

Complaints against a municipal, county or state law enforcement officer made directly to the Prosecutor's Office may be sent to the appropriate Chief of Police, Sheriff/Warden or Officer in Charge for internal affairs investigation.

A. Mandatory Notifications to Complainants

To promote transparency, bolster credibility, and improve relationships between law enforcement and the community, the New Jersey Attorney General has modified the "Internal Affairs Policy and Procedures" (November 17, 2017) to include: Mandatory Notification to Complainant.

Specifically, the internal affairs investigator must advise the complainant (if the identity of the complainant is known) of the status of his or her complaint, if requested, and, upon completion of the investigation, of the ultimate disposition of the complaint. Notifications are mandatory and are as follows:

The internal affairs investigator, supervisor, or other officer receiving the complaint will explain the department's disciplinary procedures to the person making the complaint. The officer shall advise the complainant that he or she will be kept informed of the status of the complaint, if requested, and its ultimate disposition. (Underline added to show revisions.)

[Attorney General Internal Affairs Policy and Procedures, at 14 (rev. July 2014).]

Requirement 5 is amended to read:

A letter shall be sent to the complainant 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. It is not necessary to specify the discipline imposed. (Underline added to show revisions.)

[Attorney General Internal Affairs Policy and Procedures, at 20 (rev. July 2014).]

Under the section entitled "Investigation and Adjudication of Serious Complaints," paragraph 17 of requirement 6 is amended to read:

In all cases, a letter shall be sent to the complainant 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. It is not necessary to specify the discipline imposed. (Underline added to show revisions.)

[Attorney General Internal Affairs Policy and Procedures, at 22 (rev. July 2014).]

By the authority granted to me as the Chief Law Enforcement Officer in Atlantic County, effective immediately, all municipal, county and state law enforcement agencies are to adopt and comply with New Jersey Attorney General Law Enforcement Directive No. 2017-02 ([AX-01229-17](#)). Samples of: Citizen Complaint Information Sheets, Response Letters and Public Synopsis of Disciplinary Actions can be found in the appendices of New Jersey Attorney General's Internal Affairs Policy and Procedures ([AX-01230-17](#)).

Law enforcement officers should be aware that the Office of the Attorney General ("OAG") has advised the public that, if a complainant has not received appropriate notification pursuant to this Directive, the complainant first must contact the local police department handling the complaint. After taking that step, if the issue is unresolved, the complainant may call the county prosecutor's office overseeing that police department. Then, if the issue remains unresolved, the complainant may contact the Office of the Attorney General at 1 (833)-4-SAFENJ or at www.safestopnj.com. OAG will provide an update on the status of the complaint within 30 days of receipt of the complaint.

B. Internal Affairs Annual Report

An internal affairs summary report will be completed and filed with the Atlantic County Prosecutor's Office each year. The attached Professional Standards Summary Report Form, Tables 1, 2, and 3 (Appendix B) shall be completed and filed with the Prosecutor's Office Internal Affairs Unit no later than January 30 of the new year summarizing internal affairs complaints and dispositions for the preceding calendar year.

C. Internal Affairs Quarterly Report and Case Tracking

Effective immediately, all municipal, county and state law enforcement agencies shall prepare and file quarterly reports summarizing the nature and disposition of all internal affairs complaints received by the agency. At the end of each calendar quarter of the current year (March 31, June 30, September 30 and December 31), the Quarterly Internal Affairs Case Index (Appendix C) shall be completed for each internal complaint that was initiated during that quarter. If no complaints were initiated, check the block for "No Internal Complaints for Reporting Quarter". The reports will be filed with the agency's law enforcement executive and the Prosecutor's Office Internal Affairs Unit no later than 30 days after the close of the preceding quarter.

The following dispositions/matters shall be reported to the Chief of County Detectives no later than the next business day:

1. A finding that a police officer has filed a false report or submitted a false certification in any criminal, administrative, employment, financial or insurance matter in his or her professional or personal life.¹
2. A pending court complaint or conviction for any criminal, disorderly persons, petty disorderly persons, municipal ordinance or driving while intoxicated matter.

¹ This provision is not intended to require that law enforcement agencies initiate internal affairs investigations into the accuracy of every statement, report or certification that may be filed with respect to civil litigation including matrimonial and employment matters or any other personal or financial matters not directly related to the officer's employment. In most cases, such investigations would be inappropriate. Determinations as to the credibility of statements or certifications made in the context of litigation should be made by the courts or administrative tribunals. Determinations as to the credibility of statements or certifications in other personal or financial matters should be addressed if they arise in the context of an ongoing internal affairs investigation.

3. A finding or other information that undermines a police officer's educational or professional qualifications as an expert witness.
4. A finding of fact by a judicial or administrative authority that a police officer intentionally did not tell the truth in a matter.
5. A sustained finding that a police officer intentionally mishandled or destroyed evidence.
6. A sustained finding that a police officer is biased against a particular gender or ethnic group.

D. Yearly Administrative Review of Reportable Dispositions / Matters

Effective immediately all Atlantic County law enforcement agencies shall conduct an administrative review of **all** officers having prior dispositions / matters reported to Prosecutor's Office under Section II, Paragraph C, (1-6) to determine the officer's status. If the officer's status has changed or changes, notification should be reported to the Chief of County Detectives via IA@acpo.org. On a yearly basis, starting this year, agencies will conduct an annual review of said officers for the purposes of determining their continued status. Verification of this review will be memorialized on a signed confidential memorandum from the Chief Executive of the reporting agency to the Chief of County Detectives via IA@acpo.org. Memorandums will be forwarded to the Chief of County Detectives no later than January 30th after the reporting year.

APPENDIX A – Page 1

Clear All Fields			Print Form		
ATLANTIC COUNTY PROSECUTOR'S OFFICE INTERNAL AFFAIRS INITIAL COMPLAINT					
DEPARTMENT			DEPARTMENT CASE #		
DATE OF COMPLAINT		TIME OF COMPLAINT	SOURCE	AGENCY	
1. NAME OF COMPLAINANT				<input type="checkbox"/> VISITOR	<input type="checkbox"/> RESIDENT
ADDRESS (Number, Street, City, State, Zip Code)					
PHONE #	DOB	AGE	SSN	RACE	SEX
EMPLOYER/SCHOOL				PHONE #	
ADDRESS (Number, Street, City, State, Zip Code)					
2. NAME OF COMPLAINANT				<input type="checkbox"/> VISITOR	<input type="checkbox"/> RESIDENT
ADDRESS (Number, Street, City, State, Zip Code)					
PHONE #	DOB	AGE	SSN	RACE	SEX
EMPLOYER/SCHOOL				PHONE #	
ADDRESS (Number, Street, City, State, Zip Code)					
SOURCE OF COMPLAINT					
1. OFFICER'S NAME		RANK	YEARS OF SERVICE	ALLEGATION	
BADGE #	DOB	ON DUTY	RACE	SEX	
2. OFFICER'S NAME		RANK	YEARS OF SERVICE	ALLEGATION	
BADGE #	DOB	ON DUTY	RACE	SEX	
3. OFFICER'S NAME		RANK	YEARS OF SERVICE	ALLEGATION	
BADGE #	DOB	ON DUTY	RACE	SEX	
4. OFFICER'S NAME		RANK	YEARS OF SERVICE	ALLEGATION	
BADGE #	DOB	ON DUTY	RACE	SEX	
SUPERVISOR OF SUSPECT OFFICER(S)				RANK	
DATE OF INCIDENT		TIME OF INCIDENT	LOCATION OF INCIDENT		
SUMMARY OF COMPLAINT					
<input type="checkbox"/> FAXED TO (609)909-7803	<input type="checkbox"/> EMAILED TO IA@ACPO.ORG		FORWARDED TO ATLANTIC COUNTY PROSECUTOR'S OFFICE CHIEF DAREN J. DOOLEY		

APPENDIX B PAGE 1

PROFESSIONAL STANDARDS SUMMARY REPORT FORM

Agency: _____

County: ATLANTIC

Reporting Year: _____

TABLE 1 – COMPLAINTS FILED

TYPE OF COMPLAINT	ANONYMOUS COMPLAINTS	CITIZEN COMPLAINTS	AGENCY COMPLAINTS	TOTAL COMPLAINTS
EXCESSIVE FORCE				
IMPROPER ARREST				
IMPROPER ENTRY				
IMPROPER SEARCH				
OTHER CRIMINAL VIOLATION				
DIFFERENTIAL TREATMENT				
DEMEANOR				
DOMESTIC VIOLENCE				
OTHER RULE VIOLATION				
TOTAL				

PROFESSIONAL STANDARDS SUMMARY REPORT FORM

Agency: _____

County: ATLANTIC

Reporting Year: _____

TABLE 2 – AGENCY DISPOSITIONS

	SUSTAINED	EXONERATED	NOT SUSTAINED	UNFOUNDED	ADMINISTRATIVELY CLOSED	TOTAL DISPOSITIONS
EXCESSIVE FORCE						
IMPROPER ARREST						
IMPROPER ENTRY						
IMPROPER SEARCH						
OTHER CRIMINAL VIOLATION						
DIFFERENTIAL TREATMENT						
DEMEANOR						
DOMESTIC VIOLENCE						
OTHER RULE VIOLATION						
TOTAL						

PROFESSIONAL STANDARDS SUMMARY REPORT FORM

Agency: _____

County: ATLANTIC

Reporting Year: _____

TABLE 3 – COURT DISPOSITIONS

COURT	CASES DISMISSED	CASES DIVERTED	ACQUITTALS	CONVICTIONS
MUNICIPAL COURT				
SUPERIOR COURT				
TOTAL				

APPENDIX C

ATLANTIC COUNTY PROSECUTOR'S OFFICE INTERNAL AFFAIRS QUARTERLY REPORT FORM

Clear Form

Reporting Police Agency: _____ Report Completed By: _____

Reporting Quarter: _____ Year: _____

_____ Check here if there are no internal Complaints for Reporting Quarter

(Place a check mark in appropriate type of complaint box below for the most serious offense)

OFFICER'S NAME	DATE OF COMPLAINT	COMPLAINANTS NAME	AGE	SEX	RACE	RESIDENT VISITOR	EXCESSIVE FORCE	IMPROPER ARREST	IMPROPER ENTRY	IMPROPER SEARCH	DIFFERENTIAL TREATMENT	DEMEANOR	OTHER RULE VIOLATION	OTHER CRIMINAL VIOLATION	SELECT A DISPOSITION