

HUNTERDON COUNTY PROSECUTOR'S OFFICE
Standard Operating Procedure
Core Policy



<u>SUBJECT:</u> INTERNAL AFFAIRS POLICY AND PROCEDURES		<u>PAGES</u> 66+ Appendices A-M
<u>EFFECTIVE DATE:</u> August 31, 2020	<u>REVISION DATES:</u> <i>Created August 1991</i> <i>Revised Nov. 1992</i> <i>Revised Nov. 2000</i> <i>Revised Sept. 2011</i> <i>Revised July 2014</i> <i>Revised Nov. 2017</i> <i>Revised Dec. 2019</i> <i>Revised Jan. 2021</i>	
<u>BY THE ORDER OF:</u> Michael J. Williams, A/Prosecutor Frank Crisologo, A/Chief of Detectives	<u>REVIEWED BY:</u> Michael J. Williams, A/Prosecutor Frank Crisologo, A/Chief of Detectives	

PURPOSE

The Hunterdon County Prosecutor's Office (HCPO) is committed to providing law enforcement services that are fair, effective and impartially applied. Toward that end, detectives are held to the highest standards of official conduct and are expected to respect the rights of all citizens. Detectives' adherence to these standards, motivated by a moral and professional obligation to perform their job to the best of their ability, is the object of this agency.

The effectiveness of the Hunterdon County Prosecutor's Office is dependent upon public approval and acceptance of its law enforcement authority. This agency must be responsive to the community by providing formal procedures for the processing of complaints from the public regarding an individual detective's performance.

The purpose of this policy is to improve the quality of law enforcement services. Citizen confidence in the integrity of the Hunterdon County Prosecutor's Office increases through the establishment of meaningful and effective complaint procedures. This confidence engenders community support for the Hunterdon County Prosecutor's Office. Improving the relationship between the officers and the citizens they serve facilitates cooperation vital to this agency's ability to achieve its goals. An effective disciplinary framework also permits the Prosecutor, Chief of Detectives and Superior Officers to monitor detectives' compliance with agency rules and regulations, policies and procedures. Adherence to established rules and regulations, policies and procedures assists detectives in meeting agency objectives while a monitoring system permits supervisors to identify problem areas requiring increased training or direction. Finally, this policy will ensure fairness and due process protection for citizens and detectives alike.

The internal affairs process shall also 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 detectives.

POLICY

It is the policy of this agency to accept and investigate all complaints of alleged detective misconduct or wrongdoing from any citizen or agency employee. A thorough and impartial examination of the available factual information will be conducted to arrive at an appropriate conclusion. Discipline shall be administered appropriately through the policy and in accordance with any applicable law or existing collective bargaining agreement.

It is the policy of this agency that personnel, 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. Detectives 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, detectives may be disciplined for violating of any agency rule, regulation, failure to follow General Orders, Policies, Procedures or failure to obey any lawful instruction, order or command by a superior officer or supervisor. Members of the Hunterdon County Prosecutor's Office are obligated to provide full and complete information to investigating officers during internal investigations. Failure to provide full and complete information during investigations may lead to serious disciplinary sanctions, which may include suspension or termination. Disciplinary action in all matters will be determined based upon the merits of each case.

It is the policy of this agency that detectives assigned to investigate any allegation of misconduct must strive to conduct a thorough and objective investigation without violating the rights of the subject detective 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 investigation must be thoroughly familiar with this agency's internal affairs policy.

It is the policy of the Hunterdon County Prosecutor's Office that prevention is the primary means of reducing and controlling misconduct. To that end, it is the policy of this agency to discover and correct organizational conditions that permit the misconduct to occur. Special emphasis is placed on recruitment, selection and training of detectives and supervisors, community outreach and analysis of misconduct complaints and their outcome.

It is the policy of this agency that each detective shall be provided ready access to the official agency rules, regulations, policies and procedures that 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.

PROCEDURES

In December 2019, the New Jersey Attorney General's Office issued Directive No. 2019-5, Internal Affairs Policy and Procedures (IAPP), which was to take effect on April 1, 2019. Due to the COVID-19 pandemic, the implementation of the directive was delayed until August 31, 2020. The Attorney General's revision to this policy in Directive No. 2020-2 is known as the "August 2020 IAPP." It will be the policy of the Hunterdon County Prosecutor's Office to implement the Internal Affairs Policy and Procedures (IAPP) as its own, and all employees of the agency, and all municipal, county and state law enforcement agencies, will be responsible for the contents of the policy.