

## INTERNAL AFFAIRS

### PURPOSE

The Monroe Township Police Department is committed to providing law enforcement services that are fair, effective, and impartially applied. Toward that end, officers are held to the highest standards of official conduct and are expected to respect the rights of all citizens. Officers' adherence to these standards, motivated by a moral and professional obligation to perform their job to the best of their ability, is the ultimate objective of this agency.

The effectiveness of a law enforcement agency is dependent upon public approval and acceptance of policy authority. The department must be responsive to the community by providing formal procedures for the processing of complaints from the public regarding individual officer performance.

The purpose of this policy is to improve the quality of police services. Citizen confidence in the integrity of the police department increases through the establishment of meaningful and effective complaint procedures. This confidence engenders community support for the police department. Improving the relationship between the police and the citizens they serve facilitates cooperation vital to the department's ability to achieve its goals. An effective disciplinary framework also permits police officials to monitor officers' compliance with department policies and procedures. Adherence to established policies and procedures assist officers in meeting department objectives while a monitoring system permits managers to identify problem areas requiring increased training or direction. Finally, this policy will ensure fairness and due process protection to citizens and officers alike.

The discipline process shall be used to identify and correct unclear or inappropriate agency procedures. In addition it will highlight organizational conditions that may contribute to any misconduct, such as poor recruitment and selection procedures or inadequate training and supervision of officers.

### POLICY

It is the policy of this agency to accept and investigate all complaints of alleged officer misconduct or wrongdoing from any citizen or agency employee. Following a thorough and impartial examination of the available factual information, the officer shall either be exonerated or held responsible for the alleged misconduct. Discipline shall be administered according to the degree of misconduct.

It is the policy of this department that officers and employees, regardless of rank, shall be subject to disciplinary action for violating their oath and trust. Committing an offense

punishable under the laws of the United States, the State of New Jersey, or Municipal ordinances constitutes a violation of that oath and trust. Officers are also subject to disciplinary action for failure, either willfully or through negligence or incompetence, to perform the duties of their rank or assignment. In addition, officers may be disciplined for violation of any rule and regulation of the department or for failure to obey any lawful instruction, order, or command of a superior officer or supervisor. Disciplinary action in all matters will be determined based upon the merits of each case.

It is the policy of this department that officers conducting the investigation of any allegation of misconduct must strive to conduct a thorough and objective investigation without violating the rights of the accused officer or any other police officer. Accordingly, all supervisors and any other officer who may be called upon to do an internal investigation must be thoroughly familiar with the department's entire internal affairs policy, including protection of the accused officer's rights and the procedures for properly investigating internal complaints.

It is the policy of this department that prevention is the primary means of reducing and controlling misconduct. To that end, it is the policy of this department to discover and correct organizational conditions, which permit the misconduct to occur. Special emphasis is placed on recruitment, selection and training of officers and supervisors, community outreach, and the analysis of misconduct complaints and their outcome.

It is the policy of this department that each officer shall be provided ready access to an official, agency-written manual, which contains specific directions for conducting all aspects of police work. Categories of misconduct shall be clearly described and defined, and the disciplinary process shall be thoroughly explained in the manual.

While this department is responsible for conducting all aspects of an allegation of misconduct against a member of their agency and for managing their Internal Affairs/Professional Standards function, there are occasions and exceptions as to when the MCPO may provide oversight of or take the lead in a particular investigation or of the entire Internal Affairs/Professional Standards process when required/requested.

## **PROCEDURES**

### **1.0 INTERNAL AFFAIRS UNIT**

A. The Internal Affairs Responsibility is herein defined. The unit shall consist of those members of the department as shall be assigned the Internal Affairs function by the Chief of Police. Personnel assigned to the Internal Affairs function shall serve at the pleasure of and are directly responsible to the Chief of Police or designated Internal Affairs Commander.

1. The goal of the Internal Affairs is to ensure that the integrity of the department is maintained through a system of internal discipline where

fairness and justice are assured by objective, impartial investigation and review.

## B. Duties and Responsibilities

1. The Internal Affairs Unit is responsible for the investigation and review of all allegations of misconduct by members of this department.
  - a. Misconduct is defined as:
    - 1) Commission of a crime or an offense; or,
    - 2) Violations of departmental rules and regulations; or,
    - 3) Conduct, which adversely reflects upon the officer or the department.
2. In addition to investigations concerning allegations of misconduct, Internal Affairs shall be responsible for the coordination of investigations involving the discharge of firearms by department personnel.
3. Internal Affairs shall be responsible for any other investigation as directed by the Chief of Police.
4. Internal Affairs officers may conduct an internal affairs investigation on their own initiative upon notice to, or at the direction of the Chief of Police.
5. Internal Affairs may refer investigations to the employee's supervisor for action as outlined under 5.0 of this policy.
6. Internal affairs members or officers temporarily assigned to that function shall have the authority to interview any member of the department and to review any record or report of the department relative to their assignment. Requests from Internal Affairs personnel, in furtherance of their duties and responsibilities, shall be given full cooperation and compliance as though the requests came directly from the Chief of Police. Members assigned to the Internal Affairs Unit or function come under the direct authority of the Chief of Police, reporting directly to the Chief of Police through the Internal Affairs chain of command.
7. The Internal Affairs Unit or an officer designated by the Chief of Police shall maintain a comprehensive central file on all complaints received by this department whether investigated by Internal Affairs or assigned to the officer's supervisors for investigation and disposition.

8. The Internal Affairs Unit shall prepare quarterly reports that summarize the nature and disposition of all misconduct complaints received by the agency for submission to the Chief of Police.
9. Copies of the internal affairs report shall be distributed to all command and supervisory personnel, the county prosecutor's office, as well as a designated representative of the collective bargaining unit. Recommendations shall be made for corrective actions for any developing patterns of abuse.
10. An annual report summarizing the types of complaints received and the dispositions of the complaints should be made available to members of the public. The names of complainants and accused officers shall not be published in this report.

## **2.0 ACCEPTING REPORTS ALLEGING OFFICER MISCONDUCT**

- A. All department personnel are directed to accept reports of officer misconduct from all persons who wish to file a complaint regardless of the hour or day of the week. Citizens are to be encouraged to submit their complaints in person as soon after the incident as possible. If the complainant cannot file the report in person, a department representative (except in minor complaints) shall visit the individual at his or her home, place of business or at another location in order to complete the report.

NOTE: Reports should be accepted by supervisory personnel whenever possible. However, if no supervisory personnel are available, complaints should be accepted by any police officer. At no time should a complainant be told to return in order to report a complaint regarding police officer conduct.

- B. Complainants shall be referred to the Internal Affairs Unit if an officer is immediately available.
- C. If an Internal Affairs officer is not immediately available, all supervisory personnel are directed to accept the report of officer misconduct.
- D. If an Internal Affairs officer and a supervisor are not available, any police officer shall accept the complaint.
- E. The officer receiving the complaint will:
  1. Provide the person making the complaint with a fact sheet, which explains the department's disciplinary procedures and advise the complainant that they will be kept informed of the status of the complaint and its ultimate disposition. (I.A. Form 01)

2. Complete the Internal Affairs Report Form according to the instruction provided. (I.A. Form 02)
  3. Have the complainant sign the form immediately after the narrative.
- F. All department personnel are directed to accept reports of officer misconduct from anonymous sources. If the anonymous complainant is talking to an officer, the officer should encourage him to submit his complaint in person. In any case, the complaint will be accepted.
1. In the case of an anonymous complaint, the officer accepting the complaint shall complete as much of the Internal Affairs Report Forms he can with the information provided.

G. Complaints shall be handled as follows:

1. All complaints will be forwarded to the Internal Affairs Unit for screening and entry into the record keeping system.
2. Complaints of differential treatment, demeanor and minor rule infractions shall be forwarded to the division commander of the accused officer
3. All other complaints shall be retained by or forwarded to the Internal affairs Unit, including complaints of:
  - a. **Criminal activity:**
    - 1) This department shall immediately notify the MCPO of any allegation involving criminal wrongdoing by a law enforcement officer that may lead to charges of an indictable nature.
    - 2) In the event that further information is developed indicating other crimes of an indictable nature may be involved, the MCPO Professional Standards Unit shall be apprised immediately of these new developments.
    - 3) **CRIMINAL:** If, based upon the file review, criminal chargers are deemed warranted, any and all further Monroe Township Police Department (MTPD) investigative actions related to administrative charges shall remain on hold pending the resolution of the criminal matter. In those cases where the nature and seriousness of the allegations warrant, the MCPO could, upon initial notification of the charges by the MTPD, assume immediate responsibility for the investigation, by-passing the normal protocol. The degree of involvement in the investigation by the MTPD Internal Affairs officer(s), if any, would be determined by the MCPO. (NOTE: the 45-day rule pursuant to N.J.S.A

40A:14-147 applies on the day after the agency receives notice that the MCPO has closed/disposed of its criminal investigation in any Internal Affairs referral.

- 4) **NON-CRIMINAL:** If it is determined that no criminal charges are warranted, the MTPD will receive a letter from the MCPO confirming the date of the MCPO disposition/closing. If the MCPO concludes from its review of all the facts and circumstances that MTPD driven administrative charges are warranted, the letter will so indicate. Additionally, based upon the facts of the case as well as any prior disciplinary history involving the officer, the MCPO may recommend specific agency sanctions up to and including termination, training, counseling, or any other corrective measures that may be deemed appropriate. Notwithstanding any such recommendations for charges and/or sanctions, the MCPO recognizes that the ultimate authority for such determinations rests with the “appropriate authority” as defined in Title 40A and, based on an historical view, the MCPO anticipates that the majority of administrative referrals going forward will not warrant recommendations regarding charges of discipline. But in all cases, the MTPD will be required to advise the MCPO in a timely manner as to the disposition of the investigation as well as the discipline imposed if the officer was found to have violated agency rules, regulations and/or policies. This information will be evaluated by the MCPO as it carries out its mandate to oversee the internal affairs function of the local departments and determine whether each unit is in compliance with the A.G.’s Internal Affairs Policy and Procedure and MCPO Directives.

a. **Non-Indictable Matters:**

Immediate notification to MCPO Professional Standards is required for acts of a non-indictable nature (disorderly persons, petty disorderly offenses, driving under the influence, etc.) that results in the arrest of an officer (on or off duty). Additionally, such occurrences shall be included in Quarterly and Annual Professional Standards Summary Report.

b. **Excessive force:**

- 1) Upon receipt of any and all such complaints by the Internal Affairs Unit, the agency MUST notify the designated MCPO Professional Standards officer within twenty-four (24) hours of receipt of said complaint.

- 2) A Copy of the complaint, along with a copy of a completed "MCPO Review of Excessive Force/Other Criminal Violations" form, must also be faxed or hand-delivered.
- 3) Additionally, a complete copy of all prior internal affairs investigations for the subject officer must accompany the pending matter. This shall include any and all past internal affairs investigations involving the subject officer regardless of the allegations and prior findings. These records shall include but not be limited to: complaints, investigative reports and dispositions.
  - c. **Improper or unjust arrest;**
  - d. **Improper or excessive entry;**
  - e. **Improper or unjustified search;**
  - f. **Serious complaint of differential treatment or demeanor;**
  - g. **Serious rule infractions;**
  - h. **Repeated minor rule infractions.**

### **3.0 SUSPENSION PENDING DISPOSITION OR INVESTIGATION**

- A. A supervisor, commander or chief may immediately suspend an officer from duty if they determine that one of the following conditions exists:
  1. The employee is unfit for duty; or
  2. The employee is a hazard to any person if permitted to remain on the job; or
  3. An immediate suspension is necessary to maintain safety, health, order or effective direction of public services; or
  4. The employee has been formally charged with a crime of the first, second or third degree, or a crime of the fourth degree on the job or directly related to the job.
- B. The supervisor imposing the immediate suspension must:
  1. Advise the employee in writing of why an immediate suspension is sought and the charges and general evidence in support of the charges; (I.A. Form 06)
    - a. If the employee refuses to accept the written notification of immediate suspension, it shall be given to a representative of the employee's bargaining collective bargaining unit.
  2. Provide the employee with sufficient opportunity to review the charges and the evidence and to respond either orally or in writing;

3. Advise his immediate supervisor in writing of the suspension and the facts and circumstances requiring suspension.
- C. Within five days of the suspension, the department must complete and file formal charges against the suspended employee. (I.A. Form 05)

#### **4.0 ADMINISTRATIVE REASSIGNMENT**

- A. In cases involving the use of force, which results in death or serious bodily injury, the officer shall be reassigned to administrative duty pending the outcome of the investigation, unless the officer is suspended as discussed above.
- B. This reassignment is subject to change by the Chief of Police.

#### **5.0 INVESTIGATION AND ADJUDICATION OF MINOR COMPLAINTS**

- A. Complaints of differential treatment, demeanor and all minor rule infractions shall be forwarded to the accused officer's commanding officer. The commanding officer shall investigate the allegation of misconduct.
- B. The supervisor investigating the complaint shall interview the complainant, all witnesses and the accused officer, as well as review relevant reports, activity sheets, or dispatcher forms. The supervisor shall then submit a report to the commanding officer summarizing the matter, indicating the appropriate disposition. Possible dispositions include the following:
1. EXONERATED: The alleged incident did occur, but the actions of the officer were justified, legal and proper.
  2. SUSTAINED: The investigation disclosed sufficient evidence to prove the allegation.
  3. NOT SUSTAINED: The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation.
  4. UNFOUNDED:
    - a. The alleged incident did not occur; or
    - b. There is insufficient information to conduct a meaningful investigation.

NOTE: In some cases, the complainant may withdraw the complaint or refuse to cooperate with the investigation or the officer resigns or passes away prior to the conclusion of the investigation. Despite any of these obstacles, investigations that have been initiated into alleged officer



misconduct shall continue to its logical conclusion and the case assigned to the appropriate category as described above.

- C. If the complaint is sustained, the commanding officer shall determine the appropriate disciplinary action. If the action is no more than a written reprimand, a summary of the complaint and notification of the disciplinary action taken shall be forwarded to Internal Affairs. If, however, the commander determines that the matter is of a serious nature it should be forwarded to Internal Affairs for further investigation.
- D. If the accused officer's supervisor determines the disposition of the complaint is unfounded, not sustained or exonerated, and the commanding officer concurs, the investigating report is to be forwarded to Internal Affairs for review, and entry in the index file and filing.
- E. In all cases, a letter shall be sent to the complainant by the commanding officer explaining the outcome of the investigation. If the allegation was unfounded or the officer was exonerated, this conclusion shall be stated and defined for the civilian complainant. If the allegation was not sustained, the letter shall provide the complainant with a brief explanation why the complaint was not sustained (e.g., insufficient proof, lack of witnesses, etc.) If the allegation was sustained and discipline was imposed, the letter shall simply state that the allegation was sustained and that the officer has been disciplined according to department procedures. The discipline imposed will not be specified in the letter sent to the complainant. (See sample response letters with Internal Affairs Forms)
- F. Initiation of disciplinary action for minor complaints.
  - 1. Performance notice
    - a. When a performance notice is given, the officer or employee shall be advised that the supervisor or superior officer is giving an oral reprimand and that the performance notice (a necessary record for progressive discipline) will be completed and forwarded to the division commander. (I.A. Form 04)
    - b. The supervisor or superior officer giving the reprimand shall complete a performance notice in triplicate, retaining one copy and forwarding the original to the division commander for review. The third copy shall be given to the officer or employee being disciplined.
    - c. The commanding officer shall review the report and, in writing, either approve or disapprove the report and the action taken. If disapproved, the commander shall provide recommendations as to what action, if any, be taken by the supervisor.

- d. Upon final approval, the report shall be forwarded to the Internal Affairs Unit and permanently placed in the officer or employee's personnel file.

2. Written reprimands

- a. When a written reprimand is given, the supervisor or commanding officer giving such reprimand shall advise the subject officer of such and shall complete a written reprimand report in triplicate.
- b. One copy of the written reprimand report is to be provided to or retained by the officer's supervisor and one copy of the report is to be provided to the officer employee being disciplined. The original report together with any supporting documentation shall be provided to the commanding officer for review.
- c. The commanding officer shall review the report and, in writing, either approve or disapprove the report. If disapproved, the commanding officer shall direct what action, if any, be taken.
- d. Upon final approval, the report shall be forwarded to the Internal Affairs Unit and permanently placed in the officer or employee's personnel file.

**6.0 INVESTIGATION AND ADJUDICATION OF SERIOUS COMPLAINTS**

- A. The supervisor or commanding officer initiating such action shall complete a "Recommendation for Internal Affairs Investigation Form". (I.A. Form 03) Upon completion, the form, together with any supporting documentation, shall be forwarded through the chain of command to Internal Affairs.
- B. The Internal Affairs commander or Chief of Police shall direct such further investigation by the original investigating officer or Internal Affairs as deemed appropriate.
- C. In cases not involving allegations of criminal conduct, the accused officer shall be notified of the complaint once preliminary investigative data has been gathered. Internal Affairs shall serve the suspect officer with the Internal Affairs Investigation Officer Notification Form unless the nature of the investigation requires secrecy.
- D. The Internal Affairs investigator shall interview the complainant, all witnesses and the accused officer, as well as review relevant reports, activity sheets, and dispatcher forms and obtain necessary information and materials, such as:

1. Physical evidence.
  2. Statements or interviews from all witnesses.
  3. Statements or interviews from all parties of specialized interest, such as doctors, employers, lawyers, teachers, legal advisors, parents, etc.
  4. Investigative aids, such as the various reports, activity sheets, complaint cards, and dispatcher forms.
- E. Where preliminary investigative data indicates the possibility of a criminal act on the part of the accused officer, the MCPO Professional Standards Unit shall be notified immediately. No further action shall be taken, including the filing of charges against the officer, until directed by the MCPO Professional Standards Unit.
- F. Interviewing the subject officer
1. The Internal Affairs investigator shall schedule an interview with the officer.
  2. One person of the officer's choosing may attend the interview session.
    - a. In investigations of criminal allegations, it may be inappropriate for a union representative to be present. However, the officer shall be given the opportunity to consult with a union representative.
  3. Before questioning begins, inform the subject officer of:
    - a. The nature of the complaint,
    - b. The name of the person in charge of the investigation, and the names of all persons who will be present during questioning.
  4. Questioning sessions may be audio or video recorded.
  5. If at any time during the questioning session the officer becomes a suspect in a criminal act, the officer shall be so informed and the questioning shall end. Promptly refer the case to the County Prosecutor.
- G. Upon completion of all possible avenues of inquiry the Internal Affairs investigator shall submit a report to the Internal Affairs commanding officer summarizing the matter indicating the appropriate disposition. Possible dispositions, as defined in 5.0 B of this policy, include the following:
1. Exonerated,

2. Sustained,
  3. Not sustained,
  4. Unfounded.
- H. Complete the Internal Affairs Investigation Disposition Recommendation Form. Forward the completed form through each level of the Internal Affairs chain of command for review. Each level may provide written recommendations and comment for consideration by the Chief of Police.
- I. Internal Affairs or the Chief of Police, upon completion of the review of the report, supporting documentation and information gathered during any supplemental investigation, shall direct whatever action is deemed appropriate.
- J. Upon completion of its investigation with a finding of exonerated, not sustained, or unfounded, Internal affairs shall notify the subject officer of the investigation (if not previously notified) and of the recommended disposition.
- K. If the complaint is sustained and it is determined that formal charges should be preferred, the Chief of Police shall direct either the commanding officer, supervisor or Internal Affairs to prepare, sign, and serve charges upon the accused officer or employee.
- L. The division commander, supervisor or Internal Affairs, as directed, shall prepare the formal notice of charges and hearing on the Charging Form. (I.A. Form 05) Such notice shall be prepared and served upon the officer charged in accordance with N.J.S.A. 40A:14-147 Et Seq.
- M. The notice of charges and hearing shall direct that the officer charged must enter a plea of guilty or not guilty, in writing, on or before the date set forth in the notice for entry of plea. Such date for entry of plea shall be set within a reasonable time, at least five days after the date of service of the charges.
- N. If the officer charged enters a plea of guilty, the Chief of Police shall permit the officer to present factors in mitigation prior to assessing a penalty.
- O. Conclusions of fact and the penalty imposed will be noted in the officer's personnel file after he has been given an opportunity to read and sign it. Internal Affairs will cause the penalty to be carried out and complete all required forms.

## **7.0 HEARING**

- A. Upon written notice of a request for a hearing from the accused police officer the Chief of Police will set the date for the hearing within a reasonable time and arrange for the hearing of the charges.

- B. Internal affairs shall be responsible for or assist the assigned commander or prosecutor in the preparation of the department's prosecution of the charges. This includes proper notification of all witnesses and preparing all documentary and physical evidence presentation at the hearing.
- C. The hearing shall be held before the appropriate authority or the appropriate authority's designee.
- D. The hearing authority should be empowered to sustain, modify in whole or in part, or dismiss the charges stated in the complaint. The decision of the hearing authority should be in writing and should be accompanied by findings of fact for each issue in the case.
- E. The hearing authority should fix any of the following punishments, which it deems appropriate under the circumstances.
  - 1. Counseling
  - 2. Performance notice
  - 3. Letter of reprimand
  - 4. Loss of vacation time
  - 5. Imposition of extra duty
  - 6. Monetary fine
  - 7. Transfer/reassignment
  - 8. Suspension without pay
  - 9. Loss of promotion opportunity
  - 10. Demotion
  - 11. Discharge from employment
- F. A copy of the decision or order and accompanying finding and conclusions should be delivered to the officer or employee who was the subject of the hearing and to the Chief of Police if he was not the hearing authority.
- G. Upon completion of the hearing Internal Affairs will complete all required forms including the entry of the disposition in the index file.
- H. If the charges were sustained Internal Affairs will cause the penalty to be carried out. The report shall be permanently placed in the officer's or employee's personnel file.

## 8.0 CONFIDENTIALITY

- A. The progress of internal affairs investigation and all supporting materials are considered confidential information.

- B. Upon completing a case, Internal Affairs will enter the disposition in the index file.
- C. The contents of internal investigation case files will be retained in the Internal Affairs Unit. The files shall be clearly marked as confidential.
- D. Only the Chief of Police or his designee is empowered to release publicly the details of an internal investigation or disciplinary action.
- E. The subject officer may authorize the release of copies of formal disciplinary charges and their outcome to any third party.
- F. All disciplinary hearings shall be closed to the public unless the defendant officer requests an open hearing.

## **9.0 EARLY WARNING SYSTEM**

- A. An Early Warning System will monitor the many different categories of officer conduct which indicate potentially escalating risk of harm to the public, the agency, and/or the officer.
- B. The following performance indicators will be tracked:
  - 1. Internal affairs complaints against the officer, whether initiated by another officer or by a member of the public;
  - 2. Civil actions filed against the officer;
  - 3. Criminal investigations of or criminal complaints against the officer;
  - 4. Any use of force by the officer that is formally determined or adjudicated (for example, by internal affairs or a grand jury) to have been excessive, unjustified, or unreasonable;
  - 5. Domestic violence investigations in which the officer is an alleged subject;
  - 6. An arrest of the officer, including on a driving under the influence charge;
  - 7. Sexual harassment claims against the officer;
  - 8. Vehicular collisions involving the officer that are formally determined to have been the fault of the officer;
  - 9. Cases or arrests by the officer that are rejected or dismissed by a court;
  - 10. Cases in which evidence obtained by an officer is suppressed by a court;
  - 11. Insubordination by the officer;
  - 12. Neglect of duty by the officer;
  - 13. Unexcused absences by the officer; and
  - 14. Any other indicators, as determined by the Chief of Police.
- C. Three separate instances of performance indicators (as listed in section B, above) within a twelve-month period will trigger the early warning system review process. If one incident triggers multiple performance indicators, that incident shall not be double-, or triple-counted, but instead shall count as only one performance indicator.

- D. The Internal Affairs Unit shall conduct the early warning system function.
- E. At least every six months the Internal affairs Unit shall audit the tracking system and records to assess the accuracy and efficacy of the tracking system.
- F. Once an officer has displayed the requisite number of performance indicators necessary to trigger the early warning system review process (as set forth in section C, above) the Internal Affairs Unit shall initiate remedial action to address the officer's behavior. Internal Affairs shall:
1. Formally notify the subject officer, in writing;
  2. Conference with the subject officer and appropriate supervisory personnel;
  3. Develop and administer a remedial program including the appropriate remedial/corrective actions listed below;
  4. Continue to monitor the subject officer for at least three months, or until the supervisor concludes that the officer's behavior has been remediated (whichever is longer);
  5. Document and report findings to the appropriate supervisory personnel
- G. Remedial/corrective action may include but is not limited to the following:
1. Training or re-training;
  2. Counseling;
  3. Intensive supervision;
  4. Fitness-for-duty examination;
  5. Employee Assistance Program referral; and
  6. Any other appropriate remedial or corrective action
- H. Any statement made by the subject officer in connection with the early warning system review process may not be used against the subject officer in any disciplinary or other proceeding.
- I. If the early warning system notification to the officer could jeopardize an ongoing criminal investigation, the Middlesex County Prosecutor may in his or her discretion permit delayed notification to the officer or delayed initiation of the early warning system review process.
- J. If an officer who is or has been subject to an early warning system review process applies to or accepts employment at a different law enforcement agency it is the responsibility of the Monroe Township Police Department to notify the subsequent employing law enforcement agency of the officer's early warning system review process history and outcomes. Upon request, the Monroe Township Police Department shall share the officer's early warning system review process files with the subsequent employing agency.

- K. Upon initiation of the early warning system review process, the Chief of Police or designee shall make a confidential written notification to the Middlesex County Prosecutor or designee of the identity of the subject officer, the nature of the triggering performance indicators, and the planned remedial program.
- L. Upon completion of the early warning system review process the Chief of Police shall make a confidential written notification to the Middlesex Count Prosecutor or designee of the outcome of the early warning system review, including any remedial measures taken on behalf of the subject officer.
- M. The early warning system policy adopted by the Monroe Township Police Department shall be made available to the public upon request and shall be posted on the Monroe Township Police Department's website.
- N. All written reports created or submitted pursuant to the early warning system that identify specific officers are confidential and not subject to public disclosure.



MONROE TOWNSHIP POLICE DEPARTMENT

INTERNAL AFFAIRS FORMS

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| IA FORM 01 | CITIZEN COMPLAINT INFORMATION FORM                            |
| IA FORM 02 | INTERNAL AFFAIRS REPORT FORM                                  |
| IA FORM 03 | INTERNAL AFFAIRS INVESTIGATION DISPOSITION<br>RECOMMENDATIONS |
| IA FORM 04 | PERFORMANCE NOTICE  |
| IA FORM 05 | CHARGING FORM   |
| IA FORM 06 | NOTICE OF IMMEDIATE SUSPENSION                                |
| IA FORM 07 | PRE-INTERVIEW ADVISEMENT FORM                                 |
| IA FORM 08 | USE IMMUNITY GRANT ADVISEMENT FORM                            |
| IA FORM 09 | HEARING REFUSAL FORM  |
| IA FORM 10 | REVIEW OF EXCESSIVE FORCE/OTHER CRIMINAL<br>VIOLATIONS FORM   |