



**NORTH HANOVER TOWNSHIP  
POLICE DEPARTMENT**

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**CHIEF OF POLICE  
BUDD WELLS**

Effective Date: 02-10-13	Revised Date: 11-01-16, 08-01-18	Number: SOP #26
Subject: Internal Affairs		
Special Instructions: Further reference in N.H.P.D., S.O.P. # 27 Employee Drug Testing and S.O.P. #58 Early Warning Employee Conduct Monitoring System.		

**I. Purpose**

The North Hanover Township Police Department is committed to providing law enforcement services that are fair, effective, and impartially applied. To that end, all officers are held to the highest standards of official conduct and are expected to respect the rights of all citizens. Officer's 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 Police Department is dependent upon public approval and acceptance of law enforcement authority. The Police 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 law enforcement 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 law enforcement agency. Improving the relationship between the officers and the citizens they serve facilitates cooperation vital to the Department's ability to achieve its goals.

An effective disciplinary framework also permits law enforcement managers to monitor officer's compliance with Department policies and procedures. Adherence to established policies and procedures assists officers in meeting the Department's 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 internal affairs process should also be used to identify and correct unclear or in appropriate Department procedures. In addition it will highlight organizational conditions that may contribute to any misconduct, such as poor recruitment and selection procedures or in adequate training and supervision of officers.

## **II. Policy**

It is the policy of the North Hanover Township Police Department to accept and investigate all complaints of alleged officer misconduct or wrongdoing from any citizen or Department employee. All allegations of officer misconduct shall be thoroughly and objectively investigated to their logical conclusion.

Following a thorough and impartial examination of the available factual information, the officer shall be either 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 actions 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 a 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 subject officer or any other law enforcement officer, and show proper respect to all members of the public. Accordingly, all supervisors and any other officers who may be called upon to do an internal affairs investigation must be thoroughly familiar with the Department's internal affairs policy.

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 one official agency written manual, which contains specific directions for conducting all aspects of law enforcement work. Categories of misconduct shall be clearly described and defined, and the disciplinary process shall be thoroughly explained in the manual.

### **III. Procedure**

- A. The Chief of Police bears ultimate responsibility for the internal affairs function. The authority for administering the internal affairs function and conducting internal affairs investigations may be delegated to a sworn member of the Department. The Chief of Police has delegated this authority to the Department Chief Executive Officer and is hereafter referred in this document as the Internal Affairs Officer.**
- B. The goal of 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.**
1. The Chief of Police may assign other members of the Department to the internal affairs function on a temporary basis, or direct a member not formally assigned to conduct an internal affairs investigation.
  2. The Internal Affairs Officer, or member(s) conducting internal affairs investigations do so at his personal direction and will report directly to the Chief of Police through an internal affairs chain of command.
  3. Upon assignment to the Internal Affairs function, the Internal Affairs Officer shall receive training consistent with the requirements of the New Jersey Division of Criminal Justice, as directed in the most recent revision of the New Jersey Attorney General's Directive on Internal Affairs Policy and Procedures.
    - a. The Internal Affairs Officer will receive such training within one year of the date of such assignment.
    - b. The Internal Affairs Officer will continue to receive additional training consistent with the requirements of the above indicated documents.
- C. Internal Affairs Officer Duties and Responsibilities**
1. The Internal Affairs Officer is responsible for investigating and reviewing all allegations of misconduct made against members of the Department. Misconduct is defined as: but may not be limited to;
    - a. Commission of a crime or offense
    - b. Violation of SOP, rule, or regulation
    - c. Conduct which reflects negatively on the officer or the department.
  2. The Internal Affairs Officer may conduct an internal affairs investigation on his own initiative upon notice to, or at the direction of the Chief of Police.

3. The Internal Affairs Officer will investigate any allegation of the illegal, improper, or inappropriate discharge of firearms by Department members and any incident in which an officer discharges a firearm in the performance of his duties.
  - a. The Burlington County Prosecutor's Office shall be immediately notified of any investigation of a member of the Department involving the discharge of a firearm. Any participation in the investigation will be at the Prosecutor's discretion.
  - b. The Office of the New Jersey Attorney General shall further be immediately notified in any discharge of a firearm by a Department member that resulted in injury or a death.
  - c. The Burlington County Prosecutor's Office shall be immediately notified of any investigation of a member of the Department involving the use of force, which resulted in serious bodily injury or death.
4. The Internal Affairs Officer will investigate any motor vehicle collision involving department vehicles or members of the department involved in a motor vehicle collision while on duty.
  - a. The Burlington County Prosecutor's Office shall be immediately notified of any investigation of a member of the Department involving a motor vehicle collision while on duty or involving a Department vehicle, that involves injury or death. Any participation in the investigation will be at the Prosecutor's discretion.
5. The Internal Affairs Officer will be responsible for conducting other investigations that may or may not fall within the normal scope of the Officer's responsibilities when so directed by the Chief of Police.
6. The Internal Affairs Officer may refer demeanor and minor rule infractions to a member's immediate supervisor for investigation and action. The Internal Affairs Officer will be responsible for reviewing the investigation and action taken upon its completion.
7. The Internal Affairs Officer or Officers temporarily assigned to that function, shall have the authority to interview any member of the Department and to review any report or record of the Department relative to their assignment.
8. All requests from internal affairs personnel in the 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 internal affairs functions come under the direct authority of the Chief of Police, reporting directly to the Chief of Police, through the internal affairs chain of command.
9. The Internal Affairs Officer will have the responsibility of managing and administrating the Department Employee Conduct Early Warning Conduct Monitoring System Policy as defined in N.H.P.D. Standard Operating Policy #58. However, any supervisor may initiate the monitoring system based upon their own observations.

10. The Internal Affairs Officer will be responsible for the management and administration of the Department Sworn Law Enforcement Officers Drug Testing Policy as defined in N.H.P.D., Standard Operating Policy #27.
11. The Internal Affairs Officer shall maintain a comprehensive central file on all complaints received by this Department, whether investigated by internal affairs or assigned to an officer's supervisor for investigation and disposition.
12. The Internal Affairs Officer shall prepare quarterly reports that summarize the nature and disposition of all misconduct complaints received by this Department for submission to the Chief of Police. Copies of the internal affairs report shall be maintained for distribution by the Chief of Police to include the appropriate authority, the Burlington County Prosecutor's Office and New Jersey State Office of the Attorney General.
13. The Internal Affairs Officer will be responsible for the content and completion of an annual report summarizing the types of complaints received and the disposition of the complaints that will be provided to the Burlington County Prosecutors Office Special Investigations Unit, to be maintained and further distributed at the discretion of the Prosecutor.
  - a. A copy of this report shall be maintained in addition to the Quarterly reports for release to the public, summarizing the allegations received and the investigations conducted for that period.
  - b. A further brief synopsis of all complaints where a fine or suspension of ten days or more was assessed to a member of the Department, shall be periodically released to the public.
  - c. The names of the complainants and subject officers shall not be published in that copy.

#### **D. Accepting Complaints**

1. All officers and civilian employees of the North Hanover Township Police Department are required to accept reports of officer misconduct from any person who wishes to file such a complaint at any time, 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 should visit the individual in a location that is suitable to them, in order to complete the report if feasible. Officers and civilian employees are reminded of the "4 A's of Internal Affairs" in receiving complaints as;
  - a. **ANY ONE-** Any individual must be permitted to file an internal affairs complaint. It can be a victim, a friend of the victim, a parent, juvenile (with or without parents), an illegal alien (you cannot asked immigration status) or it can be anonymous. Anyone means Anyone.
  - b. **ANY WAY-** An internal affairs complaint can be filed by phone, by letter, written on a napkin, in person, etc. You cannot require someone to appear in person or swear the statement to initiate the complaint process.

- a. **ANY TIME-** A complaint must be taken regardless of the hour or the day of the week. At no time should a complainant be told to return later. Any law enforcement officer or civilian employee must take the complaint.
  - b. **ANYTHING-** As long as a complaint has sufficient factual information, the complaint must be investigated. It is predicated upon the victim's view of the situation.
2. All officers and assigned civilian employees shall avoid any language that is designed to dissuade somebody from filing a complaint.
3. It will be a direct violation of this SOP for any employee to advise a complainant that the report cannot be taken or that they must return at another time unless, there is a documented circumstance that prevents the complaint from being taken without unreasonable delay. In these instances the duty supervisor must contact the Internal Affairs Officer or the Chief of Police.
4. Complainants shall be referred to the Internal Affairs Officer if the Officer is immediately available.
5. If the Internal Affairs Officer is not immediately available, all supervisory personnel are directed to accept the report of officer misconduct.
6. If the Internal Affairs Officer and no supervisory personnel are available, any law enforcement officer shall accept the complaint.
7. The officer receiving the complaint will:
  - a. Provide the person making the complaint with a Department Internal Affairs Brochure.
  - b. Provide the person making the complaint with an explanation of the Department's internal affairs procedures.
  - c. Advise the complainant that he or she will be kept informed of the status of the complaint and its ultimate disposition.
  - d. Complete the internal affairs report form according to the instructions provided.
  - e. Have the complainant sign the completed form. If the complainant will not sign the form, the officer receiving the complaint will so note that fact. However, the failure of a citizen to sign a complaint will in no way preclude the investigation of the allegations.
8. 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 the complainant to submit the complaint in person. In any case, the complaint will be accepted.

- a. In the case of an anonymous complaint, the officer accepting the complaint shall complete as much of the internal affairs report form as possible with the information provided.

## F. Complaint Processing

### 1. Received complaints shall be handled as follows:

- a. All complaints will be forwarded to the Internal Affairs Officer for screening and entry into the record-keeping system.
- b. Complaints of demeanor and minor rule infractions can be forwarded to the supervisor of the subject officer at the discretion of the Internal Affairs Officer. These complaints include;
  - i. Bearing, gestures, language or other inappropriate actions.
  - ii. Untidiness, tardiness, faulty driving or failure to follow procedures.
- c. All other complaints shall be retained by the Internal Affairs Officer including complaints of:
  - i. Criminal activity
  - ii. Excessive force
  - iii. Improper arrest
  - iv. Improper entry
  - v. Improper search
  - vi. Differential treatment
  - vii. Serious rule infractions
  - viii. Complaints of domestic violence
    1. as defined in S.O.P. #15
  - ix. Repeated minor rule infractions

2. The subject officer shall be notified in writing of the complaint as soon as possible, unless the nature of the investigation requires secrecy.

3. The Internal Affairs Officer will notify the Chief of Police immediately of any complaint of criminal activity involving a Department employee. The Internal Affairs Officer shall notify the Chief of Police of any other complaint received by the Department in a timely manner. In all occasions, the notification will include:
  - a. The identity of the complainant
  - b. The identity of the subject Officer
  - c. The nature of the complaint
  - d. A determination of minor or serious infraction
  
4. Investigations regarding the Chief of Police will only be investigated through the Burlington County Prosecutors Office. If a complaint is made regarding the conduct of the Chief of Police;
  - a. The Internal Affairs Officer must be immediately notified.
  - b. The Internal Affairs Officer will then notify the Burlington County Prosecutors Office and the Appropriate Authority, prior to notifying the Chief of Police.
  - c. The Internal Affairs Officer will enter the complaint into the department record keeping system.

**G. Disposition of Investigations**

1. Every internal affairs investigation will be resolved based on the information, evidence, testimony, and other sources available for examination by its investigator. Upon completion, every investigation must be able to be classified, based on a “conclusion of the facts,” into one of the following categories:
  - a. **Sustained** – There was sufficient evidence to prove the allegation, or there was other misconduct or action that must be acted upon.
  - b. **Not Sustained** – There was not sufficient evidence to prove or disprove the allegation or any other misconduct.
  - c. **Exonerated** – The alleged incident did occur, but the officer’s actions were justified, legal, proper, and in compliance with department policy and procedure or; The alleged incident did occur and the officer’s actions were in compliance with department policy and procedure, however investigation revealed a flaw or failure in the policy.
  - d. **Unfounded** – There was no evidence to indicate that the incident or acts alleged occurred.



2. On such occasions when the supervisor of the subject officer is investigating a complaint the supervisor will:
  - a. Notify the subject officer of the complaint and investigation.
  - b. Gather all evidence supporting the allegations and record the names, addresses, and telephone numbers of witnesses or other persons with knowledge.
  - c. Conduct a thorough and impartial investigation of the complaint until a logical conclusion has been reached.
  - d. Record what actions were taken, attach copies of Department documentation and supporting evidence to the report and make a recommendation regarding disposition.
  - e. Forward reports upon completion, to the Internal Affairs Officer for review and further referral to the Chief of Police.
3. In the event the supervisor is unable to complete the investigation, due to a lack of resources or training or because the investigation has revealed that the complaint is more serious in nature than originally believed, the supervisor will be referred to the Internal Affairs Officer for assistance and guidance.
  - a. The Internal Affairs Officer may at that time assume responsibility for the completion of the investigation.
4. Upon completion of the investigation, the supervisor will forward the report, attachments, and a recommendation for action to the Internal Affairs Officer. The Internal Affairs Officer will then forward the completed report to the Chief of Police for a disciplinary determination.
5. If the investigation reveals that the complaint is substantiated, the Chief of Police will, determine the appropriate action to be taken. If minor disciplinary action is determined appropriate, counseling/oral reprimand, performance notice, letter of reprimand, or training shall be administered in accordance with department rules and regulations by the supervisor and at the discretion of the Chief of Police.
6. If the investigation reveals that the complaint is not sustained, unfounded, or that the officer should be exonerated, the report will be closed out and remain with the records of the Internal Affairs Officer.
7. Upon final disposition, the supervisor will notify the complainant, and the accused officer, in writing of the outcome of the investigation with a generalized explanation of how the outcome was determined.

#### **H. Immediate Suspension in Serious Complaints**

1. In the event the Chief of Police is advised of a serious complaint of misconduct against any member of the Department, the Chief of Police or his designee may immediately suspend an officer from duty if it is determined that one of the following conditions exists:

- a. The employee is unfit for duty; or
  - b. The employee is a hazard to any person if permitted to remain on the job; or
  - c. An immediate suspension is necessary to maintain safety, health, order or effective direction of public services; or
  - d. The employee has been formally charged with a first, second or third degree crime; or
  - e. The employee has been formally charged with a first, second, third or fourth degree crime or a disorderly persons offense while on duty, or the act related to his or her employment.
2. Upon the imposing an immediate suspension, the Chief of Police or his designee must:
- a. Advise the employee in writing of why an immediate suspension is sought and the charges and general evidence in support of the charges.
  - b. If the employee refuses to accept the written notification of immediate suspension, it shall be given to a representative of the employee's collective-bargaining unit.
  - c. Provide the employee with sufficient opportunity to review the charges and the evidence and to respond either orally or in writing.
  - d. Advise the employee's immediate supervisor in writing of the suspension and the facts and circumstances requiring the suspension.
3. Within five days of the suspension, the Department must complete and file formal charges against the suspended employee or return the employee to work.

#### **I. Investigation and Adjudication of Serious Complaints**

1. Upon initiating an investigation of a serious complaint, the Internal Affairs Officer will immediately attempt to ascertain if the complaint contains an allegation of the commission of a crime by a member of the Department. In the event that the complaint does contain such an allegation, the Internal Affairs Officer will immediately notify the Special Investigations Unit of the Burlington County Prosecutors Office.
  - a. This notification shall take place prior to any interview of any member of this or any other police agency.
  - b. No further action shall be taken, to include the filing of charges against a member of this Department, until direction has been received from the Burlington County Prosecutors Office.
  - c. Any participation in the investigation will be at the Prosecutor's discretion.

2. Unless the nature of the investigation requires secrecy, the Internal Affairs Officer will upon initiating an investigation of a serious complaint, notify the subject officer in writing of the complaint as soon as possible indicating that the officer is the subject of an internal investigation. The notification will include as a minimum;
  - a. The date(s) of the alleged complaint's occurrence
  - b. The potential violations alleged to have occurred
  - c. The nature of the complaint and allegations
  
3. The investigation should include, but may not necessarily be limited to, the following;
  - a. Review all Department reports, other agency reports, and relevant documentation.
  - b. Identify, collect and process all evidence supporting the allegation(s).
  - c. Identify the names, addresses, and telephone numbers of witnesses or other persons with knowledge.
  - d. Conduct recorded interviews of all identified witnesses or involved parties.
  - e. Conduct a thorough and impartial investigation of the complaint until a logical conclusion has been reached.
  - f. Record what actions were taken, attach copies of department documentation and supporting evidence to the report and make a recommendation regarding disposition.
  - g. Forward reports upon completion, to the Internal Affairs Officer for review and further referral to the Chief of Police.
  
4. Interviewing the subject officer;
  - a. The Internal Affairs Officer shall schedule an interview with the subject officer.
  - b. One person of the officer's choosing may attend the interview.
    - i. In investigations of criminal allegations it is not appropriate for a union representative to be present. However, the officer shall be given the opportunity to consult with the union representative.
  - c. Before questioning begins, the subject officer shall be informed of:
    - i. The nature of the complaint
    - ii. The name of the person in charge of the interview, and the names of all persons who would be present during the interview.

- d. If the matter under investigation involves an administrative allegation, the officer will be advised of his or her duties and obligations to answer using the administrative advisement form.
  - e. If the matter under investigation involves a possible criminal violation, the Internal Affairs Officer shall issue a Miranda warning to the subject officer using the Department's standard Miranda warning card.
  - f. If at any time during a questioning session the subject officer becomes suspect of a criminal act, the subject officer shall be so informed and the questioning shall end.
    - i. The Internal Affairs Officer will promptly notifying the Burlington County Prosecutor's Office, Special Investigations Unit.
5. No officer may at any time create an audio or video recording to record another officer, supervisor, chief of police or another township employee without the authorization of the Chief of Police. The unauthorized taping of another in accordance with this order, will result in disciplinary action.
6. The Internal Affairs Officer may require an officer to submit to the following for administrative purposes during an internal affairs investigation whenever reasonable belief exists:
- a. Medical or laboratory examinations
  - b. On occasions when officers are involved in motor vehicle accidents, shootings, or when suspected of illegal drug use or if there is reasonable suspicion to believe that intoxicants are present.
  - c. Inclusion in a photographic or physical line-up
  - d. Submission of financial records
7. In accordance with law, no officer can ever be required, by any authority, to submit to a polygraph examination as part of an internal affairs investigation.
8. Upon the completion of a thorough and impartial investigation successfully exhausting all avenues of inquiry, the internal affairs officer shall complete the following reports:
- a. Investigation report: This is the objective report of all of the investigative activity including all of the information obtained during the course of the investigation.
  - b. Summary report: This report, in memorandum format, will summarize the matter, and will provide recommended dispositions for each allegation with possible dispositions as exonerated, sustained, not sustained, unfounded.

9. The Internal Affairs Officer will then forward the completed above reports, attachments, to the Chief of Police for a review of the completed report. The Chief of Police may require further supplemental investigation and shall direct whatever action is deemed appropriate.
10. Upon completion of the investigation and the review of the Chief of Police, in the event a finding of exonerated, not sustained, or unfounded, has been made, the Chief of Police shall direct the Internal Affairs Officer to notify the subject officer in writing of that disposition. The report will be closed out and remain with the records of the Internal Affairs Officer.

**J. Filing of Charges for Serious Disciplinary Action**

1. If the investigation reveals that the complaint is sustained and it is determined that formal charges should be preferred, the Chief of Police shall direct the Internal Affairs Officer to prepare, sign, and serve charges upon the subject officer or employee.
2. The Chief of Police or his designee as directed, shall prepare the formal notice of charges and hearing on the charging form, then serve that notice in accordance with NJSA 40A:14-147.
  - a. Notice of charges must be served within forty five days of such time that sufficient information was received to file such charges, unless the investigation is included as part of a criminal investigation.
  - b. In such instances the forty five day limitation will begin on the day following the disposition of the criminal investigation.
  - c. There is no provision for extending the forty five day limit for investigations which may result in serious disciplinary action, unless the extension is agreed upon by all parties involved.
  - d. The Chief of Police may extend investigations for minor complaints beyond the forty five day limit for just cause. Just cause may include circumstances regarding the availability of the officer or witnesses or to allow the investigation of related incidents that are for criminal or serious disciplinary action.
  - e. Accused officers are to be advised of the extension prior to the expiration of the original forty five day period.
3. 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 the entry of a plea. Such date for entry of plea shall be set within a reasonable period of time, at least five days after the date of the service of the charges.
4. If the officer charged entered the plea of guilty, the Chief of Police shall permit the officer to present facts in mitigation prior to assessing a penalty.

5. Conclusions of fact and the penalty imposed will be noted in the officers personnel file after he has been given an opportunity to read and sign it. The Internal Affairs Officer will cause the penalty to be carried out and complete all required forms submitting the forms to the appropriate authority.
6. Upon final disposition, the Internal Affairs Officer will notify the complainant in writing of the outcome of the investigation with a generalized explanation of how the outcome was determined.

**K. Hearings**

1. Upon written notice of a request for a hearing from the subject officer, the Chief of Police will set the date for the hearing within a reasonable period of time and arrange for the hearing of the charges.
2. The Internal Affairs Officer shall be responsible for the assisting of the prosecutor in the preparation of the Department's prosecution of the charges. This includes proper notification of all witnesses and preparing all documents and physical evidence for presentation at the time of the hearing.
3. In the event of a hearing, the Internal Affairs Officer will be responsible for preparing a discovery package from the internal affairs file, and providing it to the subject officer or his or her representative.
4. The hearing shall be held before the appropriate authority, the Chief of Police or the appropriate authorities designee.
5. All disciplinary hearings shall be closed to the public unless the defendant officer requests an open hearing.
6. The Hearing Officer shall recommend a finding of guilty or not guilty, or recommend that the charges be modified. The decision of the Hearing Officer should be in writing and accompanied by findings of fact for each issue in the case.
7. The Hearing Officer shall recommend any of the following punishments which it deems appropriate under the circumstances:
  - a. Counseling;
  - b. Oral reprimand or performance notice;
  - c. Written reprimand;
  - d. Monetary fine;
  - e. Suspension without pay;

- f. Loss of promotion opportunity;
  - g. Demotion;
  - h. Discharge from employment.
8. A copy of the Hearing Officer's recommended decision or order and accompanying findings and conclusions shall 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 Officer.
  9. The Chief of Police shall except, reject or modify the Hearing Officer's recommendations including the findings, conclusions and proposed penalty. The Chief of Police's decision will constitute the final disciplinary action.
  10. Upon completion of the hearing the Internal Affairs Officer will complete all required forms including the entry of the disposition in the index file.
  11. If the charges were sustained, the Internal Affairs Officer will cause the penalty to be carried out. The report shall be permanently placed in the officer's or employee's personnel file.

**L. Causes for removal from Office**

1. An officer found guilty of any of the following may be removed from office. Removal may also result for sufficient causes other than those listed.
  - a. Neglect of duty
  - b. In-competency or inefficiency
  - c. Incapacity due to mental or physical disability
  - d. Insubordination or serious breach of discipline
  - e. Intoxicated while on duty
  - f. Chronic or excessive absenteeism
  - g. Disorderly or immoral conduct
  - h. Willful violation of any of the provisions of statutes relating to the Department of Personnel, their rules or regulations, or other statutes relative to the employment of public employees.
  - i. Conviction of any criminal act or offense

- j. Negligence of, or willful damage to, public property or waste or misappropriation of public resources.
- k. Conduct unbecoming
- l. Use or attempted use of authority or official influence to unlawfully control or modify another's behavior or actions.

**M. Confidentiality**

1. The process of the Internal affairs investigations and all documents and supporting materials are confidential information. Only the Chief of Police and the Internal Affairs Officer shall have access to these files, documents and supporting materials.
2. The internal affairs files including all of its contents in whole or part, may only be released under the direct authority of the Chief of Police.
3. The Internal Affairs Officer will be responsible for maintaining a log and a centralized file on all complaints received against the department and the results of investigations conducted in response thereto. The Internal Affairs Officer will also keep a separate file on individual officers regarding complaints made against them and the results of the investigations conducted.
4. Upon completing a case, the Internal Affairs Officer will enter the disposition into those records.
5. The contents of the internal affairs case files will be retained in the Internal Affairs Officer's records. These files shall be clearly marked as confidential. Only the Chief of Police or his designee is empowered to release publicly the details of an internal investigation or disciplinary action.

**N. Forms**

1. All forms and or templates used in the course of internal affairs investigations, reports or documentation are taken directly from the appendices of the New Jersey Attorney General's Internal Affairs Policy and Procedures Guideline.

Approved by:

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Theodore B. Wells  
Chief of Police



# Appendix A

## Citizen Complaint Information Brochure

The members of the North Hanover Township Police Department are committed to providing law enforcement services that are fair, effective, and impartially applied. It is in the best interest of everyone that your complaint about the performance of an individual officer is resolved fairly and promptly. The police department has formal procedures for investigating your complaint. These procedures ensure fairness and protect the rights of both citizens and law enforcement officers.

- Your complaint will be sent to a superior officer or specially trained internal affairs officer who will conduct a thorough and objective investigation
- You might be asked to help in the investigation by giving a detailed statement about what happened or providing other important information.
- All complaints against law enforcement officers are thoroughly investigated. You will be advised in writing of the outcome of the investigation.
- If our investigation shows that a crime might have been committed, the County prosecutor will be notified. You might be asked to testify in court.
- If our investigation results in an officer being charged with a violation of departmental rules, you might be asked to testify in a departmental hearing.
- If our investigation shows that the complaint is unfounded or that the officer acted properly, the matter will be closed.
- All disciplinary hearings shall be closed to the public unless the defendant officer requests an open hearing.
- It is unlawful to provide information in this matter which you do not believe to be true.
- You may contact the Internal Affairs Officer at 609-758-3351 ext. 26, with any information or questions regarding the investigations of police officers.

***The North Hanover Township Police Department appreciates any concerns or questions the public may have in the services that it provides. The public is always encouraged to voice those concerns, that they may be properly investigated.***