Commission Meeting Number 344
State of New Jersey Department of Law and Public Safety
Division of Criminal Justice

POLICE TRAINING COMMISSION

Minutes of Commission Meeting

February 7, 2022

Location: National Guard Training Center
100 Camp Road, Sea Girt, N.J.

Commission Members Present

<table>
<thead>
<tr>
<th>Organization</th>
<th>Attendee(s)/Representative(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of the Attorney General, State of New Jersey</td>
<td>John F. Cunningham</td>
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<tr>
<td>New Jersey State Policemen's Benevolent Association</td>
<td>Kevin Lyons</td>
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<tr>
<td>New Jersey State Association of Chiefs of Police</td>
<td>James Abbott</td>
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<td>New Jersey State Lodge, Fraternal Order of Police</td>
<td>James Sharrock</td>
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<td>County Prosecutors' Association of New Jersey</td>
<td>Angelo Onofri</td>
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<td>Sheriffs' Association of New Jersey</td>
<td>Robert A. Nolan</td>
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<td>Police Academy Director's Association</td>
<td>Daniel Colucci</td>
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<td>Commissioner-Department of Education</td>
<td>Carl Carabelli</td>
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<tr>
<td>Commissioner-Department of Corrections</td>
<td>Aaron Erven</td>
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<td>Federal Bureau of Investigation</td>
<td>Elisabete Santos</td>
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<td>New Jersey Juvenile Detention Association</td>
<td>Jorge Sandoval</td>
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<td>New Jersey State Parole Board</td>
<td>James Dickinson</td>
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<td>National Organization of Black Law Enforcement Executives</td>
<td>Absent</td>
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<tr>
<td>Citizen Member—Governor’s Appointment</td>
<td>James Polos</td>
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<td>Organization</td>
<td>Name</td>
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<tr>
<td>Citizen Member—Governor’s Appointment</td>
<td>Vacant</td>
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<tr>
<td>New Jersey League of Municipalities</td>
<td>Samuel DeMaio</td>
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<tr>
<td>New Jersey Jail Wardens Association</td>
<td>Oscar Aviles</td>
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<tr>
<td>New Jersey State Police</td>
<td>Absent</td>
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Division of Criminal Justice Staff Present

Deputy Attorney General Jeffrey Barile, Deputy Chief, Prosecution Supervision and Training Bureau

Deputy Attorney General Sarah Luciano, Deputy Chief, Prosecution Supervision and Training Bureau

Deputy Attorney General Emily Anderson, Prosecution Supervision and Training Bureau

Academy Coordinator Pat Jones, Police Training Commission

Academy Coordinator Debbie Freeman, Police Training Commission

Academy Coordinator Forest Kairos, Police Training Commission

Analyst, Tykeria T. Lockhart, Police Training Commission

Academy Coordinator Unit Supervisor, Kathleen McSorley, Police Training Commission

Chief Investigator, James Byrd, Police Training Commission

Field Representative, Kimberly Arroyo, Police Training Commission

Curriculum Unit Supervisor, Tyeka Knight, Police Training Commission

Training Technician, Michael Martin, Curriculum Unit-Police Training Commission
Police Training Commission Meeting Minutes for February 7, 2022

Administrator John F. Cunningham called the 344th meeting of the Commission to order at 11:32 am.

Administrator Cunningham led the Commissioners in the flag salute. Commissioner Cunningham asked for a moment of silence in remembrance of the Law Enforcement and military personnel who have lost their lives in the line of duty.

Analyst Tykeria T. Lockhart announced that “notice of the Commission meeting has been publicized in accordance with the provisions of the Open Public Meetings Law by notification to the Secretary of State and five newspapers. The notifications included a copy of the meeting agenda.”

Administrator Cunningham asked the Commissioners to consider the minutes of the February 3, 2020 Commission meeting. Commissioner Sharrock made a motion to approve the minutes. The motion was seconded by Commissioner Abbott. Commissioner Sandoval abstained. The Commissioners voted to approve the motion.

Administrator Cunningham asked the Commissioners to consider the minutes of the December 1, 2021 Commission meeting. Commissioner Sharrock made a motion to approve the minutes. Commissioner Onofri seconded the motion. The Commissioners voted to approve the motion.

Administrator Cunningham announced it was the annual Reorganization Meeting and asked Commissioner Carl Carabelli to report on the Appeals and Legislative Committee election. Commissioner Carl Carabelli stated that he was nominated and re-elected as Chairperson of the Appeals and Legislative Committee. Administrator Cunningham asked Commissioner James Sharrock to report on the Standards Committee election. Commissioner Sharrock was nominated and re-elected as Chairperson of the Standards Committee. Administrator Cunningham, asked for nominations to elect a Vice-Chairperson. Commissioner Daniel Colucci nominated Commissioner James Sharrock and Commissioner Lyons seconded the nomination. Hearing no other nominations, the Commissioners voted to approve the motion. Commissioner Sharrock abstained.
Administrator Cunningham asked Chairperson Carabelli to report on the business of the Appeals and Legislation Committee.

1. Commissioner Carabelli reported the following appeal was received since the December 1, 2021 meeting:

*Dylan Dunne v. New Jersey Department of Corrections Training Academy*

Appellant was dismissed due to a positive result on the drug screening.

Commissioner Carabelli, on behalf of the Appeals and Legislation Committee, moved and seconded a motion forward the appeal to the Office of Administrative Law. The motion was approved.

2. Consideration of Extensions of Training Time for Juvenile Detention Officers

4A Consideration of a Request for an Extension of Training Time for Juvenile Detention Officer, Kyree I. Studivant (Bergen County Juvenile Detention Center)

Commissioner Carabelli, on behalf of the Appeals and Legislation Committee, moved and seconded a motion to approve the extension requests. The motion was approved. Commissioner Sandoval abstained.

3. Commissioner Carabelli reported Agenda Item 3A was Proposed Legislation for Assembly Bill 6009.

The bill permits exemption from civil service examination requirement for entry level law enforcement officers, sheriff’s officers, and county correctional police officers; permits hiring of such officers under certain conditions.

Commissioner Carabelli explained that the bill had already been signed by the governor and was for informational purposes only. Commissioner Aviles further explained that each hiring agency is permitted to conduct its own test.

4. Commissioner Carabelli reported Agenda Item 3B was Proposed Legislation for Senate Bill 2801.

The bill requires Police Training Commission to contract with crisis intervention training center to provide mental health training to police officers and establish curriculum specific to persons experiencing economic crisis or substance use disorder.
Commissioner Carabelli explained that the bill had already been signed by the governor and was for informational purposes only.

Commissioner Lyons stated that he would like for the Commission to get a copy of legislative bills before they actually become law. He expressed the possibility of someone from PTC to forward a draft of the bill so the Legislation Committee can review and offer input. Administrator Cunningham stated that there are two more bills in the pipeline that do not yet have a number. He also stated that in the future he will try to get proposed bills out to the Legislative Committee before they are signed into law.

**Commissioner Carabelli concluded the Appeals and Legislation Committee Report**

Administrator Cunningham asked Commissioner Sharrock to report on the business of the Standards Committee.

1. Commissioner Sharrock indicated that **Agenda Item 5A was a Curricula Update** for the Basic Course for Police Officers (BCPO): **NJ Care/Operation Helping Hand**.

   The curricula will address the identification and treatment options available to persons suffering from drug addiction. It will cover alternatives to arrest and prosecution, if a person is willing to accept treatment. In addition, the unit will discuss the important role an officer plays when having first contact with an individual in need of assistance. The recruit will understand the goals and purpose of Operation Helping Hand. The addition of this unit will supply the officer with skills to enhance their ability to interact with, and assist citizens in need of guidance and empathy. It is important that as we develop and update curricula, we give the officers a well-rounded educational experience that will improve their safety, and the safety of the citizens they serve. The new curricula is for Functional Area 3, Instructional Unit 3.16, as well as the NJ Cares Resource Guide. If approved, this curricula will be taught by PTC Certified Instructors from the NJ Cares Program, it is anticipated to total 1 to 1.5 hours of instruction.

   Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to approve the update conditionally effective September 1, 2022. NJ Cares will have to provide at least six (6) instructors for the update to be implemented. The update does not apply to state or county corrections. The motion carried and was approved.

2. Commissioner Sharrock indicated that **Agenda Item 5B was a Curricula Update** for the Basic Course for Police Officers (BCPO) and Basic Course for Investigators (BCI): **Use of Force Policy**.
On December 21, 2020, Attorney General Gurbir S. Grewal issued Law Enforcement Directive No. 2020-13, which revised New Jersey’s Use of Force Policy (UOF Policy) for the first time in two decades. Given the significance of the revisions, AG Directive 2020-13 included an effective date of December 31, 2021 and required that all of New Jersey’s 38,000 state, county, and local law enforcement officers complete several training programs in the interim. Over the past year, the Attorney General’s Office identified a handful of provisions in the UOF Policy that require correction before it goes into effect at the end of this year. This Directive implements those revisions.

For the reasons stated in this Directive, and pursuant to the authority granted to me under the New Jersey Constitution and the Criminal Justice Act of 1970, N.J.S.A. 52:17B-97 to -117, which provides for the general supervision of criminal justice by the Attorney General as chief law enforcement officer of the state in order to secure the benefits of a uniform and efficient enforcement of the criminal law and the administration of criminal justice throughout the state, I hereby direct all law enforcement and prosecuting agencies operating under the authority of the laws of the state of New Jersey to implement and comply with the Use of Force Policy as revised by this Directive (the December 2021 UOF Policy), and to take any additional measures necessary to update their policies accordingly.

I. **Revisions to UOF Policy**

A. **Revisions to Definitions Section.** The “definitions” section is updated by revising three terms and adding one new term.

1. **Active resistor.** The term “active resistor” is revised to include two situations in correctional facilities: when four or more inmates or detainees fail to comply with an order from a correctional police officer, or when a single inmate or detainee fails to comply with an order related to handcuffing inside a cell or secured tier. This revision reflects the unique circumstances of the custodial environment, where inmates and detainees can exploit the physical layout of the facility to defy orders issued by correctional officers, creating heightened risks for those officers. As with other situations involving noncompliance with verbal directions, these types of incidents are subject to Section 2.6, which requires whenever feasible that officers take certain actions before deploying force, including providing the individual with a clear warning and opportunity to comply.

2. **Law enforcement officer.** The term “law enforcement officer” is revised to clarify that the term includes two additional types of officers: college and university police officers, pursuant to N.J.S.A. 18A:6-4.2 et seq, and state parole officers, pursuant to N.J.S.A. 2A:154-4.
3. **Peaceful demonstrator.** The term “peaceful demonstration” is revised to clarify that the term does not apply to situations in correctional facilities where an inmate or detainee fails to comply with an order from a correctional police officer.

4. **Tactical team.** The term “tactical team” is inserted, incorporating the definition used in the statewide Body Worn Camera Policy (BWC Policy), issued pursuant to Law Enforcement Directive No. 2021-5.

B. **Application of UOF Policy to Correctional Institutions.** A new Section 1.4 is inserted to clarify that all law enforcement agencies, including those operating within correctional facilities, are subject to the UOF Policy.

C. **Reporting Requirement for Pointing of Firearms by Tactical Teams.** A new Subsection 3.4(c) is inserted to clarify reporting requirements for the pointing of firearms by tactical teams. The new subsection makes clear that an officer engaged in the operation of a tactical team is required to report the pointing of a firearm only when the pointing involves a sustained active engagement with a person in order to gain that person’s compliance. The new subsection clarifies that a member of a tactical team who quickly “sweeps” a room during an operation need not report each person at whom a firearm was momentarily pointed during the sweep.

D. **Command-Level Review When Force is Used by Agency’s Chief Law Enforcement Officer.** Subsection 7.5(a) is revised to make clear that when the chief law enforcement executive of an agency uses force, the County Prosecutor’s Office must be notified of the incident, and that the County Prosecutor’s Office shall determine the process for the command level review required by Section 7.5.

E. **Review of Noncompliant Vehicular Pursuits.** Two new subsections are added to Addendum B of the UOF Policy (Vehicular Pursuit Policy): a new Subsection 12.1(e), which requires prosecutorial review of non-compliant vehicular pursuits, and a new Subsection 12.2(e), which requires that law enforcement executives’ annual review of vehicular pursuits include an analysis of noncompliant incidents and the steps taken to address the noncompliance.

F. **Non-Substantive Edits.** The following revisions address minor technical edits or typos that appeared in the December 2020 UOF Policy.

1. Section 3.3(c): Deleted reference to Section 4.2.
2. Section 3.3(e): Corrected reference to Core Principle Four.
3. Section 3.3.1: Corrected reference to Core Principle Four.
4. Section 3.7.4: Updated reference to current version of BWC Policy.
5. Section 4.2(d): Corrected typo, replacing “discharge” with “head.”

II. Other Provisions
A. **Non-enforceability by third parties.** This Directive is issued pursuant to the Attorney General's authority to ensure the uniform and efficient enforcement of the laws and administration of criminal justice throughout the State. This Directive imposes limitations on law enforcement agencies and officials that may be more restrictive than the limitations imposed under the United States and New Jersey Constitutions, and federal and state statutes and regulations. Nothing in this Directive shall be construed in any way to create any substantive right that may be enforced by any third party.

B. **Severability.** The provisions of this Directive and the Use of Force policy shall be severable. If any phrase, clause, sentence or provision of either this Directive or the Use of Force Policy is declared by a court of competent jurisdiction to be invalid, the validity of the remainder of either document shall not be affected.

C. **Questions.** Any questions concerning the interpretation or implementation of this Directive or the Use of Force Policy shall be addressed to the Executive Director of OPIA, or their designee.

D. **Effective date.** This Directive shall take effect on December 31, 2021 and remain in force and effect unless and until it is repealed, amended, or superseded by Order of the Attorney General. Accompanying this Directive is the December 2021 Use of Force Policy, which reflects the changes made by this Directive.

Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to approve the update. The Commissioners approved the motion.

3. Commissioner Sharrock indicated that **Agenda Item 5C was a Curricula Update** for the Basic Course for Police Officers (BCPO) and Basic Course for Investigators (BCI): **No Knock Warrants.**

On December 7, 2021, Andrew Bruck, Acting Attorney General, issued Law Enforcement Directive 2021-12, which updated the statewide policy regarding "No Knock Warrants". The new policy has enhanced the guidelines concerning, "No Knock Warrants" and reporting requirements. Based on the recent update, and changes in how these specialized warrants are executed, and reported, it is necessary to update the Basic Law Enforcement Courses, approved by the Commission.

In regards to the new Attorney General Law Enforcement Directive dated Dec 7, 2021 (effective Dec 21, 2021), (regulating "No Knock" search warrants), following verbiage is recommended to be added to Functional Area 5, Instructional Unit 5 as follows:

OLD:
5.5.12 The trainee will identify the requirements pursuant to Attorney General Directive 2002-02 concerning search warrant affidavits and/or search warrants

NEW:

5.5.12 The trainee will identify the requirements regarding search warrants pursuant:

A. Attorney General Directive 2002-02 concerning search warrant affidavits

B. Attorney General Directive 2021-12 concerning "no knock" search warrants

ADDITION: (under 5.5.17)

5.5.17 The trainee will identify the legal paperwork generated in a search warrant application to include:

H. No Knock search warrant application form

Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to approve the update effective July 1, 2022. The Commissioners approved the motion.

4. Commissioner Sharrock indicated that Agenda Item 5D was a Curricula Addition for the Basic Course for Police Officers (BCPO): Interaction with Underage Individuals and Use of Intoxicants

The curricula were developed in accordance with P.L. 2021, Chapter 16, Legalization of Marijuana. Upon the passing of the Legalization of Marijuana Act, the Police Training Commission was tasked with developing an instructional unit that covered law enforcement interaction with underage persons, and anti-bias education when encountering minority youth. The unit will supply officers with must needed information concerning the new Marijuana Legalization Act, application in reference to underage persons, and anti-bias education. The matter was extensively research by the Commission Staff, specifically the newly formed Curricula Unit.

INSTRUCTIONAL UNIT 3.17

UNIT GOAL: The trainee will understand the new laws decriminalizing certain offenses involving marijuana, hashish, and alcoholic beverages for persons under age 21. These changes are reflected in N.J.S.A 2C:33-15 and the Interim Guidelines Regarding Marijuana Decriminalization, issued March 26, 2021 by the
Attorney General. The trainee will also recognize and identify methods to address and avoid racial disparities and implicit bias as well as interacting with vulnerable juvenile populations.

PERFORMANCE OBJECTIVES

3.17.1 The trainee will identify the elimination of certain offenses under N.J.S.A 2C:35-10; 2C:36-2; and 39:4-49.1 when it involves amounts less than 6 ounces of marijuana and/or 17 grams of hashish. 3.17.2 The trainee will identify and apply the changes to existing laws, specifically N.J.S.A 2C:33-15a: in regards to persons under age 21 including those under age 18 (juveniles); including:

A. Specific requirements for 1st, 2nd, and 3rd or subsequent offenses, including parental notification; referral and notification to community treatment services.

B. The inability for a person under age 21 to provide consent to a law enforcement officer to search their person, vehicle, or property and the prohibition for a law enforcement officer to request consent to search in regards to a violation of N.J.S.A 2C:33-15a (l).

C. The prohibition of the odor and/or plain-view observation of marijuana/hashish/alcoholic beverages to establish reasonable articulable suspicion to stop or detain; nor probable cause to search or arrest for violations of possessory or lower-level distribution offenses of these substances.

D. The prohibition of persons for arrest, transportation, or detention beyond that necessary to satisfy the necessary written warning procedures in accordance to the Attorney General Guideline and N.J.S.A 2C:33-15 for those persons under age 21 for possessing or consuming marijuana/hashish/alcoholic beverages.

E. The mandate for Body Worn Camera use and full recording during any call for service or incident involving a suspected violation of N.J.S.A 2C:33-15.

F. Modifications to current fingerprinting requirements for persons identified in the new legislation.

G. Specific reporting and record retentions regarding any written warnings, notifications, or incident reports pertaining to possession or consumption of marijuana hashish/alcoholic beverages codified under the specific statute/Attorney General guideline.

H. Culpability for officers who knowingly violate the provisions under N.J.S.A 2C:33-15 to be charged criminally under N.J.S.A 2C:30-6.1 (official deprivation of civil rights)
3.17.3 The trainee will identify the changes to enforcement of 4th degree Distribution/Possession with Intent to Distribute charges pertaining to marijuana and/or hashish.

3.17.4 The trainee will understand the importance of training in regards to Implicit Bias to:
   A. Making law enforcement and communities safer.
   B. Increasing public trust and legitimacy of law enforcement.
   C. Using evidence-based policing to achieve all the above.
   D. Enhance officer’s ability to achieve our personal and professional goals.

3.17.5 The trainee will identify how our thinking often utilizes shortcuts based on visual information to create assumptions and affect decision-making abilities.

3.17.6 The trainee will be able to differentiate between explicit and implicit bias.

3.17.7 The trainee will engage in several exercises which demonstrate the occurrence of mental shortcuts, referred to as traps.

3.17.8 The trainee will be able to define stereotypes, prejudice, and discrimination.

3.17.9 The trainee will identify the importance of analyzing a situation in order to alleviate implicit bias as well as provide increased officer safety.

3.17.10 The trainee will identify the importance of an officer’s instinct, experience, knowledge and personal and community safety in recognizing the potential negative effects of implicit biases.

3.17.11 The trainee will recognize the nexus between their personal and professional goals and the recognition of and avoidance of implicit biases.

3.17.12 The trainee will identify the importance of engaging the community; especially populations that may have biases towards with law enforcement such as younger persons; and the importance of community programs that enhance the relationships between law enforcement and those groups.

Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to approve the addition, effective July 1, 2022. The Commissioners approved the motion.
5. Commissioner Sharrock indicated that Agenda Item 5E was a Curricula Update for portions of the Basic Course for State Correctional Police Officers (BCSCPO). The update included changes to the following functional areas:

- 1.11 Active Bystandership for Law Enforcement (ABLE)
- 1.12 Equal Employment Division and Ethics
- 1.13 New Jersey Resiliency Training for Law Enforcement
- 1.14 CLEAR Current Year Assigned Training
- 3.10 Integrated Communications Assessment & Tactics (ICAT)
- 3.11 Prison Rape Elimination Act PREA 43
- 3.12 Gender-Informed Corrections
- 3.13 Trauma-Informed Corrections
- 3.14 Law Enforcement Interactions with Transgender Individuals
- 3.15 Close Custody Units (Interactive Communications)
- 5.5 Use of Force
- 6.4 Basic Grammar for Effective Report Writing
- 10.19 Active Shooter
- 10.20 Perimeter Security Officer
- 10.21 Open Area Force Extraction
- 10.22 Videotaping of Inmate Incidents
- 10.23 Violent Prisoner Restraint Chair
- 10.24 Body Worn Camera

NJDOC Academy Director, Aaron Erven, was present to answer any questions and provide additional information.

Commissioner Sharrock, on behalf of the Standards Committee, moved and seconded a motion to approve the update. The Commissioners approved the motion. Commissioner Erven abstained.

6. Commissioner Sharrock indicated that Agenda Item 6A was a Report of a satellite approval for Mercer County Police Academy to utilize the Robbinsville Field House.

The Commissioners accepted the Administrator's report for the satellite approval.

7. Commissioner Sharrock indicated that Agenda Item 6B was a Report of the Pre-Academy Fitness Standard.

At this time, the Commissioners entered into Executive Session to discuss the report of the Pre-Academy Fitness Standard. After the Executive Session concluded, the Commission approved a motion to adopt a Resolution (attached) and incorporate the document as a part of the meeting minutes.
Commissioner Sharrock concluded the Standards Committee report

Administrator Cunningham reported that Agenda Item 8A was a Report of the Law Enforcement Officers Training and Equipment Fund (LEOTEF).

Commissioner Colucci reported that the quarterly expense reports for the 3rd and 4th quarters of 2021 are being reviewed and processed. Once reviewed, the Grants manager will be reaching out directly for missing reports. Technical assistance in preparing quarterly expense reports has been provided. Supplemental academy requests for LEOTEF purchases have been reviewed and approved.

Administrator Cunningham reported that Agenda Item 9A was the Report of the SLEO II Committee. The Commission discussed the recommended changes to the current waiver process, as detailed in NJAC 13: 1-8.4. The Commission accepted the recommendations of the Committee, staff will prepare the suggested rule changes for the full Commission.

Administrator Cunningham announced the next meeting is Wednesday, April 6, 2022

Administrator Cunningham asked for a motion to adjourn the meeting at 12:48 pm. Commissioner Polos voted to approve the motion. Commissioner Nolan seconded the motion and the meeting was adjourned.

Attachments
The Police Training Commission began an initiative in 2004 to institute a pre-entry physical fitness standard for recruits to attend a Basic Police Class. This effort was in recognition of the fact that the health and safety of police recruits are greatly improved when they are physically fit and prepared to attend a police academy.

The law enforcement officer is called upon to be physically ready to enforce the law, protect the public and themselves throughout their career. The physically fit officer will result in fewer injuries to the officer and the public.

The Legislature passed Senate Bill 526 in December 2004 to require that the Police Training Commission contract with an appropriate entity to undertake a study regarding the development of pre-entry standards. The text is contained below:

CHAPTER 161
AN ACT concerning the development of certain standards for enrollment in approved police training schools.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The Police Training Commission shall contract with an appropriate entity or entities to undertake a study regarding the development of pre-entry standards for schools approved and authorized by the commission to give police training courses pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.). The study shall include, but not be limited to, pre-entry physical fitness standards for law enforcement officers predicated upon a job task analysis. A contracted entity shall submit a report of its findings to the commission.

2. The commission shall review any report submitted pursuant to section 1 of this act. Within 90 days of the receipt of that report, the commission shall prepare its recommendations regarding appropriate pre-entry standards for schools approved and authorized to give police training courses pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.) and submit them to the Governor and Legislature. Those recommendations shall address, but not be limited to, issues pertaining to appropriate pre-entry physical fitness standards for law enforcement officers. Along with its recommendations, the commission also may submit any proposed legislation the commission deems appropriate.

3. Notwithstanding any limitations placed upon the expenditure of moneys deposited in the "Law Enforcement Officers Training and Equipment Fund," under the provisions of section 9 of P.L.1996, c.115 (C.2C:43-3.3), the costs directly associated with any contract entered into
pursuant to section 1 of this act shall be paid from the moneys deposited in that fund.

4. This act shall take effect on the first day of the third month following enactment and shall expire upon the commission's submission of its recommendations, along with any proposed legislation it may deem appropriate, to the Governor and Legislature.

Approved December 7, 2004

Subsequent to the above the Commission reserved $300,000 from the LEOTEF Fund and solicited Requests for Proposals from those qualified to conduct the study. Ultimately IO Solutions was contracted to conduct Job Analysis Study and make recommendations. The study began in August 2007 and consisted of Job Analysis studies and interviews with incumbent officers. IO Solution compiled their research and made formal recommendations to the Commission in 2008. In addition to the Physical Fitness Standard it was also recommended that Psychological Testing be required for all new police officers.

The recommendations were reviewed and accepted and forwarded to the Attorney General to be adopted into rules. In December 2010, two years after the reports acceptance, Then Attorney General Dow forwarded the results and the decision by the Commission to adopt rules for classes beginning after August 1, 2011.

Once again, in April of 2014 the Commission adopted the Pre-Entry Standard as well as the Psychological Testing requirement. Administrator Robert Melson directed all Academies to begin using the new standard. That was halted in 2014 when the DOJ sued the Pennsylvania State Police concerning their Physical Fitness Standards.

Since that time the adoption of any form of rule to adopt these standards has been stalled and at times stopped due to a number of factors.

The Commission still with the goal of bettering the preparedness of police recruits moved forward with installing the standards as a testing component at the beginning of the covered Basic Classes. Recruits are given an initial Assessment on the fourth day of class and those who fail to pass that assessment are given nine Physical training sessions prior to being re-tested after that ninth session. Failure to successfully complete the Assessment on that date results in dismissal from the Academy.

It should be noted at this juncture that the New Jersey State Police has a pre-entry physical fitness standard as well as the NJ Division of Criminal Justice Academy. Additionally, the Police training Commission’s Alternate Route Program has a Physical Fitness Test for entry into that program and most if not all of the non-civil service police departments in the New Jersey have some form of physical fitness testing.

The reason for this current resolution by the Commission is that at its February 3, 2020 meeting the Commission, once again, voted to move the standard into the rule-making process. We strongly urge all actions necessary by your office to take place as soon as possible to immediately implement the necessary rule change for the Pre-Entry Physical Fitness Standard.
Implementation of this standard will help ensure the successful graduation of recruits and reduce dismissals from the academies. Recruits who are dismissed cause significant hardships on the state and local police department staffing requirements and place enormous financial burdens on those agencies.

We formally request immediate resolution of the standard prior to the next scheduled PTC meeting so that the rule change can be implemented prior to the next round of classes at the Academies. Your attention to this important issue is again urgently requested and appreciated, as it has languished without action for far too long.