



NEW JERSEY STATE POLICE

Office of Professional Standards ANNUAL REPORT

2018



FROM THE COLONEL...

I am pleased to present the Governor, the Legislature and the citizens of New Jersey with the New Jersey State Police *2018 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 2018.

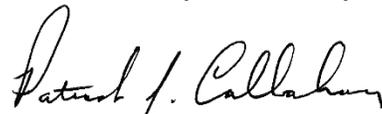
A law enforcement entity in a democratic society can tie its effectiveness directly to the level of trust it enjoys within the community it serves. A significant factor in gaining and maintaining that trust is ensuring that there is a strict allegiance to a highly professional and transparent internal 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 *2018 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 2018. 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 *2018 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 2018 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 2018, the Office of Professional Standards consisted of sixty-five (65) persons. This included nine (9) professional support personnel and fifty-six (56) enlisted persons. This figure represents an overall increase of three (3) additional members over 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.

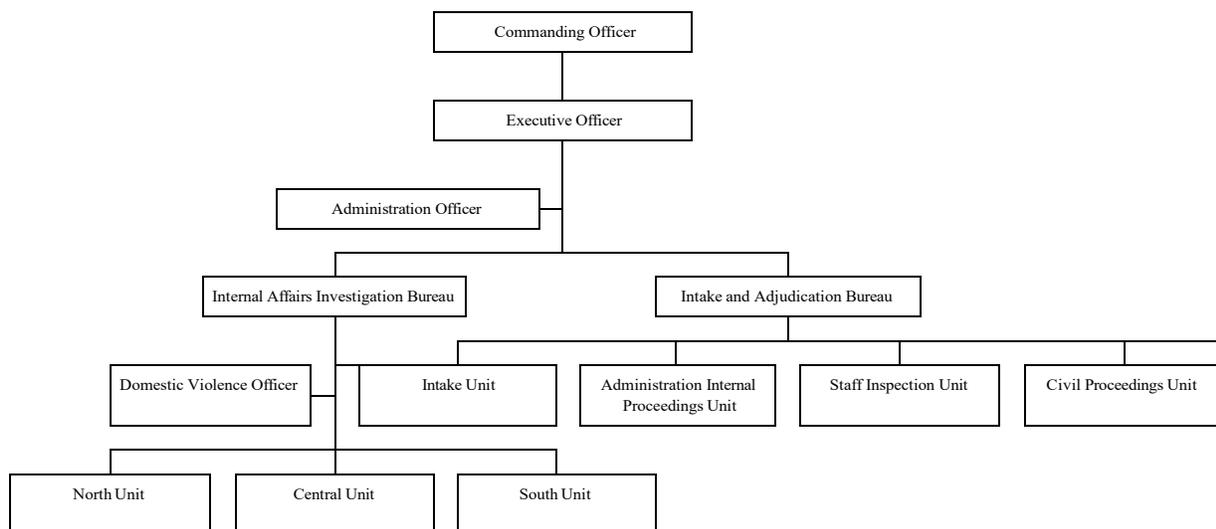


Administrative Internal Proceedings Unit: This unit is responsible for the adjudication of substantiated allegations of misconduct, convening disciplinary hearings and serving as a liaison between the Office of Professional Standards, the Office of the Attorney General, the Office of Law Enforcement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

2018 Organizational Chart



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, twenty-five (4,025) employees, of which two thousand, seven hundred ninety-five (2,795) are sworn members, and one thousand, two hundred thirty (1,230) are civilian members.¹

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.

¹ As of December 2018



In 2018, troopers were involved in excess of one million, seven hundred twelve thousand, five hundred twenty-two (1,712,522) 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.²

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; 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

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

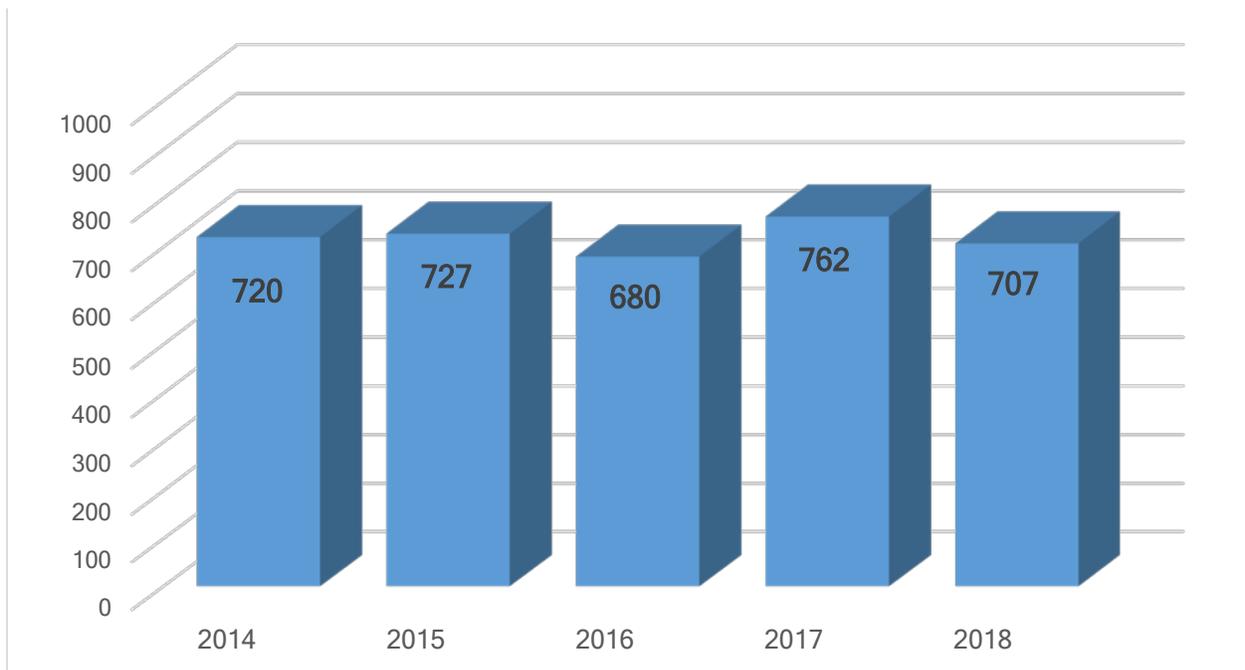


feedback, compliments or complaints about the operation of the Division and its personnel.

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 2018, seven hundred seven (707) total incidents were reported and classified, as compared to seven hundred sixty-two (762) in 2017. This represents a 7.2% decrease in the number of reportable incidents received in the year 2018, than those received in the year 2017, while the total number of the Division's enlisted personnel increased by fifty-two (52) enlisted members, representing a 1.9% 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.



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 Attorney General's Shooting Response Team (SRT) of which the NJSP Homicide Unit is the primary investigative component. When the SRT completes their investigation, 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.



Five Year Breakdown of Incident Classifications

	2014	2015	2016	2017	2018
Misconduct	219	212	203	248	205
Performance	69	54	34	7	6
Administrative Issues	417	422	398	439	438
Compliance	0	0	0	0	0
EEO/AA Investigations	2	4	0	4	4
Non-Reportable Incidents/Referrals	12	35	45	59	53
Shooting Reviews	1	0	0	5	1
Totals	720	727	680	762	707

Origin of Complaints

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

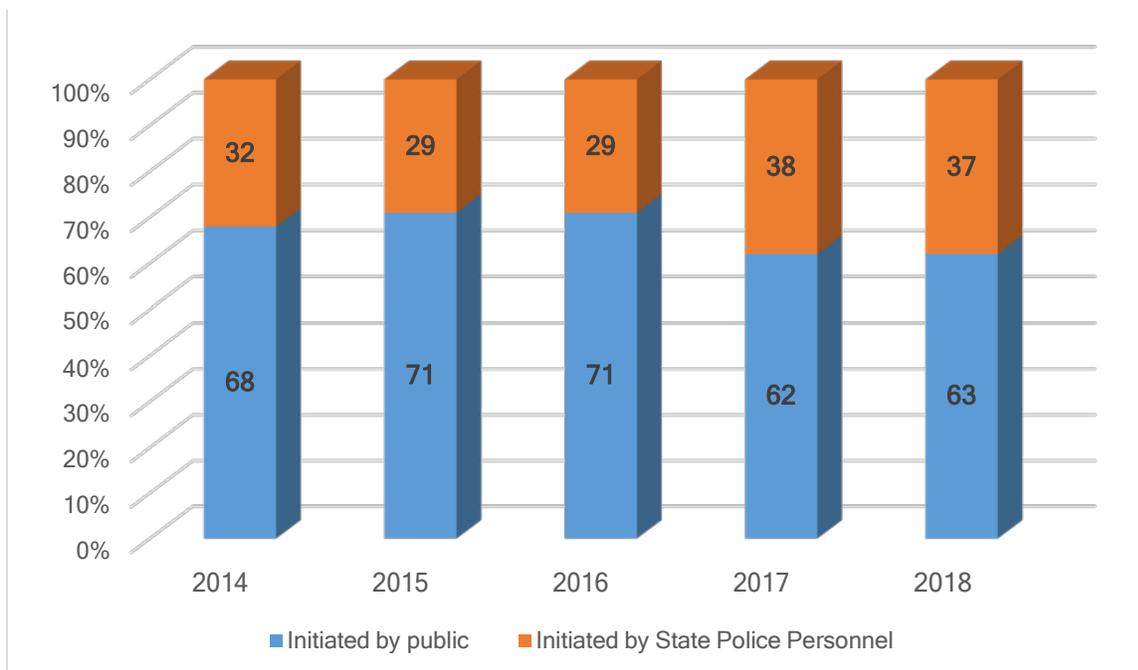


initiated internally. Of the misconduct complaints initiated by the public, forty-one (41) (29%) involved citizens who had been arrested or issued a motor vehicle summons by a member of the State Police. In addition, the Office of Professional Standards received fifty-four (54) reportable incidents that 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.

In 2014, of the two hundred nineteen (219) total misconduct complaints, one hundred thirty-two (132) (60%) were initiated by members of the public and eighty-seven (87) (40%) were initiated internally. Of the misconduct complaints initiated by the public, seventy (70) (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 sixty-nine (69) reportable incidents that were classified as Performance issues; sixty-three (63) (91%) of these complaints were initiated by members of the public, and six (6) (9%) 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.



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 2018, criminal charges were filed against one (1) member 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 three (3) troopers were charged with crimes during 2018. The three (3) members were charged with conduct that occurred while on-duty.

These cases represent criminal or disorderly persons offenses filed against Division members acting in an official capacity while in the performance of their State Police duties. During 2018, the following charges were filed against a member as a result of interactions while on-duty:

- Member was charged with Theft and Tampering with Public Records or Information. The member entered into a Pre-Trial Intervention (PTI) program and as a condition of the PTI was required to forfeit their public employment.
- 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.
- Member was charged with Computer Theft and Domestic Violence Harassment. The criminal court proceedings are pending. 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 seven (7) troopers were charged with crimes during 2018. All seven (7) 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 2018, the following charges were filed against members as a result of off-duty conduct:

- Member was charged with Criminal Sexual Contact and Aggravated Assault. The criminal court proceedings are pending.
- Member was charged with Disorderly Conduct. The criminal court proceedings are pending.
- Member was charged with Assault by Auto. The criminal charge was dismissed in court. The administrative charges are pending adjudication.
- Member was charged with Assault by Auto. The criminal court proceedings are pending.
- Member was charged with Domestic Violence Criminal Mischief, Domestic Violence Criminal Trespass and Domestic Violence Burglary. The criminal charges were dismissed as a result of a plea agreement. Member admitted to administrative charges.
- Member was charged with Harassment and Simple Assault. The criminal court proceedings are pending.
- Member was charged with Tampering with Public Records or Information, Falsifying or Tampering with Records, Theft, Official Misconduct, and Pattern of Official Misconduct. 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.

Assignment of Investigations

Of the two hundred five (205) misconduct cases assigned in 2018, two hundred four (204) 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



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.³ 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 2018

There were two hundred five (205) misconduct investigations opened in 2018. The following paragraphs report the status of these cases as of April 1, 2019. Of these cases, one hundred twenty-six (126) (61%) were initiated as the result of citizen complaints and

³ In *Re Polk*, 90 N.J. 550, 560-562 (1982); *Atkinson v. Parsekian*, 37 N.J. 143, 149 (1962).



seventy-nine (79) (39%) cases were opened because of complaints made by State Police supervisors or other members.

Of the one hundred twenty-six (126) citizen-initiated investigations, twenty-one (21) (17%) remain active, thirteen (13) (10%) are in the review process, eighty-two (82) (65%) have been completed, and ten (10) (8%) have been suspended pending court action or other administrative action. Of the eighty-two (82) completed, thirty-three (33) (40%) resulted in substantiated primary or secondary allegations.

Of the seventy-nine (79) complaints initiated by State Police supervisors and members, eleven (11) (14%) remain active, eleven (11) (14%) are in the review process, fifty (50) (63%) have been completed and seven (7) (9%) have been suspended pending court action or other administrative action. Of the fifty (50) completed, thirty-five (35) (70%) 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 2018 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.

2018 Number of Principals by Category for Internal Investigation			
Complaint Classification	Origin		Principals (Involved Members)
	Public	SP	
Admin. Violations	3	37	40
Alcohol Violation	2	2	4
Assault	10	1	11
Attitude and Demeanor	10	0	10
Differential Treatment	83	0	83
Domestic Violence	2	16	18
Driving Violation	3	2	5
Drug Violation	0	0	0
Excessive Force	47	2	49
Failure to Perform Duty	13	7	20
False Arrest	1	0	1
Improper Search	5	0	5
Other	34	40	74
Other Harassment	3	2	5
Theft	4	0	4
TOTALS	220	109	329

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 2018*:

- Member admitted to acting in an unofficial capacity to the discredit of the Division while off-duty by failing to take appropriate police action after witnessing an aggravated assault and for failing to properly carry their duty weapon. Additionally, the member intentionally provided false information during a misconduct investigation. The member received a 90 day suspension.
- Member admitted to acting in an unofficial capacity to the discredit of the Division while off-duty by engaging in Domestic Violence harassment. Additionally, the member failed to surrender an unauthorized weapon and failed to notify the Division of their involvement in a domestic incident. The member received a 153 day suspension.
- Member admitted to acting in an official capacity to the discredit of the Division while on-duty by failing to take appropriate police action while investigating a motor vehicle crash. Furthermore, the member displayed an improper attitude and demeanor during the interaction and violated motor vehicle stop procedures. The member received a 90 day suspension.

*In June 2020, Attorney General Grewal issued Attorney General Directive 2020-6, which directed the New Jersey State Police to publish the names of members subject to major discipline since 2000. The publication of those names – including those involved in the disciplinary incidents described below – is stayed pending the resolution of 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 admitted to acting in an unofficial capacity to the discredit of the Division while off-duty by failing to notify the Division regarding being in possession of another member's personal firearm after being made aware that the member had been involved in a domestic violence incident which required the surrender of all firearms. 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 knowingly entering inaccurate and false information into the eDaily system in order to receive paid compensation to which the member was not entitled. The member received a 60 day suspension.
 - Member found guilty of acting in an unofficial capacity to the discredit of the Division while off-duty by violating Pennsylvania State law regarding theft and attempting to use official position to gain favor. The member was terminated from employment with the Division.
 - Member admitted to acting in both an official and unofficial capacity to the discredit of the Division by entering false information into the eDaily system and improperly utilizing assigned troop transportation for personal business while both on and off duty. The member forfeited all accrued vacation and personal leave time and retired from employment with the Division.
 - Member admitted to violating New Jersey Motor Vehicle Statutes 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 and then leaving the scene. Regarding another motor vehicle crash the member pled guilty to violating New Jersey Motor Vehicle Statutes related to causing a motor vehicle crash and leaving the scene. Additionally, the member sent inappropriate text messages and failed to notify the Division of a police response to their residence due to the abuse of prescribed medication. The member received a 528 day suspension.
 - Member admitted to violating New Jersey Motor Vehicle Statutes 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 was criminally charged with Tampering with Public Records. The member entered into the Pretrial Intervention Program. As a result of the agreement the member was disqualified from employment with the State of New Jersey and was terminated from the Division.
 - Member admitted to acting in an unofficial capacity to the discredit of the Division while off-duty by engaging in a Domestic Violence incident. Additionally, the member was involved in an alcohol related motor vehicle crash which they failed to report. The member received a 120 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 an unofficial capacity to the discredit of the Division while off-duty. The member was arrested for Driving While Intoxicated. The member received a 180 day suspension.
- Member was criminally charged with Tampering with Public Records and Theft. The member pled guilty to Falsifying 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 unofficial capacity to the discredit of the Division while off-duty by engaging in an alcohol related Domestic Violence incident. The incident required a police response and resulted in the arrest of the member. The member received a 180 day suspension.
- Member admitted to violating New Jersey Motor Vehicle Statute, disobeying a written order and acting in an unofficial capacity to the discredit of the Division while off-duty. The member pled guilty in municipal court to a motor vehicle violation related to being arrested for Driving While Intoxicated. Furthermore, the member violated the sick leave policy and failed to notify the Division of interactions with law enforcement which required notification. The member received a 225 day suspension.
- Member admitted to acting in an official capacity to the discredit of the Division while on-duty by failing to generate a Daily Activity Patrol Log and knowingly entering inaccurate and false information into the eDaily system. Additionally, the member disobeyed a direct order and violated overtime procedures. The member received a 30 day suspension.
- Member waived their right to a General Disciplinary Hearing after being charged with acting in an official capacity to the discredit of the Division while on-duty by failing to complete assigned reports and performing their duty in a culpably inefficient manner. Furthermore, the member behaved in an insubordinate manner toward a supervisor, reported late for work, and entered inaccurate and false information into the eDaily system. The member received a 30 day suspension.
- Member admitted to acting in an official capacity to the discredit of the Division by knowingly entering inaccurate and false information into the eDaily system in order to receive paid compensation to which the member was not entitled. Additionally, the member violated the sick leave policy. The member received a 30 day suspension.



- Member admitted to acting in an official capacity to the discredit of the Division by engaging in inappropriate behavior in violation of the New Jersey State Anti-Discrimination Policy. Additionally, the member provided less than complete candor during an internal investigation. The member forfeited 205 hours of accrued vacation time and retired from employment with the Division.
- Member was criminally charged with Tampering with Public Records. The member pled guilty to Falsifying Records and entered into the Pretrial Intervention Program. As a result of the agreement the member was disqualified from employment with the State of New Jersey and was terminated from the Division.

The following is a synopsis of Summary Disciplinary Matters completed during the calendar year 2018:

- Member admitted to acting in an official capacity to the discredit of the Division for improperly utilizing issued Division computers for personal purposes. Additionally, the member submitted a false report alleging misconduct by enlisted members. The member received a 10 day suspension.
- Member admitted to disobeying a verbal order and behaving in an insubordinate manner towards a superior non-commissioned officer. Additionally, the member performed their duties in a culpably inefficient manner. The member received a 20 day suspension.
- Member admitted to acting in an official capacity to the discredit of the Division for submitting official reports which contained false or misleading information and performing their duties in a culpably inefficient manner. The member received a 30 day suspension.
- Member admitted to acting in an official capacity to the discredit of the Division by making disparaging statements and improperly using NJSP computer resources. The member received a 10 day suspension.
- Member admitted to acting in an official capacity to the discredit of the Division by failing to notify the Division of the issuance of a parking summons to their assigned troop transportation. Additionally, the member engaged in a verbal disagreement with a municipal prosecutor regarding the summons. The member received a 10 day suspension.
- Member admitted to acting in an official capacity to the discredit of the Division by utilizing a NJSP computer resource without a legitimate law enforcement purpose. The member received a 10 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 2018. 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.

- Failure to safeguard NJSP issued body armor. (Written Reprimand)
- Failure to safeguard NJSP identification cards and billfold. (Written Reprimand)
- Member failed to notify the Division of information to which the Division would take cognizance. (Written Reprimand)
- Member completed a report which lacked pertinent information. (Written Reprimand)
- Member inappropriately used profanity and threatening language. (Written Reprimand w/2 day suspension)
- Member operated troop transportation in an unsafe manner and failed to notify their supervisor after being stopped. (Written Reprimand)
- Member failed to safeguard NJSP issued handcuffs. (Written Reprimand)
- Member displayed unprofessional attitude and demeanor, failed to call in a motor vehicle stop and failed to follow Mobile Video Recorder (MVR) Procedures. (Written Reprimand w/5 day suspension)
- Failure to safeguard NJSP duty weapon and Division issued property. (Written Reprimand w/5 day suspension)
- Member made inappropriate comments to another member while consuming alcoholic beverages. (Written Reprimand w/5 day suspension)
- Member made inappropriate comments towards another member and failed to notify the Division of information which the Division would take cognizance. (Written Reprimand)
- Member inaccurately recorded mileage of assigned troop transportation in the Division's fueling system and made false reports on eDaily entries. (Written Reprimand)
- Member was insubordinate towards a superior officer. (Written Reprimand w/5 day suspension)
- Member posted inappropriate material on social media. (Written Reprimand)
- Failure to safeguard NJSP identification cards and billfold. (Written Reprimand)



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- Member violated the vehicle pursuit policy. (Written Reprimand)
 - Member violated the vehicle pursuit policy, caused property damage to troop transportation due to unsafe operation and failed to search a handcuffed suspect. (Written Reprimand w/5 day suspension)
 - Member failed to accept a civilian complaint. (Written Reprimand)
 - Member failed to appear in court. (Written Reprimand)
 - Member created an inappropriate social media post. (Written Reprimand)
 - Member failed to notify the Division of a police response regarding an allegation of domestic violence. (Written Reprimand)
 - Member failed to call in a motor vehicle stop and utilized unsafe stop procedures. (Written Reprimand)
 - Member utilized improper investigative actions and acted unprofessional during a citizen contact. (Written Reprimand)
 - Member was culpably inefficient in the completion of a motor vehicle crash investigation which resulted in the issuance of an undeserved summons. (Written Reprimand)
 - Member disobeyed a written order. (Written Reprimand w/5 day suspension)
 - Member violated the sick leave policy. (Written Reprimand w/5 day suspension)
 - Member failed to follow MVR procedures. (Written Reprimand)
 - Member made unprofessional and unnecessary comments during a traffic stop and issued summonses without providing the motorist an explanation. (Written Reprimand)
 - Member failed to notify the Division of personal knowledge of prohibited conduct by another member. (Written Reprimand w/5 day suspension)
 - Member disobeyed a written order. (Written Reprimand)
 - Member failed to safeguard NJSP identification card. (Written Reprimand)
 - Member acted inappropriately towards another member. (Written Reprimand w/2 day suspension)
 - Member failed to safeguard NJSP identification cards and billfold. (Written Reprimand)



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- Member failed to properly secure a prisoner and failed to make proper notifications regarding the subsequent escape from custody. (Written Reprimand)
 - Member conducted an investigation in a culpably inefficient manner. (Written Reprimand w/2 day suspension)
 - Member disobeyed a direct order and released information without authorization. (Written Reprimand w/5 day suspension)
 - Member failed to safeguard NJSP issued tactical vest and ballistic panels. (Written Reprimand)
 - Member disobeyed a written order. (Written Reprimand)
 - Member pled guilty to a motor vehicle violation. (Written Reprimand)
 - Member submitted misleading reports. (Written Reprimand w/5 day suspension)
 - Member submitted misleading reports. (Written Reprimand w/5 day suspension)
 - Member violated the sick leave policy. (Written Reprimand)
 - Member failed to safeguard NJSP identification card. (Written Reprimand)
 - Member failed to safeguard NJSP issued handcuffs. (Written Reprimand)
 - Culpable inefficient supervision of a motor vehicle pursuit and disobeying written orders of the pursuit policy. (Written Reprimand)
 - Culpable inefficient supervision of a motor vehicle pursuit and disobeying written orders of the pursuit policy. (Written Reprimand)
 - Member failed to call in a motor vehicle stop. (Written Reprimand)
 - Member failed to call in a motor vehicle stop. (Written Reprimand)
 - Member unsafely operated a troop car causing damage. (Written Reprimand w/2 day suspension)
 - Culpable inefficient supervision by approving a member's eDaily which contained inaccurate information. (Written Reprimand)
 - Culpable inefficient supervision by approving a member's eDaily which contained inaccurate information. (Written Reprimand)
 - Culpable inefficient supervision by approving a member's eDaily which contained inaccurate information. (Written Reprimand)



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- Culpable inefficient supervision by approving a member's Daily Activity Patrol Log which contained inaccurate information. (Written Reprimand)
 - Culpable inefficient supervision by approving a member's eDaily which contained inaccurate information. (Written Reprimand)
 - Culpable inefficient supervision by approving a member's eDaily which contained inaccurate information. (Written Reprimand)
 - Culpable inefficient supervision by approving a member's eDaily which contained inaccurate information. (Written Reprimand)
 - Member failed to safeguard NJSP issued property. (Written Reprimand)
 - Member displayed questionable conduct while on a motor vehicle stop and failed to offer a Compliment / Complaint Form. (Written Reprimand)
 - Member displayed questionable conduct while off duty. (Written Reprimand)
 - Member failed to safeguard evidence. (Written Reprimand)
 - Member failed to safeguard evidence. (Written Reprimand)
 - Member failed to safeguard evidence. (Written Reprimand)
 - Member acted inappropriately towards another member. (Written Reprimand w/5 day suspension)
 - Unauthorized use of troop transportation while involved in a crash. (Written Reprimand w/5 day suspension)
 - Member failed to safeguard NJSP issued property. (Written Reprimand)
 - Member conducted an improper search which was not documented and failed to follow MVR procedures. (Written Reprimand w/5 day suspension)
 - Culpable inefficient supervision by failing to offer direction to a subordinate member seeking guidance during a motor vehicle stop. (Written Reprimand w/5 day suspension)
 - Culpable inefficient supervision by failing to offer the appropriate guidance to a subordinate member seeking assistance during a motor vehicle stop. (Written Reprimand)
 - Member made inappropriate comments during a motor vehicle stop and disobeyed a written order. (Written Reprimand)
 - Member failed to safeguard NJSP issued property. (Written Reprimand)



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- Member acted inappropriately toward a motorist. (Written Reprimand)
 - Member participated in an unjustified motor vehicle stop and failed to contact the ODU regarding the stop. (Written Reprimand w/5 day suspension)
 - Member failed to safeguard an off duty weapon. (Written Reprimand w/5 day suspension)
 - Member displayed questionable conduct off duty after the consumption of alcohol. (Written Reprimand w/5 day suspension)
 - Member improperly handled a firearm resulting in an accidental discharge and failed to immediately report the incident. (Written Reprimand)
 - Member failed to safeguard NJSP issued property. (Written Reprimand)
 - Member acted inappropriately while assisting at the scene of a motor vehicle crash. (Written Reprimand)
 - Member failed to notify the Division of improper conduct of a member within their command. (Written Reprimand)
 - Member violated a written order and failed to notify the Division of information to which the Division would take cognizance. (Written Reprimand)
 - Member failed to safeguard NJSP identification card. (Written Reprimand)
 - Member created an inappropriate social media post. (Written Reprimand)
 - Member failed to safeguard NJSP identification cards and billfold. (Written Reprimand)



**Summary of Completed Cases Resulting in Discipline Reporting Period:
January 1, 2018 through December 31, 2018**

Actions Taken for Cases by Category in Year 2018				
Complaint Classification	Counseling/ Performance Notice Issued	Minor Discipline/ Including Written Reprimands Issued	Summary Discipline	General Discipline
Improper Search	0	1	0	0
Theft	0	0	0	3
Assault	0	0	0	0
Excessive Force	0	0	0	0
Differential Treatment	0	1	1	1
Other Harassment	0	0	0	0
Domestic Violence	0	0	0	3
Drug Violation	0	0	0	1
Alcohol Violation	0	2	0	5
False Arrest	0	0	0	0
Failure to perform duty	19	21	0	2
Driving violation	4	4	0	1
Attitude and Demeanor	7	3	0	0
Admin. Violation	73	26	2	4
Other	23	27	3	4
Totals	126	85	6	24

***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 2018, two (2) 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 2018, the Division received one thousand forty-nine (1,049) 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.



► FINAL NOTE

Hopefully this report has provided you with a unique understanding and appreciation for the dedication and commitment exhibited by the personnel assigned to the Office of Professional Standards. The men and women of the office are charged with protecting the professional integrity of the Division of State Police by fully, fairly and expeditiously investigating complaints of misconduct. The mission of the Office of Professional Standards is to deliver a professional and transparent internal affairs process that maintains the integrity of Division while ensuring the trust and confidence of public. The citizens of this state justifiably expect members of the State Police act with integrity, professionalism, reliability and trustworthiness. In order for members to sustain such regard, troopers must uphold our core values of Honor, Duty and Fidelity as well as remain ever vigilant to their sworn oath as law enforcement officers.

The Division of State Police relies upon the trust and partnerships it enjoys with the communities we serve. As Colonel Callahan mentioned in the beginning of this report, the State Police must maintain a strict adherence to a highly professional and transparent internal affairs function to foster this public trust. This allegiance will present unique challenges that require constant and consistent diligence and attentiveness. As a proud member of the Office of Professional Standards, I pledge our commitment to meeting these challenges and to guard the high standards of conduct that the citizens of this state expect and deserve from our troopers.



Major Wayne Korté
Commanding Officer
Office of Professional Standards

