureaus in developing systems of review for the cost effective use of resources and reviews all procedures concerning division financial accounts.

The Staff Inspection Unit: 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.

The Civil Proceedings Unit: Responsible for recording, classifying, and tracking all civil actions filed against the Division or its individual members. The unit reviews and forwards to the proper agency all requests for legal representation, whether criminal or civil. Further, the unit acts as liaison between the Superintendent's Office, Chief of Staff, and the Office of Professional Standards Commanding Officer to the appropriate entities of the Attorney General's Office regarding civil litigation matters. In addition, the unit compiles and provides, in a timely and thorough manner, all requests for discovery demands in 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. Finally, the unit ensures all requests for public records are handled in accordance with the procedures set forth in S.O.P. D4, Open Public Records Act.

# Office of Professional Standards 2007 Organizational Chart



## OFFICE OF STATE POLICE AFFAIRS

The Office of State Police Affairs, within the Office of the Attorney General, was established by the Attorney General in 1999 as an external entity to the State Police that continues to work jointly with the Division reviewing all complaints, investigations and adjudications handled by the Office of Professional Standards. The Office of State Police Affairs also has the authority and staff to conduct its own investigations as well as to handle matters at the request of the State Police.

In addition to its direct monitoring work, the Office of State Police Affairs functions as the liaison between the State Police, the Independent Monitoring Team, and the Department of Justice's Civil Rights Division.

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

## STATE POLICE DISCIPLINARY PROCESS

The New Jersey State Police is a statewide police organization that provides a full range of police services. As an employer, the Division is comprised of four thousand, four hundred and sixty-three (4,463) employees including two thousand, nine hundred and eighty-one (2,981) sworn members, and one thousand, four hundred and eighty-two (1,482) civilian members.<sup>1</sup>

Due to the unique mission of the 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.

In 2007, troopers were involved in excess of two million (2,000,000) police/citizen contacts. Many of these interactions were routine; many involved stressful and critical situations.

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

Unlike the comparably routine issues of discipline that might arise in connection with employees in other departments of state government, the discipline of state troopers implicates not only the proper conduct of those engaged in the most significant aspects of law enforcement, involving the public safety and the

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<sup>1</sup> As of December 2007



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>2</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 all 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; 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 hot line available twenty-four hours a day which 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 which must be provided to anyone who objects to or compliments the troopers' conduct.

Further, the Office of State Police Affairs, within the Office of the Attorney General, which is external to the State Police, accepts and investigates complaints, providing an alternative to citizens concerned about complaining directly to the State Police. Each of these initiatives has continued to provide citizens significantly more opportunities to provide feedback, compliments or complaints about the operation of the Division and its personnel.

As stated previously, the Intake Unit of 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

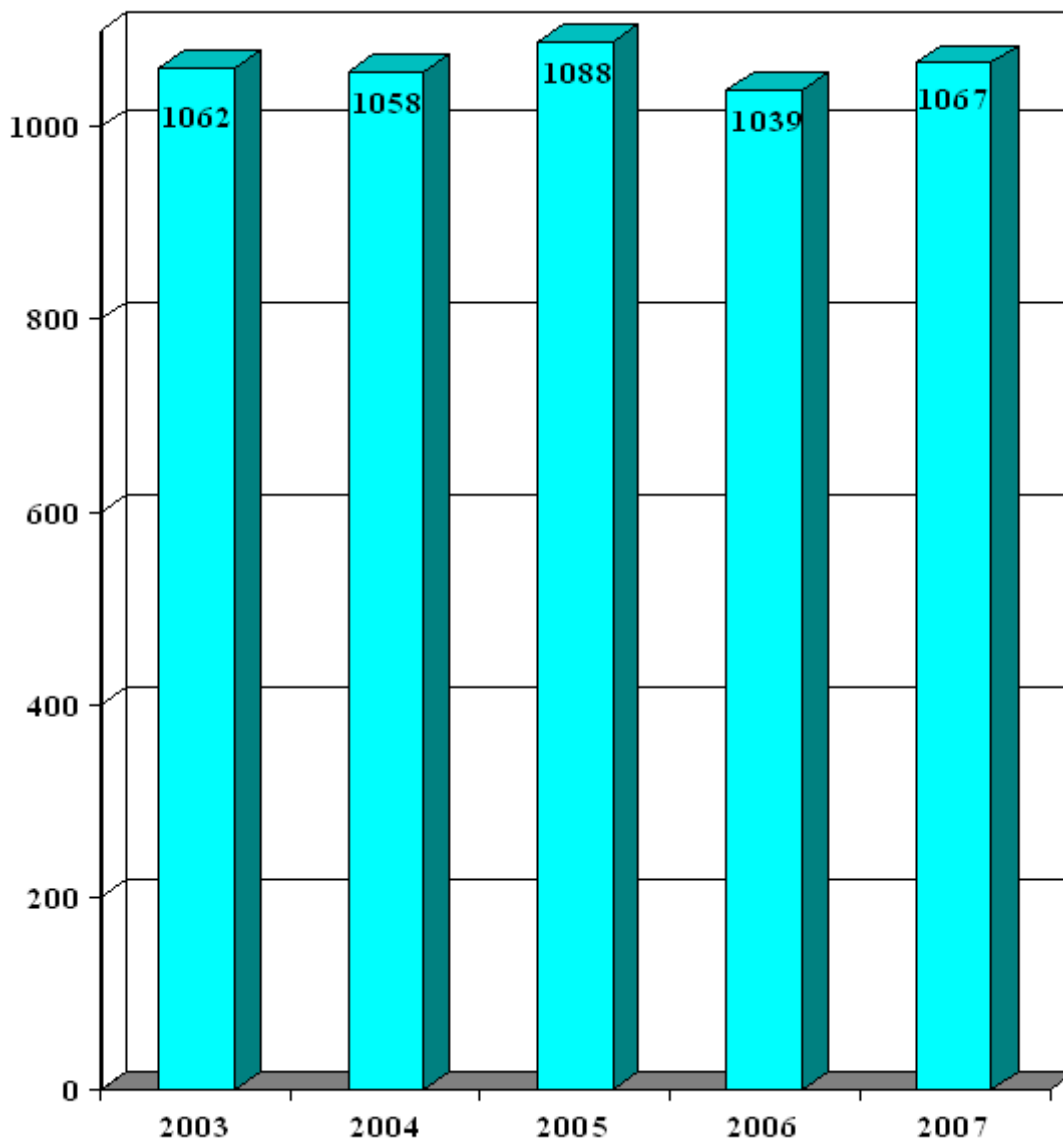
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<sup>2</sup>State of New Jersey v. State Troopers Fraternal Association, 134 N.J. 393, 416 (1993)

or violations of State Police Rules and Regulations. This includes complaints made by citizens, as well as employment-related disciplinary matters.

During 2007, one thousand, sixty-seven (1,067) total incidents were reported and classified, as compared to one thousand, thirty-nine (1,039) in 2006. This represents a 2.7% increase in the number of reportable incidents received in the year 2007 over those received in the year 2006, while the total number of the Division's enlisted personnel decreased by 28 enlisted members, representing a 0.94% decrease for the same period.

Five Year Comparison of Number of Incidents Reported



## CLASSIFICATION OF REPORTED INCIDENTS

When incidents are reported to the Office of Professional Standards, they are placed 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 a trooper has committed a serious, willful, or wanton violation of the Division's Rules and Regulations, Standing Operating Procedures, or any applicable federal or state statutes, the matter is classified as Administrative Misconduct, and an Internal Investigation is initiated.

### PERFORMANCE

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.

### 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.

### EQUAL EMPLOYMENT OPPORTUNITY/ AFFIRMATIVE ACTION INVESTIGATIONS AND/OR COMPLIANCE INVESTIGATIONS

When the Division's Office of Equal Employment Opportunity conducts an investigation in which allegations are substantiated against an enlisted member, or when the Compliance Unit within the Human Resource Management Bureau detects and substantiates a violation of the Division's medical leave policy, the cases are forwarded to the Office of Professional Standards for adjudication and disciplinary action.

## Five Year Breakdown of Incident Classifications

	2003	2004	2005	2006	2007
MISCONDUCT	414	407	413	345	274
PERFORMANCE	300	232	277	220	289
ADMINISTRATIVE ISSUES	340	414	398	472	495
COMPLIANCE	2	4	0	0	0
EEO / AA INVESTIGATIONS	6	1	0	2	9
TOTALS	1,062	1,058	1,088	1,039	1,067

## ORIGIN OF COMPLAINTS

In 2007, of the two hundred and seventy-four (274) total misconduct complaints, one hundred and eighty-seven (187) (81%) were initiated by members of the public, and eighty-seven (87) (19%) were initiated internally. Of the misconduct complaints initiated by the public, one hundred and twenty-nine (129) (63%) 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 hundred and eighty-nine (289) reportable incidents which were classified as Performance Issues; two hundred and sixty-eight (268) (93%) of these complaints were initiated by members of the public and twenty-one (21) (7%) were initiated internally.

In 2006, of the three hundred and forty-five (345) total misconduct complaints, two hundred and twenty-six (226) (66%) were initiated by members of the public and one hundred and nineteen (119) (34%) were initiated internally. Of the misconduct complaints initiated by the public, one hundred and thirty-one (131) (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 hundred and twenty (220) reportable incidents which were classified as Performance Issues; one hundred and ninety-eight (198) (90%) of these complaints were initiated by members of the public and twenty-two (22) (10%) were initiated internally.

In 2005, of the four hundred and thirteen (413) total misconduct complaints, two hundred and eighty-six (286) (69%) were initiated by members of the public and one hundred and twenty-seven (127) (31%) were initiated internally. Of the misconduct complaints initiated by the public, one hundred and fifty-two (152) (53%) 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 hundred

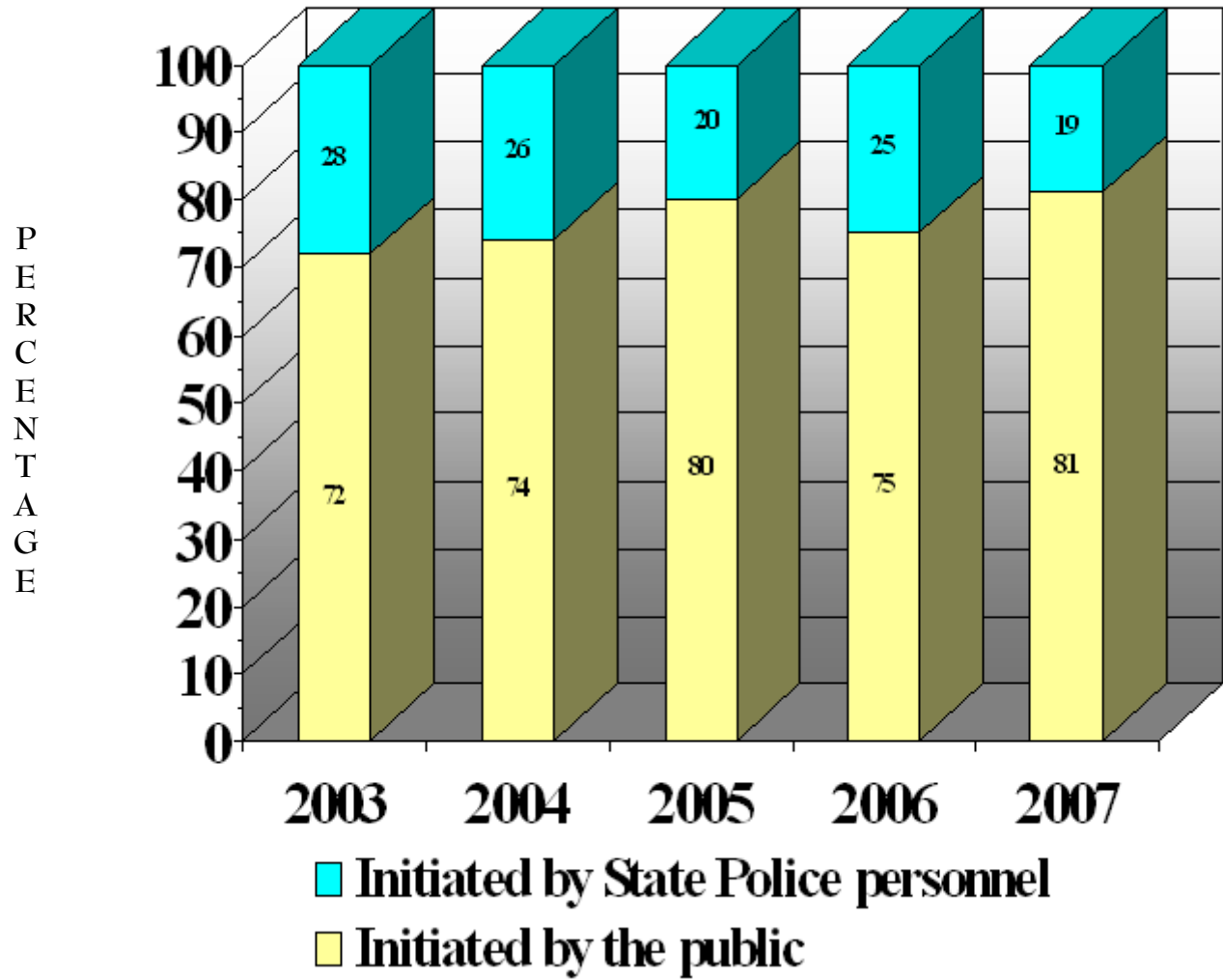
and seventy-seven (277) reportable incidents which were classified as Performance Issues; two hundred and fifty-one (251) (91%) of these complaints were initiated by members of the public and twenty-six (26) (9%) were initiated internally.

In 2004, of the four hundred and seven (407) total misconduct complaints, three hundred and one (301) (74%) were initiated by members of the public and one hundred and six (106) (26%) were initiated internally. Of the misconduct complaints initiated by the public, one hundred and fifty-six (156) (51.8%) 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 hundred and thirty-two (232) reportable incidents which were classified as Performance Issues; two hundred and thirteen (213) (92%) of these complaints were initiated by members of the public and nineteen (19) (8%) were initiated internally.

In 2003, of the four hundred and fourteen (414) misconduct complaints received, two hundred and sixty-three (263) (63.5%) were initiated by members of the public and one hundred and fifty-one (151) (36.5%) were initiated internally. Of the misconduct complaints initiated by the public, one hundred and thirty-one (131) (49.8%) 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 three hundred (300) reportable incidents which were classified as Performance Issues; two hundred and fifty-two (252) (84%) resulted from citizen complaints and forty-eight (48) (16%) were initiated internally.

For the purposes of the chart displayed on the following page, the cumulative number of Performance Issues and Misconduct Complaints is being used.

FIVE YEAR COMPARISON OF COMPLAINT SOURCES  
FOR MISCONDUCT AND PERFORMANCE MATTERS



## 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. Criminal proceedings arise in a variety of ways. They can be initiated as a result of an investigation by Office of Professional Standards personnel; they may be the result of state or federal criminal investigations; they may arise from off-duty matters; or they may be the result of counter-complaints filed against a trooper by a defendant, after the defendant has been arrested or charged by a trooper.

The following paragraphs outline the criminal matters pending against members of the Division between January 1, 2007, and December 31, 2007. Each matter is also the subject of a pending internal investigation.

### 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 cases are reviewed, and a determination is made as to whether the members' actions were within the scope of their official duties and therefore legally defensible.

During 2007, there were no criminal charges filed by citizens against members who were performing their official duties.

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

In some cases, a member is criminally charged for on-duty conduct by the State Police or other law enforcement agency and/or there has been a finding that the member's behavior fell outside the scope of the member's official duties.

During 2007, one (1) criminal charge was brought against a member by the State Police or other law enforcement agency.

### OFF-DUTY CONDUCT

These cases represent criminal or disorderly persons offenses filed against Division members acting in an off-duty capacity and not related in any way to the performance of their State Police duties. During 2007, the following off-duty incidents were filed against members:

Members were charged with Harassment and/or Simple Assault (Domestic Violence). These charges are pending a judicial hearing.

Member was charged with theft. This charge is pending a judicial hearing.

Member was charged with violation of a local ordinance (disorderly conduct). This charge was judicially dismissed.

Member was charged with Simple Assault /Domestic Violence. The criminal charge was dismissed and the member was terminated.

Member was charged with vehicular homicide. This charge is pending a judicial hearing.

Member was charged with Driving While Intoxicated. The member pled guilty, received a driver's license suspension and was fined.

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

## ASSIGNMENT OF INVESTIGATIONS

Of the two hundred and seventy-four (274) misconduct cases assigned in 2007, two hundred and sixty-nine (269) were assigned to Internal Affairs Bureau investigators, and five (5) were referred to the Office of State Police Affairs 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 the additional potential misconduct to its logical conclusion. In addition, if a citizen requests to withdraw a previously made complaint, the investigation is continued with or without the assistance of the citizen to ensure proper trooper conduct.

## ALLEGATIONS AND OUTCOMES

All complaints are categorized based on the alleged offense. As of September 1, 2000, completed investigations, upon review by the Superintendent, are determined to have one of the following four dispositions:

SUBSTANTIATED : an allegation is determined to be "substantiated" if a preponderance of the evidence shows a member violated State Police rules, regulations, protocols, standing operating procedures, directives, or training.

UNFOUNDED : an allegation is determined to be "unfounded" if a preponderance of the evidence shows that the alleged misconduct did not occur.



EXONERATED : an allegation is determined to be “exonerated” if a preponderance of the evidence shows the alleged conduct did occur but did not violate State Police rules, regulations, standing operating procedures, directives or training.

INSUFFICIENT EVIDENCE : an allegation is determined to be “insufficient evidence” when there is insufficient evidence to decide whether the alleged act occurred.

## MISCONDUCT INVESTIGATIONS OPENED IN 2007

There were two hundred and seventy-four (274) misconduct investigations opened in 2007. The following paragraphs report the status of these cases as of December 31, 2007. Of these cases, one hundred and eighty-seven (187) were initiated as the result of citizen complaints and eighty-seven (87) cases were opened because of complaints made by State Police supervisors or other members.

Of the one hundred and eighty-seven (187) citizen initiated investigations, seventy-four (74) (39%) remain active, nineteen (19) (10%) are in the review process or pending discipline, eighty-eight (88) (47%) have been completed, and seven (7) (4%) have been suspended pending court action or other administrative action. Of the eighty-eight (88) completed, nineteen (19) (22%) resulted in substantiated primary or secondary allegations.

Of the eighty-seven (87) complaints initiated by State Police supervisors or members, thirty (30) (34%) remain active, twenty-seven (27) (31%) are in the review process or pending discipline, twenty-five (25) (29%) have been completed, and five (5) (6%) have been suspended pending court action or other administrative action. Of the twenty-five (25) completed, fourteen (14) (56%) 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 2007 that resulted in Internal Investigations, the origin of the complaints, the total number of Principals (members of the Division who have been identified as the subjects of the investigations), and the general categories of the allegations. The right side summarizes the adjudication of cases by category that occurred during the year 2007, which includes complaints from 2007 and earlier:

2007 Cases Received by Category for Internal Investigation			
Complaint Classification	Origin		Principals (Involved Members)
	Public	SP	
Improper Search	0	0	0
Theft	2	0	4
Assault	0	0	0
Excessive Force	22	1	39
Differential Treatment	54	0	64
Other Harassment	5	0	19
Domestic Violence	5	12	19
Drug Violation	0	0	0
Alcohol Violation	2	0	2
Failure to Perform Duty	6	3	15
Driving Violation	6	2	9
Attitude and Demeanor	17	0	20
Admin. Violations	4	24	33
Other	64	45	146
<b>TOTALS</b>	<b>187</b>	<b>87</b>	<b>370</b>

## COMPLETED DISCIPLINE

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

- GENERAL DISCIPLINARY HEARING : may result in termination, suspension of any duration imposed by the Superintendent, and/or a reduction in rank and/or grade
- SUMMARY DISCIPLINARY HEARING : may result in a suspension of up to 30 days
- MINOR DISCIPLINE : may result in a suspension of up to 5 days

## SYNOPSIS OF MAJOR DISCIPLINE

The following is a synopsis of discipline imposed as a result of General Disciplinary Hearings convened during the calendar year 2007:

Member pled guilty to acting to his personal discredit and to the discredit of the Division by engaging in questionable conduct with female members of the public, failing to properly record activity on patrol logs, making false reports, failing to call in MV stops, and MVR violations. The member also abused the NJSP sick leave policy. Member resigned from the State Police as part of a guilty plea to the administrative charges.

Member pled guilty to acting to his personal discredit and to the discredit of the Division by engaging in questionable conduct on-duty specifically by leaving his assigned post without the permission of his supervisor. While away from his post, the member became involved in a physical altercation with another uniformed member of the State Police while in full view of the public. When interviewed during the internal investigation, the member was found to display a lack of candor. Member was suspended for one hundred and eighty (180) days.

Member was found guilty of acting to his personal discredit and to the discredit of the Division by engaging in questionable conduct on-duty; specifically, by leaving his assigned post and becoming involved in a domestic violence incident. The member was terminated.

Member pled guilty to acting to his personal discredit and to the discredit of the Division by engaging in questionable conduct off-duty; specifically, by becoming involved in a serious motor vehicle accident with his personal vehicle while under the influence of alcoholic beverages. The member was charged with the relevant motor vehicle statutes and was found guilty in court. The member was suspended for one hundred and ninety-six (196) days.

Member pled guilty to acting to his personal discredit and to the discredit of the Division by engaging in an inappropriate sexual relationship with a subordinate civilian employee while on-duty. The member falsified time keeping records, and when questioned during the course of the internal investigation about the relationship, he failed to be candid with the internal affairs investigator. The member was suspended for one hundred and eighty (180) days.

Member pled guilty to acting to his personal discredit and to the discredit of the Division by engaging in questionable conduct off-duty. Specifically, the member engaged in a systematic scheme whereby large sums of money and other benefits were obtained from individuals under the pretense they were related to his official duties as a NJ State Trooper. The member also failed to notify the division of his address change as required. The member resigned from the State Police as part of a guilty plea to the administrative charges.

Member acted to his personal discredit and to the discredit of the Division by engaging in questionable conduct off-duty. The member became involved in an altercation which involved the brandishing of the member's weapon in the direction of an off-duty police officer and civilians. Additionally, the member was found to have inappropriately discharged his firearm during an argument with his girlfriend and subsequently failed to report the discharge as required. The member also failed to be candid during the internal investigation. The member was terminated.

The following is a synopsis of discipline imposed as a result of Summary Disciplinary Hearings convened during the calendar year 2007:

Member pled guilty to acting to her personal discredit and to the discredit of the Division by engaging in domestic violence and threatening behavior. Member was suspended for six (6) days.

Member pled guilty to acting to his personal discredit and to the discredit of the Division by disobeying a direct order, failing to activate his MVR, failing to document a MV stop on his patrol chart and failing to call in a MV stop. Member was suspended for twenty (20) days.

Member pled guilty to acting to his personal discredit and to the discredit of the Division for his questionable conduct off-duty, resulting in a criminal charge made against him for disorderly conduct. Member was suspended for thirty (30) days.

Member pled guilty to acting to his personal discredit and to the discredit of the Division by failing to report an on-duty motor vehicle accident. Member was suspended for twelve (12) days.

Member pled guilty to acting to his personal discredit and to the discredit of the Division by engaging in a verbal altercation with the staff of a retail store while off-duty. Member was suspended for eight (8) days.

Member pled guilty to acting to his personal discredit and to the discredit of the Division by engaging in threatening behavior. Member was suspended for six (6) days.

Member pled guilty to acting to his personal discredit and to the discredit of the Division by making false or misleading statements. Member was suspended for ten (10) days.

Member pled guilty to acting to his personal discredit and to the discredit of the Division by improperly accessing inappropriate web-sites from a Division computer and uploading inappropriate images of himself to a web-site. Member was suspended for ten (10) days.

Member was found guilty of acting to his personal discredit and to the discredit of the Division by improperly utilizing confidential information in the furtherance of a civil proceeding. Member was suspended for ten (10) days.

Member was found guilty of acting to his personal discredit and to the discredit of the Division by engaging in questionable conduct on-duty; specifically, by engaging in questionable overtime practices. Member was suspended for ten (10) days.

Member pled guilty to acting to his personal discredit and to the discredit of the Division by engaging in questionable conduct off-duty; specifically, by interfering in a criminal investigation being conducted by another member of the NJSP. The member was suspended for twenty (20) days.

Member pled guilty to acting to his personal discredit and to the discredit of the Division by engaging in questionable conduct on-duty. Specifically, the member engaged in the inappropriate questioning of a motorist during an accident investigation. The member also failed to follow proper MVR procedures after having been previously counseled and disciplined for those violations of policy. The member was suspended for ten (10) days.

## SYNOPSIS OF MINOR DISCIPLINE

During the year 2007, in addition to disciplinary hearings, there were fifty-five (55) Written Reprimands issued by the Superintendent for a variety of offenses. These include suspensions from zero (0) to five (5) days. The following is a synopsis of Written Reprimands<sup>3</sup> issued by the Superintendent:

Failure to safeguard Division property (NJSP identification cards/billfold)

Failure to safeguard Division property (portable radio)

Failure to safeguard Division property (hat badge)

Failure to safeguard Division property (MVR tape)

Failure to safeguard Division property (duty weapon)

Failure to safeguard Division property (off-duty weapon)

Failure to safeguard Division property (NJSP rules and regulations)

Failure to report for duty

Failure to notify Division of information to which it takes cognizance

Questionable conduct displayed off-duty

Questionable conduct displayed on-duty

Failure to comply with Division's Pursuit Policy (failed to terminate)

Violating the laws of the State of New Jersey (Motor vehicle)

Failure to activate MVR

Inappropriate comments and profane language during a MV accident investigation

Failure to document on patrol chart

Failure to provide a compliment/complaint form

Improper supervision

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<sup>3</sup>Some issued Written Reprimands encompass multiple violations.

Attitude and demeanor during a motor vehicle stop

Culpable Inefficiency

Absent without proper leave (AWOL)

Unsafe operation of troop transportation

Unauthorized use of troop transportation

Failure to take appropriate police action

Failure to appear in court

Failure to attend annual physical fitness test

Failure to qualify with back-up/off-duty weapon

Inappropriate comments during criminal arrest

Failure to obtain permission to accept gift

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 State Police Affairs as well as 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.

The following chart contains a summary of all disciplinary actions undertaken in misconduct cases completed during the period from January 1, 2007, through December 31, 2007:

**SUMMARY OF COMPLETED CASES**  
**REPORTING PERIOD: JANUARY 1, 2007 THROUGH DECEMBER 31, 2007**

<b>CORRECTIVE ACTIONS TAKEN FOR CASES BY CATEGORY IN YEAR 2007<sup>4</sup></b>					
<b>COMPLAINT CLASSIFICATION</b>	<b>COUNSELING/ PERFORMANCE NOTICE ISSUED</b>	<b>WRITTEN REPRIMAND ISSUED</b>	<b>SUMMARY DISCIPLINARY HEARING HELD</b>	<b>GENERAL DISCIPLINARY HEARING HELD</b>	<b>NO FURTHER ACTION</b>
IMPROPER SEARCH	0	0	0	0	0
THEFT	0	0	0	1 <sup>5</sup>	1
ASSAULT	0	1	0	0	0
EXCESSIVE FORCE	1	0	0	1 <sup>6</sup>	18
DIFFERENTIAL TREATMENT	2	2	0	0	60
OTHER HARASSMENT	0	1	0	0	4
DOMESTIC VIOLENCE	1	5	1	1 <sup>7</sup>	8
DRUG VIOLATION	0	0	0	0	0
ALCOHOL VIOLATION	0	0	0	0	0
FAILURE TO PERFORM DUTY	1	4	1	0	3
DRIVING VIOLATION	0	3	0	1	3
ATTITUDE AND DEMEANOR	5	2	0	0	11
ADMIN. VIOLATION	4	19	2	0	3
OTHER	8	14	9	6 <sup>8</sup>	67
<b>TOTALS</b>	<b>22</b>	<b>51</b>	<b>13</b>	<b>10</b>	<b>178</b>

<sup>4</sup> Number indicates the highest level of intervention per case; only one category per case

<sup>5</sup> One member resigned prior to the imposition of discipline

<sup>6</sup> One member resigned as part of a criminal plea agreement

<sup>7</sup> One member was terminated as a result of discipline

<sup>8</sup> Three members resigned prior to the imposition of discipline and one member was terminated



## 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 2007, charges were filed against one individual for filing a false complaint 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 2007, the Division received one thousand, one hundred and thirty-seven (1,137) 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.