

# OLEPS

OFFICE OF LAW ENFORCEMENT PROFESSIONAL STANDARDS

## Seventeenth - Twenty-Fourth Oversight Report

*July 1, 2017 – June 8, 2021*

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## Executive Summary

In this Oversight Report, which covers the period of July 1, 2017 to June 8, 2021, OLEPS reviewed and analyzed State Police data collected from 552 motor vehicle stops, including records associated with these stops. OLEPS reviewed all critical stops (*i.e.*, stops involving a use of force, a canine deployment, or a consent search based on reasonable articulable suspicion (RAS)). OLEPS further reviewed records and documentation from the following areas within State Police: Field Operations, the Management Awareness Personnel Performance System (MAPPS), and the Office of Professional Standards (OPS). The primary findings of this report are as follows:

- OLEPS refers to instances where State Police deviates from its policy and/or procedures during a motor vehicle stop as errors. Because OLEPS only reviewed stops that contained at least one critical activity for this report, all stops reviewed for this report should have also undergone State Police review. State Police reviewed 532 of the 552 stops that OLEPS reviewed for this report. Of those stops, 93.98% (500 of 532) contained at least one error. This includes 1,552 (87.24%) errors State Police caught and 227 (12.76%) of errors not caught by State Police. Of the stops State Police did not review, 90.00% (18 of 20) contained at least one error. Specifically, there were 37 errors in these 20 stops.<sup>1</sup>
- In the reporting periods reviewed for this report, OLEPS noted instances where troopers did not meet the appropriate legal standards for post-stop activities. Specifically, OLEPS noted the following pertaining to consent requests, critical canine deployments, frisks, non-consensual vehicle searches, and searches of persons:
  - In 31 stops, the legal standard of RAS to request consent to search was not met.<sup>2</sup>
  - In 40 stops with consent searches, troopers failed to limit their search to the scope requirements of the search.
  - In 12 stops, the deployment of a canine did not meet the legal standard of RAS.
  - In 47 stops, a frisk of the driver failed to meet the legal standard of RAS.
  - In 44 stops – 30 involving passenger 1 and 14 involving passenger 2 – a frisk failed to meet the legal standard of RAS.
  - In eight stops with a frisk of the driver, the frisk extended beyond a pat down.
  - In six stops – four involving passenger 1 and two involving passenger 2 – a frisk extended beyond a pat down.
  - In 40 stops with a vehicle search, there was an error in the vehicle search.
  - In 18 stops with a search of a driver, the search was not incidental to arrest (ITA).

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<sup>1</sup> There can be multiple errors in a stop.

<sup>2</sup> RAS is defined as a suspicion (more than a hunch, but less than probable cause) based on identifiable, specific, and particularized objective facts that, under the totality of the circumstances known to the member at the time, would cause a person of reasonable caution to suspect that a person is violating, is about to violate, or has violated the law. (see Terry v. Ohio, 392 U.S. 1, 88 S. Ct. 1868, 20 L. Ed. 2d 889 (1968)).

- In 11 stops with a search of a passenger – nine involving passenger 1 and two involving passenger 2 – the search was not ITA.
- When an error occurs and is noted during a motor vehicle stop, State Police is required to issue an intervention, which notifies the trooper and supervisor of the error so that the conduct can be corrected. State Police has not issued interventions consistently in the reporting periods. In this report, 35.24% of all errors State Police caught resulted in an intervention. State Police issued interventions most often for errors caught pertaining to vehicle exits and evidence seizures.
- Supervisors are required to be present during motor vehicle stops on a routine basis to ensure that troopers conduct stops in accordance with State Police policy. A supervisor was present in 38.41% of all stops reviewed for this report.
- The audio and video recording of motor vehicle stops remains an issue. OLEPS noted several issues pertaining to the availability of video recording and continued to note audio activation and completion issues in motor vehicle stops, which resulted in incomplete recordings of motor vehicle stops.
- Overall, the average length of all motor vehicle stops reviewed for this report was 69.67 minutes, ranging from 60.14 minutes for stops conducted during the 23<sup>rd</sup> reporting period to 80.56 minutes for stops conducted during the 24<sup>th</sup> reporting period.

Overall, OLEPS notes several recurring issues pertaining to critical stops made by State Police between July 1, 2017 and June 8, 2021.

# OLEPS’ Seventeenth – Twenty-Fourth Oversight Report of the New Jersey State Police

July 1, 2017 to June 8, 2021<sup>3</sup>

## Introduction

Pursuant to the Law Enforcement Professional Standards Act of 2009 (N.J.S.A. 52:17B-222, et seq.) (the Act), the Office of Law Enforcement Professional Standards (OLEPS) is required to publish bi-annual reports assessing New Jersey State Police (State Police) compliance with relevant performance standards and procedures. Dissolved in September 2009, the federal Consent Decree (the Decree) outlined procedures and policies for State Police to implement. State Police codified many of the reforms accomplished under the Decree in its rules, regulations, policies, standing operating procedures, and operations instructions. OLEPS’ reports determine State Police adherence to those reforms. Previous reports contain a more detailed history of the Decree. These reports can be found [here](#).

Historically, OLEPS published two oversight reports per year, each covering a six-month reporting period; however, this report includes State Police activities that occurred during eight reporting periods, specifically from July 1, 2017 to June 8, 2021.

Because State Police’s rules, regulations, policies, standing operating procedures, and operations instructions change to account for developments in constitutional law, the advent of new technologies, and the development of new best practices, the performance standards listed in the oversight report also evolve. The oversight report evaluates State Police in accordance with the policies and procedures as they exist during the relevant reporting period.

In this Oversight Report, OLEPS substantively reviewed the implementation of procedures relating to State Police motor vehicle stops and post-stop enforcement actions. Further, it reviewed the supervision of patrol activities, as well as the administration of investigations of alleged misconduct and other internal affairs matters.

The methodology OLEPS employed in developing this report and the operational definitions of compliance OLEPS uses are described in Part I of the report. Part II of the report discusses the data and sample used for this reporting period. Part III reports the findings of OLEPS’ oversight process. Specific examples of behavior observed during the oversight process are also noted. Part III also details standards based on overall relevance to field operations, supervisory review, Management Awareness Personnel Performance System (MAPPS), the Office of Professional Standards (OPS), and oversight and public information requirements.

The appendices provide further information on several topics discussed in the report. Appendix One contains a list of all previous monitoring/oversight reports published by OLEPS, as well as those published under the

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<sup>3</sup> Although OLEPS typically conducts reviews in six-month long reporting periods, it ended the 24<sup>th</sup> reporting period on June 8, 2021 because State Police transitioned to a new reporting system that began collecting data on that date. OLEPS’ 25<sup>th</sup> reporting period will review stops conducted between June 9, 2021 and December 31, 2021.

Decree, their dates of publication, and the reporting periods each covered. Appendix Two defines commonly used abbreviations in this report. Finally, Appendix Three contains a map of State Police troops and stations.

## Part I: Methodology & Process

Part I details the methodology OLEPS used to assess State Police. This methodology applies to all standards within this report. Each standard details any supplemental methodologies specified as applicable. The majority of the data analyzed for this report relates to Field Operations and activities occurring during motor vehicle stops.

OLEPS' assessments are based on its review of State Police's data and policies. OLEPS did not accept special reports prepared as evidence of adherence to performance standards. Instead, OLEPS reviewed records created during the delivery or performance of tasks and activities.

### Standards for Assessment

OLEPS assesses State Police according to applicable case law, and to its rules, regulations, policies, operations instructions, and standing operating procedures. This report presents those assessments as performance standards. In this report, OLEPS evaluates State Police's compliance with each standard.

In reviewing motor vehicle stop activities, OLEPS reviews each stop to determine whether the correct State Police policies and procedures were followed. If those policies and/or procedures were not followed, OLEPS reports the nonconformity as an error throughout numerous standards in this report. An error is a trooper action, or inaction, during a motor vehicle stop that fails to comport with established policies and procedures. OLEPS notes all errors during a stop, including those caught by the trooper's supervisor(s) in their review of the recording and records of the motor vehicle stop and those caught by the trooper themselves. The report also comments on whether the errors occurred in a stop that underwent supervisory review, as State Police did not review all stops. The expectation is that if an error exists, it should be caught by the supervisor reviewing the stop. OLEPS considers errors not caught during a supervisory review as uncaught errors.

OLEPS also notes whether the trooper received a formal notification of the error, known as an intervention. To correct the actions or inactions that deviate from State Police policy, supervisors should notify troopers of the error. Supervisory review of a trooper's motor vehicle stop activity and recording of errors are essential tools that allow State Police to recognize and correct improper conduct before patterns that contradict its policies or procedures develop. In addition, supervisory review further encourages the evolution of policies and procedures to promote best practices.

OLEPS continues to issue recommendations to State Police based on observed events, especially when a pattern or practice may generate public concern.

## Part II: Data & Sample Description

OLEPS established specific parameters for the data reviewed in this report. In selecting which stops and records to review, OLEPS either provided State Police personnel with a list requesting specific data or collected data directly from State Police databases. Data was not selected based on State Police's preferred selection of records.

OLEPS reviews State Police's policies and procedures, as outlined in the Act, prior to their implementation to ensure they are appropriate and adequately incorporate developments in constitutional law.

### Field Operations

OLEPS reviewed all stops with an RAS-based consent search, all canine deployments for drug detection purposes, and all uses of force.

### Data Requests

Each motor vehicle stop review includes the examination of several pieces of information, which OLEPS obtains from State Police databases. For the stops selected for review, this information included:

- All reports, records checks, and recordings (audio and video) of stops
- Logs of all trooper-initiated motor vehicle stop communication center call-ins for the stops selected, including the time of the completion of the stop and the results of the stop
- Copies of documentation, including supplemental reports created for consent search requests, arrests, and incidents involving uses of force that occurred during a motor vehicle stop

### Types of Reviews

OLEPS conducted a structured analysis of State Police motor vehicle stops and associated records using its Motor Vehicle Stop Assessment Form for all post-stop events consisting of law enforcement procedures of interest.<sup>4</sup> This form records instances where troopers deviate from policy and whether State Police supervisory review noted these deviations. OLEPS revises this form as needed to address changes to State Police policies and procedures. OLEPS shares these data and results with State Police. Each stop receives at least one, but more frequently two, types of reviews: report and/or recording.

#### Report

A report review involves the examination of all available documentation of an event. For example, a report review could include an examination of the Motor Vehicle Stop Report (MVSr), associated records in the patrol log, a supporting consent to search form, and associated summonses or arrest records. To the extent these documents are available, all stops receive a report review.

#### Recording

A recording review consists of an examination of the associated audio and video recordings of a given motor vehicle stop. OLEPS compares the actions noted on the recording with the elements reported in the documents related to the event. In addition to conducting a report review, to the extent these recordings are available,

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<sup>4</sup> This can include a vehicle exit, frisk, consent to search request, search of person, vehicle search, arrest, evidence seizure, use of force, canine deployment, or any combination of these events.

OLEPS attempts to review all audio and video recordings for the stops selected for review. If recordings are unavailable, OLEPS conducts a report-only review of the stop.

## Sample

For this Oversight Report, OLEPS reviewed all stops identified in State Police databases as involving activity potentially deemed critical.

- All RAS-based consent searches
- All canine deployments for drug detection purposes
- All uses of force

Table One lists the number of stops OLEPS reviewed during each reporting period.

*Table One: Incidents Reviewed, by Reporting Period*  
July 1, 2017 – June 8, 2021

	17 <sup>th</sup> July-Dec 2017	18 <sup>th</sup> Jan-June 2018	19 <sup>th</sup> July-Dec 2018	20 <sup>th</sup> Jan-June 2019	21 <sup>st</sup> July-Dec 2019	22 <sup>nd</sup> Jan-June 2020	23 <sup>rd</sup> July-Dec 2020	24 <sup>th</sup> Jan-June 8, 2021	Total
Stops Reviewed	64	69	57	79	72	56	74	81	552

In some instances, though State Police databases indicated that certain activities occurred in a stop, OLEPS did not observe all of these activities during its review of that stop.<sup>5</sup> Further, while State Police may designate a stop as critical in its database, OLEPS' review may reveal that one or more of these stops does not meet OLEPS' definition of a critical stop. OLEPS did not include information from its review of stops determined to contain solely non-critical activity in this report.

Table Two lists the law enforcement activities involved in the 552 motor vehicle stops reviewed for this report, as well as whether the stops underwent a report-only review or a recording and report review.

*Table Two: Incidents Reviewed, by Type*  
July 1, 2017 – June 8, 2021<sup>6</sup>

	Report-Only Reviews	Recording and Report Reviews	Total
Total Stops Reviewed	11	541	552
Consent Search Requests (Probable Cause & RAS)	7	293	300
Critical Canine Deployments	4	110	114
Use of Force	3	241	244
Probable Cause Searches of Vehicles	3	272	275
Probable Cause Searches of Persons	6	457	463

<sup>5</sup> OLEPS only reviews activity that occurs at the scene of the stop, not at the station. It is possible that the activity indicated in State Police databases occurred at the station. However, this is outside the scope of OLEPS' review.

<sup>6</sup> Recording and report reviews for each type of activity total more than 552 because most stops involved more than a single category of law enforcement activity.

In the eight reporting periods included in this report, there were 11 stops subject to a report-only review because recordings were unavailable. In addition, OLEPS noted several stops where portions of the recording were unavailable or not playable (see Performance Standard 5).

Table Three lists the number of incident types reviewed by each station during the eight reporting periods.

*Table Three: Distribution of Events by Station<sup>7</sup>*

	July 1, 2017 – June 8, 2021			
	Consent Requests	Critical Canine Deployments	Uses of Force	Total
A010- Metro South	0	0	0	0
A040- Bridgeton	27	9	17	53
A050- Woodbine	13	4	4	21
A090- Buena Vista	17	4	4	25
A100- Port Norris	24	4	17	45
A140- Woodstown	1	0	6	7
A160- Atlantic City Expressway <sup>8</sup>	5	3	13	21
A310- Bellmawr	9	1	14	24
Troop A Other	2	1	17	20
B020- Hope	13	4	7	24
B050- Sussex	8	0	4	12
B060- Totowa	19	12	19	50
B080- Netcong	22	7	9	38
B110- Perryville	15	13	8	36
B130- Somerville	4	3	14	21
B150- Washington	11	5	4	20
Troop B Other	2	1	5	8
C020- Bordentown	5	1	8	14
C040- Kingwood	2	0	3	5
C060- Hamilton	13	3	15	31
C080- Red Lion	10	3	4	17
C120- Tuckerton	15	6	3	24
Troop C Other	2	1	5	8
D010- Cranbury	4	2	7	13
D020- Moorestown	20	12	8	40
D030- Newark	11	5	8	24
E030- Galloway	6	1	5	12
E040- Bloomfield	5	2	5	12
E050- Holmdel	4	1	2	7
Troop D Other	3	0	7	10
Other	8	6	2	16
<b>Total</b>	<b>300</b>	<b>114</b>	<b>244</b>	<b>658</b>

Often, the racial/ethnic distribution of these critical stops does not match the overall distribution of stops State Police conducted during the same reporting period. At the same time, the stops State Police conducted with post-stop activity historically involved a larger proportion of minority drivers.<sup>9</sup> As shown in Figure One, this

<sup>7</sup> In January 2011, State Police combined Troops D and E to form Troop D Parkway and Troop D Turnpike. All stations of these two Troops are labeled “Troop D” in this report. References to troops are made as A, B, C, or D. There is no distinction between the Parkway and the Turnpike portions of Troop D.

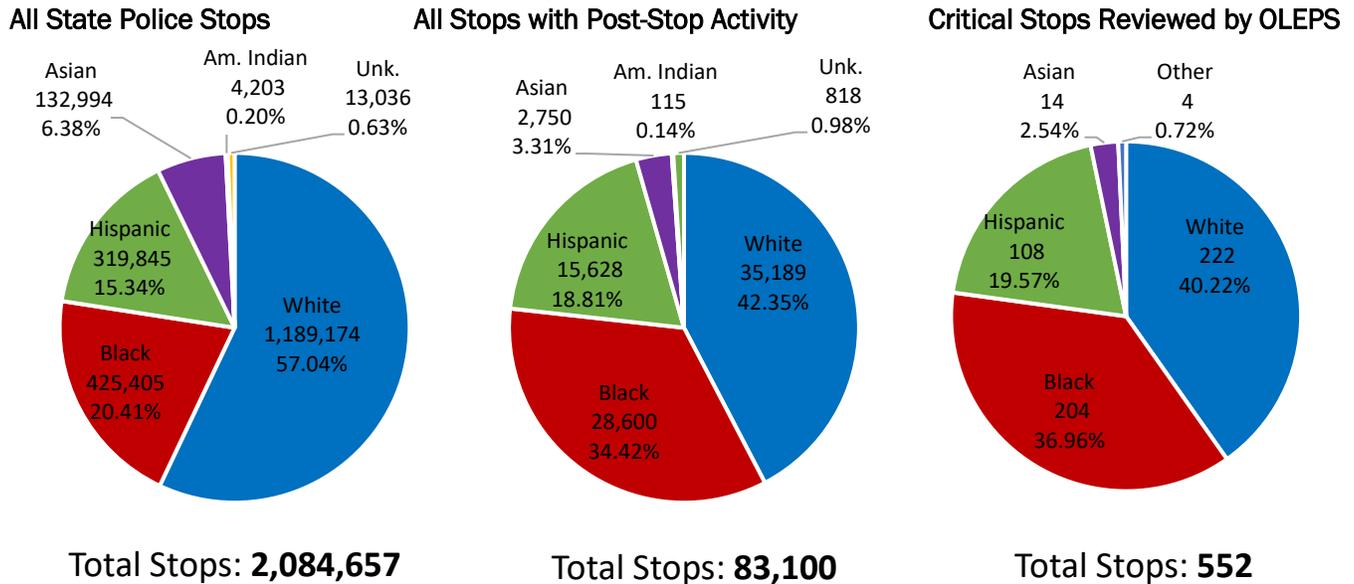
<sup>8</sup> In earlier oversight reports, Station A160 had been called Atlantic City Station. To reflect State Police’s station names more accurately, OLEPS now refers to it as Atlantic City Expressway Station.

<sup>9</sup> The New Jersey State Police Traffic Stop Data Dashboard can be found at <https://www.njoag.gov/trafficstops/>.

remains true in this report. From July 1, 2017 to June 30, 2021, 20.41% of all drivers involved in a motor vehicle stop were Black, compared to 34.42% of drivers in stops with a post-stop activity and 36.96% of the drivers of the stops OLEPS reviewed for this report. Similarly, 15.34% of all drivers identified as Hispanic, compared to 18.81% of drivers in stops with a post-stop activity and 19.57% of the drivers of the stops OLEPS reviewed for this report.

Figure One: Distribution of State Police Motor Vehicle Stops

July 1, 2017 – June 8, 2021

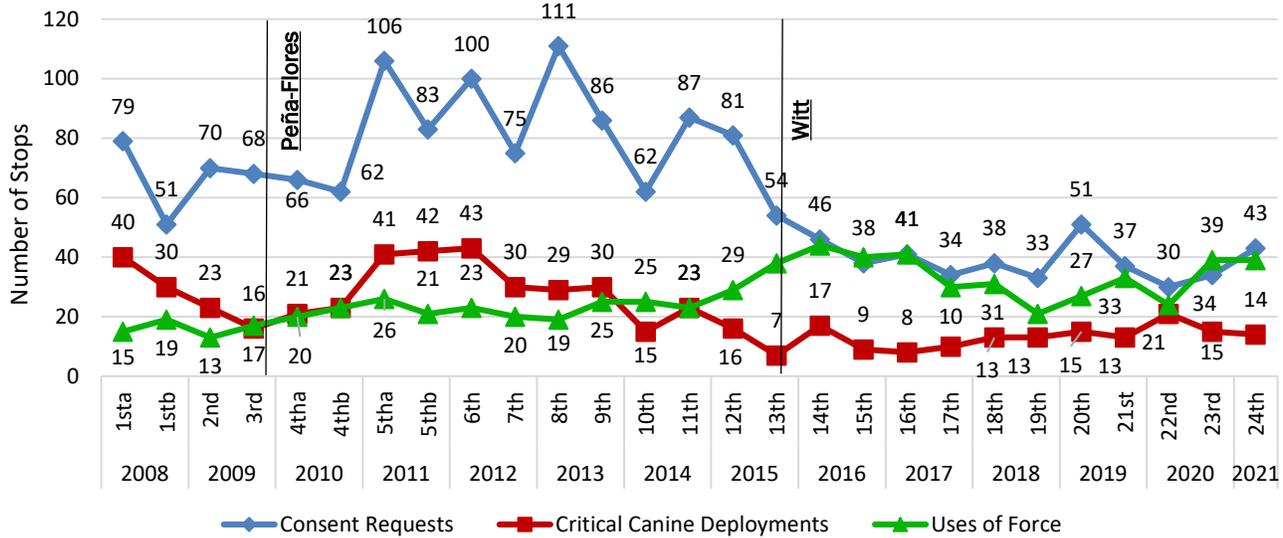


As shown, overall, the racial/ethnic distribution of stops selected for review differed from the overall distribution of motor vehicle stops during the reporting periods included in this report. However, despite involving a larger proportion of Black drivers and a smaller proportion of Hispanic and White drivers, OLEPS’ 552-stop sample is more similar to the racial/ethnic distribution of all stops with post-stop activity. Of the 552 critical stops reviewed for this report, 222 (40.22%) involved White drivers, 204 (36.96%) involved Black drivers, 108 (19.57%) involved Hispanic drivers, 14 (2.54%) involved Asian drivers, and four (0.72%) involved drivers identified as Other.

## Trends

OLEPS tracks trends of activity in the motor vehicle stops reviewed. Because OLEPS reviews all motor vehicle stops with an RAS consent to search request, a drug detecting canine deployment, and/or a use of force, these numbers represent the total number of motor vehicle stops with these events across time. Figure Two depicts the trends in these events from January 1, 2008 to June 8, 2021.

Figure Two: Bi-Annual Trends of Stops with RAS Consent Requests, Uses of Force, and Canine Deployments  
January 1, 2008 – June 8, 2021



As shown, the total number of stops with a probable cause consent to search request increased following *State v. Peña-Flores*, 198 N.J. 6 (2009).<sup>10</sup> After the Supreme Court’s decision in *State v. Witt*, 223 N.J. 409 (2015),<sup>11</sup> the volume of probable cause consent requests decreased. Despite changes in the number of stops with a probable cause consent to search request since July 2017, the number of these stops remains lower than it was before *Witt*. Figure Two also shows an overall decrease in the number of stops with a canine deployment for drug detection purposes and an overall increase in the number of stops involving a use of force.

## OPS & Investigations

An audit of the Office of Professional Standards’ (OPS) investigations assesses OPS’ adherence to State Police policies and procedures. In these audits, OLEPS reviews a sample of misconduct cases and determines whether OPS processed the cases in accordance with State Police’s policies and procedures. Because the details of these cases represent confidential information, this report includes a summary of the audit, rather than specifics of the cases reviewed during the audit.

## Management Awareness & Personnel Performance System

For tasks relating to Management Awareness and Personnel Performance System (MAPPS),<sup>12</sup> OLEPS directly accesses MAPPS to ensure functionality. Further, OLEPS periodically reviews MAPPS to confirm that MAPPS contains the information State Police is required to collect and maintain.

<sup>10</sup> *State v. Peña-Flores*, 198 N.J. 6 (2009) further defined the exigent circumstances under which a search of a vehicle could be conducted without securing a search warrant under the automobile exception when there was probable cause to believe that a crime had been (or will be) committed.

<sup>11</sup> *Peña-Flores* was overturned by the New Jersey Supreme Court in *State v. Witt*, 223 N.J. 409 (2015). Decided in September 2015, the Supreme Court in *Witt* held that the exigent circumstances test set forth in *Peña-Flores* no longer applied. Accordingly, the standard set in *State v. Alston*, 88 N.J. 211 (1981) for warrantless searches of automobiles based on probable cause has been reinstated as controlling law in New Jersey.

<sup>12</sup> The Management Awareness and Personnel Performance System (MAPPS) is the database used to monitor trooper activity. It is fed from multiple State Police databases including CAD, RMS, and IAPro.

## Oversight and Public Information

These standards generally refer to OLEPS' interactions with State Police. OLEPS discusses these standards and communicates its findings with State Police through a variety of ways, including auditing reports and policy reviews.

## Part III: Assessment of New Jersey State Police

Part III of this Oversight Report assesses State Police on Performance Standards created from State Police practices and operating procedures. These standards are broken out according to the following subgroups:

- Field Operations (Performance Standards 1 to 8)
- Supervisory Review (Performance Standards 9 to 11)
- Office of Professional Standards (OPS) and Investigations (Performance Standards 12 and 13)
- Training<sup>13</sup>
- Management Awareness and Personnel Performance System (MAPPS) (Performance Standards 14 and 15)
- Oversight and Public Information (Performance Standards 16 and 17)

### Field Operations

The standards in this section refer to the day-to-day operations and procedures State Police must follow when conducting a motor vehicle stop. Each standard includes a description of the analysis and/or research conducted to assess State Police.

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<sup>13</sup> OLEPS now publishes its review of State Police training responsibilities as a separate report. OLEPS originally published this review as Performance Standards 14 to 22 in the Oversight Report.

## Performance Standard 1: Race May Not be Considered Except in B.O.L.O. Standard

The requirements for this performance standard are taken directly from the language of the Decree, though several State Police policies and procedures reference the prohibition of race/ethnicity-based decision-making.

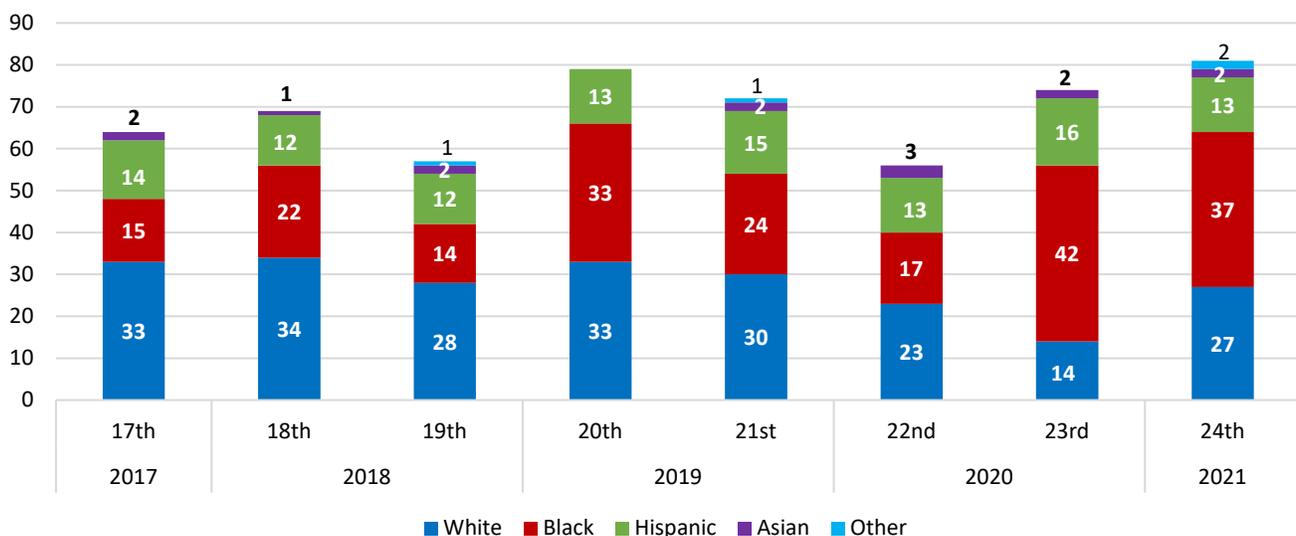
*Except in the suspect-specific B.O.L.O. (“be on the lookout”) situations, state troopers are strictly prohibited from considering the race or national or ethnic origin of civilian drivers or passengers in any fashion and to any degree in deciding which vehicles to subject to any motor vehicle stop and in deciding upon the scope or substance of any enforcement action or procedure in connection with or during the course of a motor vehicle stop. Where state troopers are seeking to detain, apprehend, or otherwise be on the lookout for one or more specific suspects who have been identified or described in part by race or national or ethnic origin, state troopers may rely in part on race or national or ethnic origin in determining whether reasonable suspicion exists that a given individual is the person being sought.*

### Assessment: Racial/Ethnic Differences

OLEPS’ reviewed 552 motor vehicle stops from July 1, 2017 to June 8, 2021.

#### Motor Vehicle Stops Selected for Review

Figure Three: Race/Ethnicity of Drivers  
July 1, 2017 – June 8, 2021



All 552 of the stops discussed in this report involved at least one critical activity, i.e., an RAS-based consent search, a canine deployment for a drug-detection purpose, or a use of force. Figure Three presents the racial/ethnic breakdown of the 552 stops reviewed for this report. These numbers do not reflect the racial/ethnic distribution of all drivers State Police stopped.<sup>14</sup> As shown, of the 552 stops included in this report, White drivers accounted for 40.22%, Black drivers accounted for 36.96%, Hispanic drivers accounted for 19.57%, Asian drivers accounted for 2.54% and drivers categorized as Other accounted for 0.72%.

<sup>14</sup> For the total number of stops conducted involving drivers of each racial/ethnic group, see the New Jersey State Police Traffic Stop Data Dashboard, <https://www.njoag.gov/trafficstops/>.

Overall, the majority of the stops reviewed for this report involved White or Black drivers. Specifically, White drivers were involved in the majority of stops reviewed in the 17<sup>th</sup> through the 22<sup>nd</sup> reporting periods. This changed in the 23<sup>rd</sup> and 24<sup>th</sup> reporting periods, when Black drivers accounted for the majority of the stops reviewed. OLEPS compares the overall racial/ethnic distribution of stops to the racial/ethnic distribution of all other activities to determine each racial/ethnic group’s potential of overrepresentation or underrepresentation among each activity. If the racial/ethnic distribution of all stops differs from that of stops with post-stop activities (e.g., any exit, frisk, search, use of force, or arrest), the potential for a skewed racial/ethnic distribution exists. The distribution in the reports reviewed for this report was not similar to the racial/ethnic distribution of all stops; however, it was similar to the distribution of stops with post-stop activity. Of the 83,100 stops that occurred between July 1, 2017 and June 8, 2021 that involved post-stop activity, 42.35% involved White drivers, 34.42% involved Black drivers, 18.81% involved Hispanic drivers, and 3.31% involved Asian drivers. During this same period, 57.04% of all of State Police’s stops involved White drivers, 20.41% involved Black drivers, 15.34% involved Hispanic drivers, and four (6.38%) involved Asian drivers. Compared to the distribution of stops with post-stop activity, Black drivers were overrepresented and White and Hispanic drivers were underrepresented in the stops reviewed for this report.

**Consent Requests**

*Figure Four: Consent Requests by Race/Ethnicity of Driver*  
July 1, 2017 – June 8, 2021

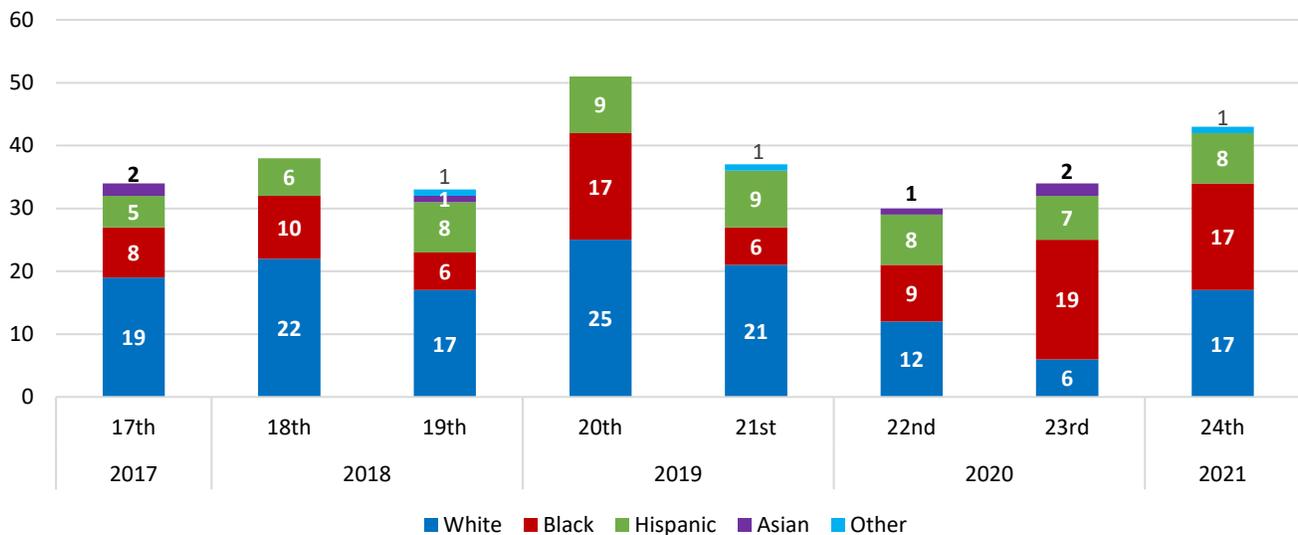


Figure Four depicts the 300 stops selected for review where State Police requested consent to search, broken down by the race/ethnicity of the driver. Of the 552 stops reviewed, 300, 54.35%, involved a consent request. This figure represents all selected stops with a consent request, including those where a motorist granted consent, denied consent, or granted and then withdrew consent.<sup>15</sup>

The volume of stops with a consent request is smaller than the volume of stops with a consent request historically reviewed. This decline is consistent with the change following the Supreme Court’s ruling in Witt in September 2015 (see Footnote 13). Overall, the proportion of Black and Hispanic drivers involved in stops with a consent request was less than the proportion of White drivers involved in these stops. Specifically, 46.33% of stops with a consent request involved a White driver, 30.67% involved a Black driver, 20.00%

<sup>15</sup> All 300 of these stops were RAS-based.

involved a Hispanic driver, 2.33% involved an Asian driver, and 0.67% involved a driver categorized as Other. Performance Standard 2 further discusses the volume of stops where State Police requested consent to search.

**Critical Canine Deployments**

*Figure Five: Critical Canine Deployments by Race/Ethnicity of Driver*  
July 1, 2017 – June 8, 2021

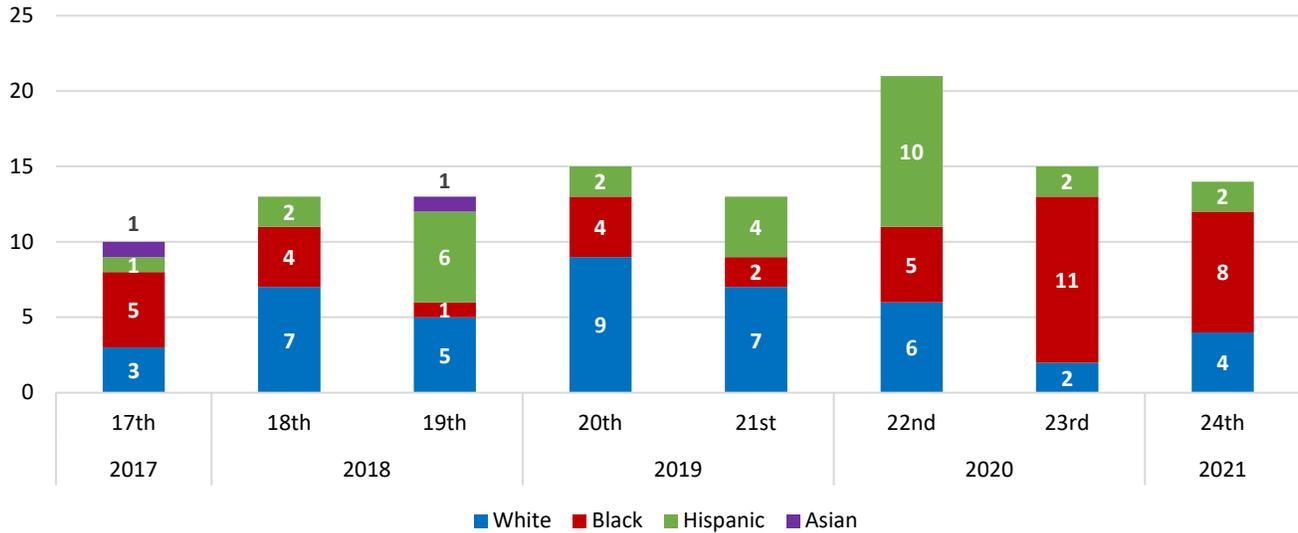


Figure Five depicts the 114 stops with a canine deployment for drug detection purposes, broken down by the race/ethnicity of the driver. Of the 552 stops reviewed, 114 (20.65%), involved a critical canine deployment.

The volume of stops with a canine deployment for drug detection purposes was relatively low. The proportion of Black and Hispanic drivers involved in stops with a canine deployment for drug detection purposes was less than the proportion of White drivers involved in these stops. Specifically, 37.72% of stops with a canine deployment for drug detection purposes involved a White driver, 35.09% involved a Black driver, 25.44% involved a Hispanic driver, and 1.75% involved an Asian driver. Performance Standard 3 further discusses the volume of stops with canine deployments.

Uses of Force

Figure Six: Uses of Force by Race/Ethnicity of Driver  
July 1, 2017 – June 8, 2021

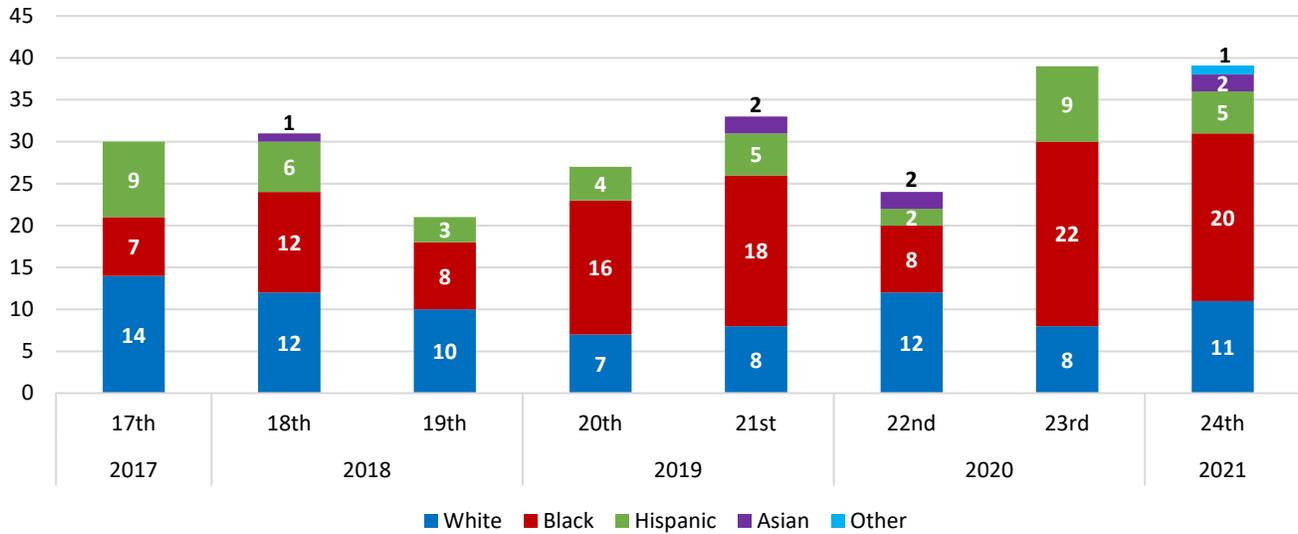


Figure Six depicts the 244 stops that involved a use of force, broken down by the race/ethnicity of the driver. Of the 552 stops reviewed, 244, 44.20%, involved a use of force.

The volume of stops involving a use of force was relatively stable during the first six reporting periods shown but increased during the 23<sup>rd</sup> and 24<sup>th</sup> reporting periods. The proportion of Black drivers involved in stops with a use of force was greater than the proportion of White and Hispanic drivers involved in these stops. Specifically, during the eight reporting periods included in this report, 33.61% of stops involving a use of force involved a White driver, 45.49% involved a Black driver, 17.62% involved a Hispanic driver, 2.87% involved an Asian driver, and 0.41% involved a driver categorized as Other. Performance Standard 4 further discusses the volume of stops involving a use of force.

**Arrests**

*Figure Seven: Arrests by Race/Ethnicity of Driver  
July 1, 2017 – June 8, 2021*

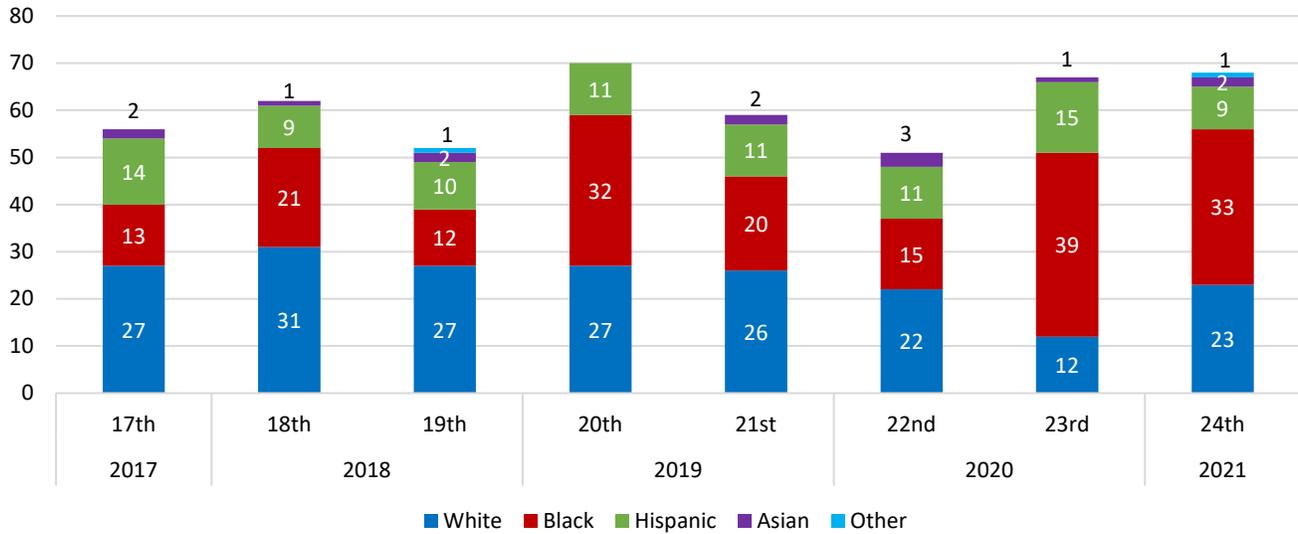


Figure Seven depicts the 485 stops reviewed by OLEPS that involved an arrest, broken down by the race/ethnicity of the driver. Of the 552 stops reviewed, 485, 87.86%, involved an arrest.<sup>16</sup>

The volume of stops involving an arrest was relatively stable during the reporting periods shown. This represents 87.84% of White drivers, 90.69% of Black drivers, 83.33% of Hispanic drivers, 92.86% of Asian drivers, and 50.00% of drivers categorized as Other.

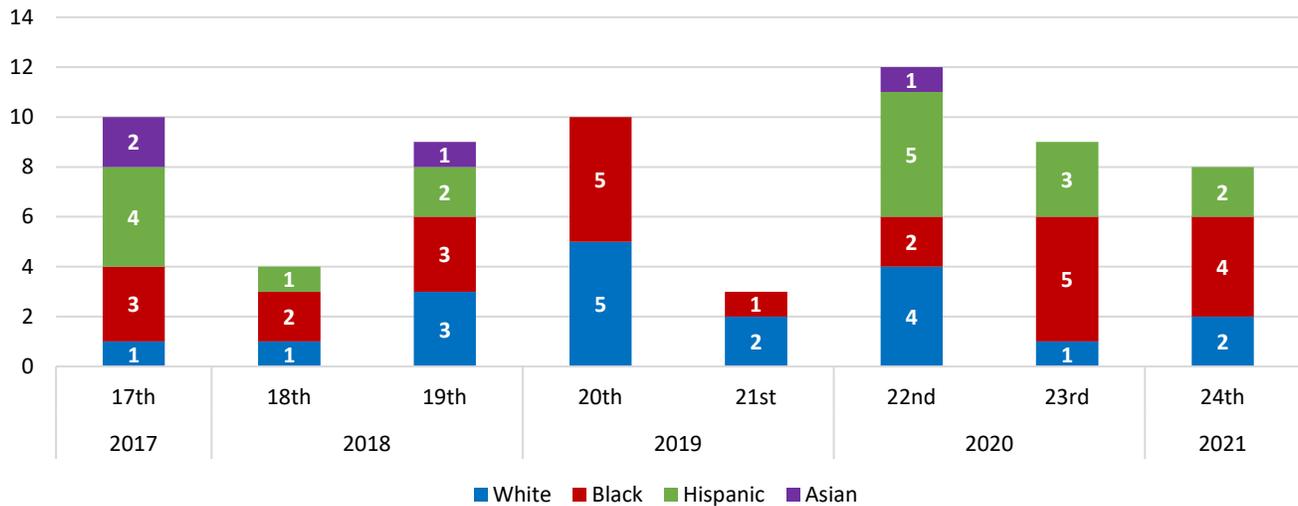
**Arrests without Charges**

In incidents where a search resulted in no evidence to support a charge and probable cause dissipated, the vehicle occupants were arrested but not charged, and therefore able to leave the scene. In instances where no charges were filed, an individual was released either at the scene of the stop or at the station.<sup>17</sup> Figure Eight depicts the 65 stops reviewed by OLEPS that involved an arrest without charges, broken down by the race/ethnicity of the driver. This represents 13.40% of the 485 stops that involved an arrest.

<sup>16</sup> This proportion includes stops where an individual was arrested but not charged and released from the scene.

<sup>17</sup> The act of arresting an individual, not filing charges, and releasing the subject may be referred to as an “unarrest,” “voided arrest,” or “release from custody.” In this report, we refer to this as “arrest without charges.”

Figure Eight: Arrests without Charges by Race/Ethnicity of Driver  
July 1, 2017 – June 8, 2021



As seen in Figure Eight, 9.74% of White drivers were arrested in this sample, 13.51% of Black drivers were arrested, 18.89% of Hispanic drivers were arrested, and 30.77% of Asian drivers were arrested. Both of the drivers categorized as Other who were arrested were charged.

**Assessment: Racial/Ethnic Differences in the Reason for Motor Vehicle Stops**

OLEPS examines the racial/ethnic differences in the most common stop reasons.

The trooper who writes the motor vehicle stop report records the reason for a motor vehicle stop. These reasons are numerous and, as such, OLEPS categorized them to facilitate analysis. OLEPS classified any mention of speeding as “rate of speed.” “Failure to maintain lane” is self-evident. The category of seat belt represents any mention of a seat belt violation. “Equipment violations” is a catch-all category of all violations referring to the vehicle (not how the driver operates the vehicle), including non-functioning lights (head or brake), cracked or broken glass, inappropriate window tint, and failure to make repairs. “Safety violations” is another catch-all category. It includes violations with potential impact on the safety of the driver or other motorists that violate road laws, including disobeying stop signs, impeding traffic, delaying traffic, running a red light, obstructed views, or aggressive, careless, and reckless driving. Finally, the category of “failure to signal/improper lane change” includes any instance where a trooper cited a driver’s failure to use a turn signal or performance of an unsafe lane change.

Figure Nine: Top Reasons for Trooper Initiated Motor Vehicle Stops<sup>18</sup>  
July 1, 2017 – June 8, 2021

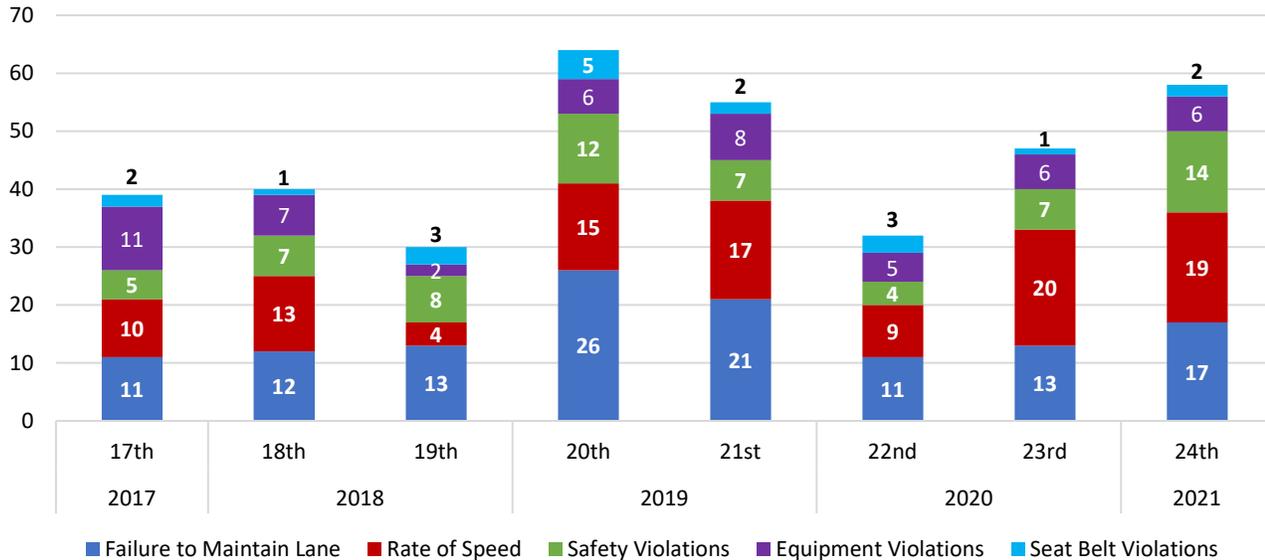


Figure Nine presents the most common reasons for motor vehicle stops in the 552 stops included in this report. Generally, the top five reasons for motor vehicle stops in any given year account for more than half of all stops in that year. In the stops reviewed for this report, these reasons accounted for 66.12% of reviewed stops.

Failure to maintain lane<sup>19</sup> and speeding were the most commonly cited reasons for a motor vehicle stop in the 552-stop sample, accounting for 22.46% and 19.38% of these stops, respectively. Safety violations, equipment violations, and seat belt violations were among the other top reasons for motor vehicle stops.

<sup>18</sup> Generally, motorist aids and accidents are common occurrences. In the sampled stops, motorist aids and accidents occurred more often than both equipment and seat belt violations. Fifty-eight of the 552 stops included in this sample, 10.51%, began as motorist aids or accidents. These instances do not represent a trooper’s discretion to stop a vehicle and instead represent a trooper’s public service requirement to assist motorists. They are therefore not included in Figure Nine or Table Four.

<sup>19</sup> For this analysis, Lane Change and Failure to Maintain Lane were combined into a single category, “Failure to Maintain Lane.”

## All Motor Vehicle Stops

*Table Four: Most Common Stop Reasons by Race/Ethnicity of Driver*  
July 1, 2017 – June 8, 2021

	White	Black	Hispanic	Asian	Total
	(% of Total)	(% of Total)	(% of Total)	(% of Total)	
<i>Failure to Maintain Lane</i>	51 37.50%	47 31.76%	24 32.88%	2 28.57%	124
<i>Rate of Speed</i>	32 23.53%	47 31.76%	23 31.51%	4 57.14%	106
<i>Safety Violations</i>	26 19.12%	20 13.51%	18 24.66%	- 0.00%	64
<i>Equipment Violations</i>	19 13.97%	25 16.89%	6 8.22%	1 14.29%	51
<i>Seat Belt Violations</i>	8 5.88%	9 6.08%	2 2.74%	- 0.00%	19
<b><i>Total</i></b>	<b>136</b>	<b>148</b>	<b>73</b>	<b>7</b>	<b>364</b>

Table Four depicts the five most common stop reasons, broken down by the driver race/ethnicity of the driver.<sup>20</sup>

## Canine Deployments

OLEPS also examined the racial/ethnic variation among the legal standard used to deploy canines at the scene of motor vehicle stops. All 114 stops with canine deployments for drug detection purposes resulted from RAS.

## Arrests

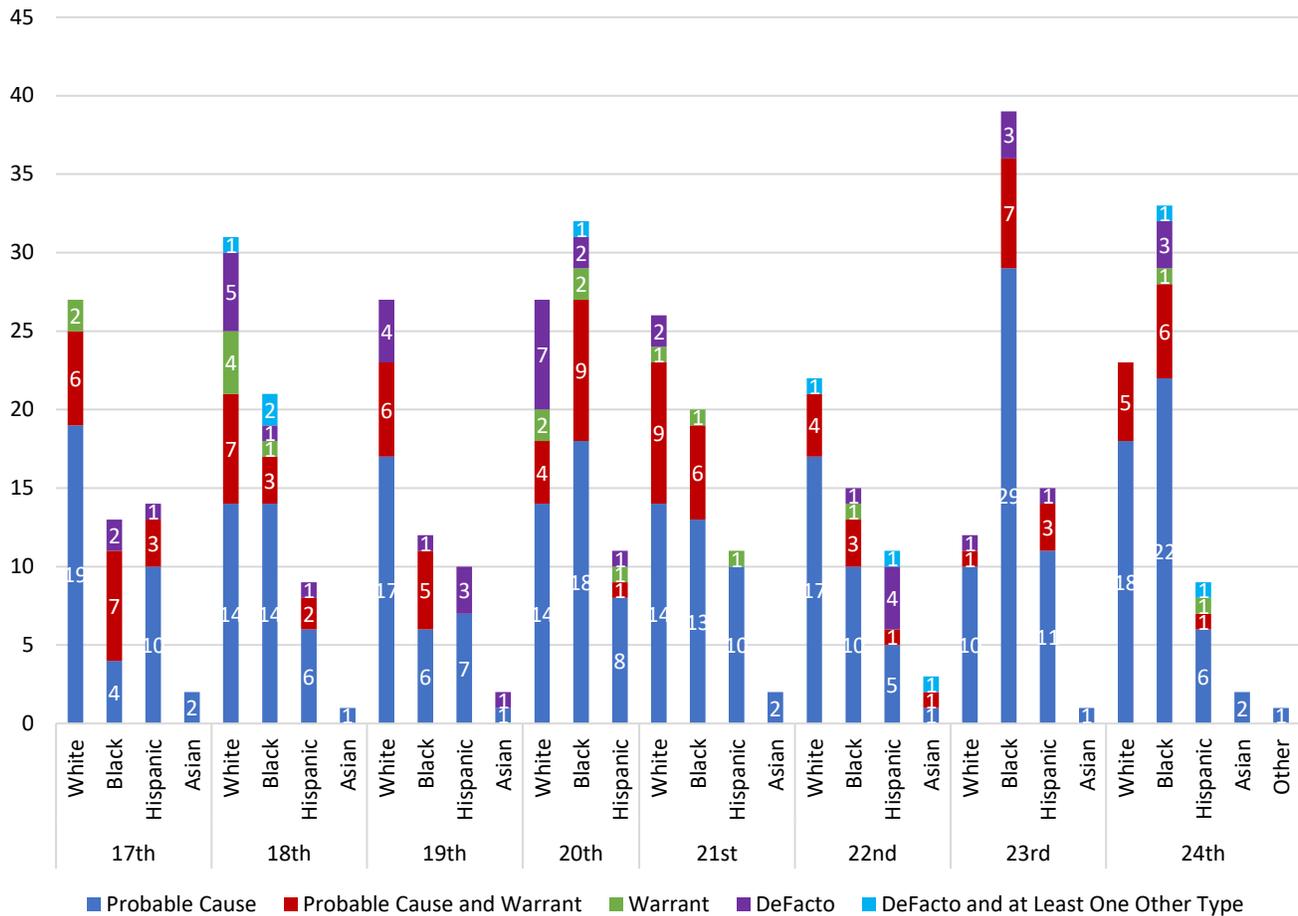
Of the 552 stops reviewed for this report, 485 involved at least one arrest.

As seen in Figure Ten, the majority of stops with arrests resulted from probable cause alone. Specifically, 313 stops had an arrest listed as resulting solely from probable cause. Eighteen stops with arrests were warrant-based, and 101 stops had arrests that resulted from a combination of probable cause and warrants. In instances where probable cause dissipates and no contraband is found, for example, an individual may be released from the scene and not charged.<sup>21</sup> State Police arrested but did not charge an individual in 65 motor vehicle stops.

<sup>20</sup> Troopers cited one of the top five reasons for stops in 365 of 552 motor vehicle stops. Table Three only presents the stops that cited one of these reasons. For example, the total listed for White drivers was 136, which represents the number of stops involving White drivers that cited one of these reasons, not the total number of stops involving a White driver, which was 222.

<sup>21</sup> This can occur when a trooper finds a controlled dangerous substance (CDS) and/or drug paraphernalia in a vehicle with a driver and one passenger. When that happens, a trooper may initially arrest both the driver and the passenger. However, if the passenger admits ownership, the driver would be released and not charged.

Figure Ten: Arrest Reason by Race/Ethnicity of Driver  
July 1, 2017 – June 8, 2021



As shown, of the 485 total stops reviewed that involved an arrest, 101 stops (20.82%) involved arrests made based on probable cause and at least one outstanding warrant. Although probable cause was a reason for the arrest, the existence of an outstanding warrant limited the trooper’s discretion on whether to arrest the individual.

In total, 64.54% of stops with arrests (313) resulted from probable cause alone, 3.71% (18) resulted from an outstanding warrant alone, 20.82% (101) resulted from both probable cause and an outstanding warrant, and 9.07% (44 stops) were *de facto* arrests. The remaining 1.86% of stops with an arrest (9) resulted from either probable cause or a warrant and were also *de facto* arrests.

### Summary of Standard 1

State Police policies and procedures prohibit troopers from using an individual’s race/ethnicity in decisions except in the specific circumstances of a B.O.L.O.

#### Findings:

- Overall, White drivers were involved in the largest proportion of stops with a consent request and stops with drug detecting canine deployments. Black drivers were involved in the largest proportion of stops with a use of force.

- Black drivers accounted for a greater proportion of total stops reviewed, as well as stops involving a consent search, stops involving a critical canine deployment, stops involving an arrest, and stops involving an unarrest in the 23<sup>rd</sup> and 24<sup>th</sup> reporting periods.
- Of the 552 stops included in this sample, 485 included an arrest. Asian drivers were most likely to be arrested, followed by Black drivers. Asian drivers were also most likely to be involved in an arrest without charges, followed by Hispanic drivers.
- Failure to maintain lane and rate of speed were the most commonly cited reasons for a motor vehicle stop. White drivers accounted for the greatest volume of motor vehicle stops for failure to maintain lane, and Black drivers accounted for the greatest volume of stops for rate of speed.
- Most stops with arrests resulted from probable cause alone. The reasons for stops – probable cause only, warrant only, and probable cause and warrant – varied across racial/ethnic groups.

## Performance Standard 2: Consent Search Requests

### Standard

According to State Police policies and procedures, consent to search requests and consent searches must adhere to the following guidelines:

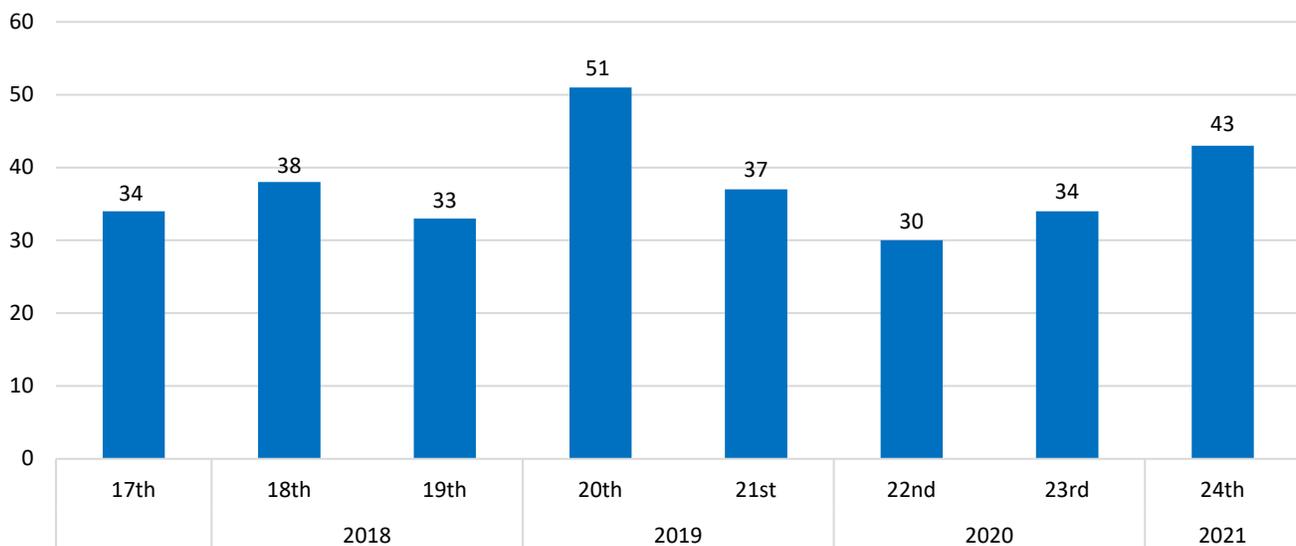
- Must be made with a minimum of RAS
- Must have supervisory approval
- Communication call-in must be made prior to requesting consent
- Troopers must notify consenter of their right to refuse
- Troopers must notify consenter of their right to be present
- The consent request must be limited in scope
- The consent search must be terminated upon withdrawal of consent
- There must be audio and visual (A/V) recording of request for approval, supervisor's response, request to citizen, citizen's response, signing of form, and actual search
- Consent form must be completed properly

### Assessment

OLEPS reviewed the 300 motor vehicle stops where a consent to search request was made of a motorist from July 1, 2017 to June 8, 2021. All of these stops were RAS-based. The motorist may grant or deny the request to search. In the stops reviewed from the eight reporting periods, motorists granted consent requests in 213 RAS-based stops and denied consent to search requests in 87 RAS-based stops.

Figure Eleven depicts the number of stops with a RAS-based consent request.

*Figure Eleven: Stops with RAS-Based Consent Requests*  
July 1, 2017 – June 8, 2021



The total number of consent requests became relevant in 2009 (second reporting period), as a result of the Supreme Court decision in Peña-Flores, decided in February 2009. This ruling led to State Police's increased reliance on probable cause consent requests, dramatically increasing the volume of stops with consent requests. However, since the Court's decision in Witt in September 2015 (thirteenth reporting period), the volume of all consent requests, particularly probable cause consent requests, decreased considerably.

## Reasonable Articulable Suspicion (RAS)

As previously indicated, OLEPS only examined consent to search requests that resulted from RAS.

In 268 of the stops with an RAS-based consent to search request reviewed by OLEPS, the facts and circumstances surrounding the consent request met the legal standard for consent (see Table Five). However, in 31 RAS-based stops, 10.33% of all stops with consent requests did not meet the legal standard. This is shown in Table Five.

*Table Five: Errors on Legal Standard of Consent Requests*  
July 1, 2017 – June 8, 2021

	2017	2018		2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>	
Met RAS	32	29	28	45	34	29	33	38	268
Unknown if Met RAS	-	-	-	-	1	-	-	-	1
Did Not Meet RAS	2	9	5	6	2	1	1	5	31

In most cases, the explanation used to justify the request for consent rose to RAS. For the legal standard of RAS to be met, the trooper must have reason to believe a crime has been committed or will be committed. In several cases when the request for consent did not rise to RAS, it is because the trooper only cited the driver's inconsistent itinerary and nervous demeanor which, on its own, does not rise to RAS. OLEPS recommends State Police continue its vigilance in meeting all procedures relating to consent requests.

Additionally, OLEPS noted 87 RAS-based stops with a consent to search request where the trooper's language, wording, inaccurate descriptions of the RAS consent process, and/or repeated requests may be interpreted as pressuring the driver for consent to search the vehicle.

## Consent Forms

State Police must complete a consent to search form for all requests for consent to search. This form provides documentation of the consent request and accompanying search, including the location(s) searched (vehicle or personal belonging), the individual(s) involved, the location of the stop, the rights of the individual(s) involved in the consent request, whether consent was granted or denied, and a log of any evidence recovered. As such, it is important troopers complete these forms properly.

In 18 of the 300 stops with consent to search requests, troopers either did not complete a consent to search request form or the consent to search form completed at the scene was missing in State Police's databases. Of the 282 stops with completed forms, OLEPS confirmed that 65 stops, 23.05%, had correctly completed consent forms. In 217 stops, the consent form contained errors many related to blank fields on the form resulting in an incomplete record of the consent request and/or accompanying search. For example, a form may lack a mark indicating whether the motorist granted or denied consent, lack requisite signatures, or lack complete responses to all fields. This is shown in Table Six.

*Table Six: Consent Form Errors*  
July 1, 2017 – June 8, 2021

	2017	2018		2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>	
<i>Consent Form Correct</i>	16	10	7	6	11	3	4	8	<b>65</b>
<i>Consent Form Missing or Not Completed</i>	2	2	2	2	3	2	2	3	<b>18</b>
<i>Consent Form Not Correct</i>	16	26	24	43	23	25	28	32	<b>217</b>

OLEPS continues to recommend that State Police accurately file, record, and store all documents. OLEPS also continues to recommend State Police emphasize the importance of appropriately filing consent forms and properly documenting consent form errors via an intervention.

## Rights

Consent to search forms must be read in their entirety to the individual whose vehicle, items, or person is being searched so that the person clearly understands their rights. These rights include the right to refuse the search and the right to be present during the search. Of the 300 motor vehicle stops with a consent to search request, OLEPS was able to determine whether a trooper appropriately notified the driver of either the right to refuse or the right to be present during the consent search in 287 stops. Of those, troopers did not appropriately notify the driver of either the right to refuse or the right to be present during the consent search in 96 stops (33.45%). This is shown in Table Seven.

*Table Seven: Reading Consent Form Errors*  
July 1, 2017 – June 8, 2021

	2017	2018		2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>	
<i>Consent Form Read Correctly</i>	25	29	28	41	11	24	25	8	<b>191</b>
<i>Unknown if Consent Form Read Correctly</i>	4	1	-	-	3	1	1	3	<b>13</b>
<i>Consent Form Not Read Correctly</i>	5	8	5	10	23	5	8	32	<b>96</b>

## Accountability & Safety

Troopers must meet several requirements during a consent search request. This includes the requirement that a supervisor who is not involved in the stop provide permission for a trooper to request consent to search of the motorist. This ensures the trooper's request for consent to search results from articulable facts and circumstances that meet the appropriate standards of RAS or probable cause. As shown in Table Eight, in 286 of the 300 stops with a consent request reviewed for this report, the trooper notified the supervisor of the facts and circumstances of the basis of the stop prior to asking the motorist for consent to search. In seven of the 300 stops, the trooper did not notify the supervisor, and in the remaining seven stops with a consent request, it was unknown whether the trooper notified the supervisor of the facts and circumstances. Four of these stops received a paper-only review. Audio and/or video interference made it difficult to determine whether the trooper notified the supervisor of the facts and circumstances in the remaining three of these stops. This is shown in Table Eight.

*Table Eight: Request for Supervisory Approval to Request Consent Errors*  
July 1, 2017 – June 8, 2021

	2017	2018			2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>		
<i>Supervisor Notified</i>	32	37	33	49	34	27	33	41	<b>286</b>	
<i>Unknown if Supervisor Notified</i>	-	-	-	1	3	2	-	1	<b>7</b>	
<i>Supervisor Not Notified</i>	2	1	-	1	-	1	1	1	<b>7</b>	

Troopers must also read the consent form while recording the stop. This provides supplemental evidence that troopers notified motorists of their rights. As shown in Table Nine, in 290 of the 300 stops with a consent request reviewed for this report, the trooper recorded the consent request. In three of the 300 stops, the trooper did not record the consent request, and in the remaining seven stops, it was unknown whether the trooper recorded the consent request. Six of these stops received a paper-only review. Video interference made it difficult to determine whether the trooper recorded the consent request in the remaining stop. This is shown in Table Nine.

*Table Nine: Consent Request Recording Errors*  
July 1, 2017 – June 8, 2021

	2017	2018			2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>		
<i>Consent Request Recorded</i>	30	38	33	51	32	29	34	43	<b>290</b>	
<i>Unknown if Consent Request Recorded</i>	2	-	-	-	4	1	-	-	<b>7</b>	
<i>Consent Request Not Recorded</i>	2	-	-	-	1	-	-	-	<b>3</b>	

After a supervisor approves the request to ask for consent to search and the motorist grants consent, troopers must notify the State Police communication center that a search is beginning. Once that is done, the search may begin. In 186 of the 213 stops with a granted consent request, troopers notified the communication center prior to conducting the search. In 15 stops, the trooper did not notify the communication center before beginning the search, and in the remaining 12 stops, it was unknown if the trooper notified the communication center prior to conducting the search. Four of these stops received a paper-only review. Audio and/or video interference made it difficult to determine whether the trooper notified the communication center prior to conducting the search in the remaining eight stops. This is shown in Table Ten.

*Table Ten: Consent Search Communication Errors*  
July 1, 2017 – June 8, 2021

	2017	2018			2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>		
<i>Communication Center Notified</i>	27	24	22	35	20	13	19	26	<b>186</b>	
<i>Unknown if Communication Center Notified</i>	2	-	-	-	5	1	2	2	<b>12</b>	
<i>Communication Center Not Recorded</i>	1	1	2	1	2	4	1	3	<b>15</b>	

According to State Police policy, troopers must also record the actual search. As shown in Table Eleven, State Police recorded the execution of the consent search in 205 stops with a granted consent request. In two stops, the trooper did not record the consent search, and in six stops, it was unknown if the trooper recorded the search. Four of these stops received a paper-only review. Audio and/or video interference made it difficult to determine whether the trooper recorded the consent search in the remaining two stops. This is shown in Table Eleven.

*Table Eleven: Consent Search Recording Errors*  
July 1, 2017 – June 8, 2021

	2017	2018			2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>		
<i>Consent Search Recorded (Audio and Video)</i>	26	25	25	33	21	18	21	27	<b>196</b>	
<i>Consent Search Recorded (Audio Only)</i>	1	-	-	1	1	-	-	1	<b>4</b>	
<i>Consent Search Recorded (Video Only)</i>	1	-	-	1	-	-	1	2	<b>5</b>	
<i>Unknown if Consent Search Recorded</i>	1	-	-	-	4	-	-	1	<b>6</b>	
<i>Consent Search Not Recorded</i>	1	-	-	-	1	-	-	-	<b>2</b>	

As noted above, the consent to search form specifically identifies the parts of a motor vehicle or specific item a trooper may search per supervisory approval and motorist consent. Troopers may not deviate from this scope. OLEPS noted that in 165 of the 213 stops with a granted search request, troopers limited their search to the scope requirements of the search. There were 40 motor vehicle stops (18.87%) where troopers went beyond the scope parameters, and eight stops where it was unknown if the trooper went beyond the scope of the search. Four of these stops received a paper-only review. Audio and/or video interference made it difficult to determine whether the trooper went beyond the scope of the consent search in the remaining four stops. Four of these stops received a paper-only review. This is shown in Table Twelve.

*Table Twelve: Consent Search Scope Errors*  
July 1, 2017 – June 8, 2021

	2017	2018			2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>		
<i>Followed the Scope</i>	25	22	17	29	20	13	19	20	<b>165</b>	
<i>Unknown if Followed the Scope</i>	3	1	-	-	3	-	-	1	<b>8</b>	
<i>Did Not Follow the Scope</i>	2	2	8	6	4	5	3	10	<b>40</b>	

A motorist retains the right to withdraw their consent to the search at any time during the search. When that occurs, troopers must immediately terminate the search. Of the 213 granted consent requests, OLEPS noted three instances of withdrawn consent. In one of those stops, the consent search was not terminated upon withdrawal.

## Summary of Standard 2

State Police policies and procedures indicate the use of limited scope consent to search requests only when facts and circumstances meet RAS and with prior supervisory approval to request consent to search. Further, State Police policies and procedures require troopers to notify the individual of the rights to refuse, be present, and terminate the request, and for troopers to immediately cease the search upon the individual's execution

of these rights. Troopers must also document the request via audio and visual recording, communication call-ins, and on a consent to search form.

Findings:

- In 31 stops with consent requests reviewed for this report, the consent request failed to meet the legal standard of RAS.
- OLEPS noted 87 instances where the trooper's language, wording, inaccurate descriptions of the RAS consent process, and repeated requests may have pressured the driver for consent to search the vehicle.
- Consent forms were completed at the scene for 282 of the 300 stops with consent requests. For the remaining 18 stops, troopers either did not complete a form or the form was unavailable in State Police's database. Of these 282 stops with completed and accessible forms, OLEPS confirmed that 65 stops had correctly completed consent forms.
- In 96 stops, a trooper did not appropriately notify the driver of either the right to refuse or the right to be present during the consent search.
- In seven stops with a consent request, a trooper did not notify a supervisor of the facts and circumstances giving rise to RAS before requesting consent to search.
- In three stops, troopers failed to record the request for a consent request.
- In 186 of the 213 stops with a granted consent request, troopers notified the communication center prior to conducting the consent search.
- State Police did not record the execution of the consent search in two stops.
- In 40 stops, troopers went beyond the scope parameters of an RAS consent search.

OLEPS continues to recommend State Police stress the importance of filling out consent to search forms completely and correctly, and appropriately cataloging them. Detailed discussion of the stops without supervisory review appears in Performance Standard 9. Further discussion of the recording issues noted in this standard appear in Performance Standard 5.

## Performance Standard 3: Deployment of Drug Detection Canines

### Standard

According to State Police policies and procedures, canine deployments must adhere to the following guidelines:

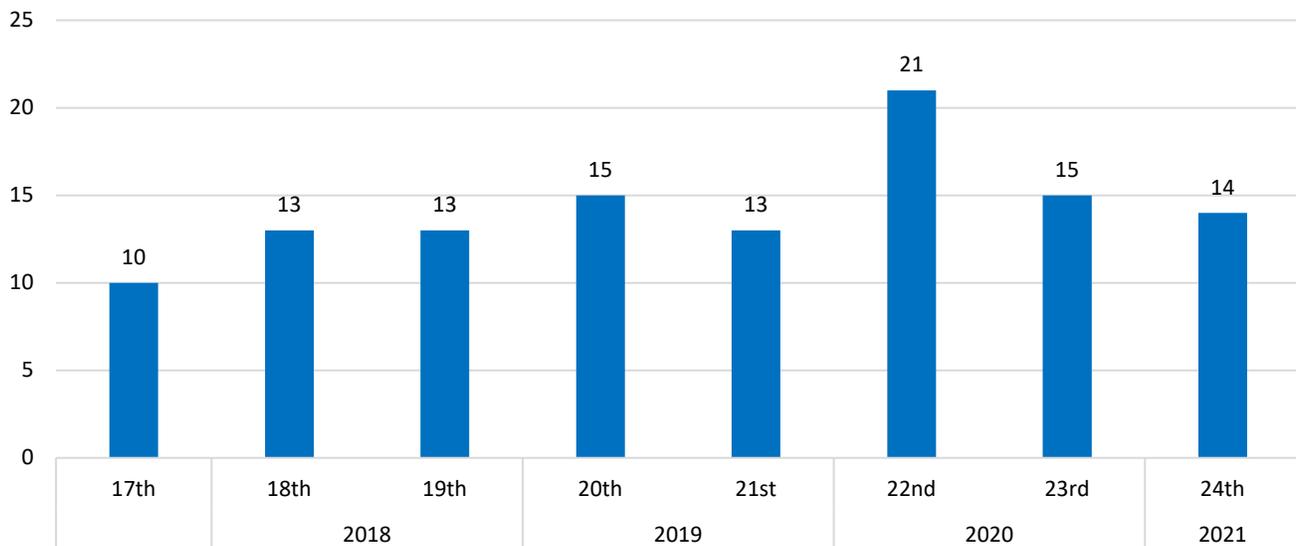
- Must be authorized by a supervisor not involved in the stop
- Must be radioed through dispatch
- Must have a minimum of RAS<sup>22</sup>
- Must be recorded<sup>23</sup>

### Assessment

OLEPS reviews all stops with canine deployments that occur for drug detection purposes. To be considered a critical stop, the canine deployment must occur at the scene of the stop (not at the station), must be RAS-based, and must be made for drug detecting purposes rather than for another purpose, such as tracking a fleeing suspect. In total, there were 114 RAS-based stops with canine deployments occurring at the scene and for drug detecting purposes from July 1, 2017 to June 8, 2021.

Figure Twelve depicts the number of stops with a critical canine deployment in each reporting period.

*Figure Twelve: Stops with Critical Canine Deployments*  
July 1, 2017- June 8, 2021



The facts and circumstances surrounding 12 RAS-based canine deployments did not meet the legal standard of RAS.

<sup>22</sup> In *State v. Dunbar*, 229 N.J. 521, 540 (2017), the Supreme Court held that “an officer does not need reasonable suspicion independent from the justification for a traffic stop in order to conduct a canine sniff.” The Court also held that “an officer may not conduct a canine sniff in a manner that prolongs a traffic stop beyond the time required to complete the stop’s mission, unless he possesses reasonable and articulable suspicion to do so.” *Ibid.* “In other words, in the absence of such suspicion, an officer may not prolong the stop.” *Id.* at 13, 14.

<sup>23</sup> State Police policies and procedures require the recording of all motor vehicle stops. This is discussed further in Performance Standard 5.

*Table Thirteen: Canine Deployment Legal Standard Errors*  
July 1, 2017 – June 8, 2021

	2017	2018		2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>	
<i>Met RAS</i>	9	9	10	14	10	20	15	12	<b>99</b>
<i>Unknown if Met RAS</i>	-	-	1	-	2	-	-	-	<b>3</b>
<i>Did Not Meet RAS</i>	1	4	2	1	1	1	-	2	<b>12</b>

OLEPS recommends State Police continue its vigilance in meeting all procedures relating to critical canine deployments.

State Police policies and procedures require the recording of critical canine deployments. As shown in Table Fourteen, State Police appropriately recorded 110 of the critical canine deployments reviewed for this report. It was unknown if the deployments were recorded in four stops. All four of these stops received a paper-only review.

*Table Fourteen: Canine Deployment Recording Errors*  
July 1, 2017 – June 8, 2021

	2017	2018		2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>	
<i>Canine Deployment Recorded</i>	10	13	13	15	10	20	15	14	<b>110</b>
<i>Unknown if Canine Deployment was Recorded</i>	-	-	-	-	3	1	-	-	<b>4</b>
<i>Canine Deployment Not Recorded</i>	-	-	-	-	-	-	-	-	-

State Police policies and procedures also require that canine deployments be called in through the communications call center and receive supervisory approval.

### *Summary of Standard 3*

State Police policies and procedures require canine deployments to be authorized by a supervisor not involved in the stop, to be radioed through dispatch, to have a minimum of RAS, and to be recorded.

#### Findings:

- The number of motor vehicle stops involving an RAS-based canine deployment for drug detection purposes has remained lower than it had been prior to 2014.
- Twelve of the 114 stops with a critical canine deployment failed to meet the legal standard for RAS.
- One hundred-ten of the critical canine deployments were recorded, as required. OLEPS could not determine if the remaining four stops with a critical canine deployment were recorded.

## Performance Standard 4: Use of Force

### Standards

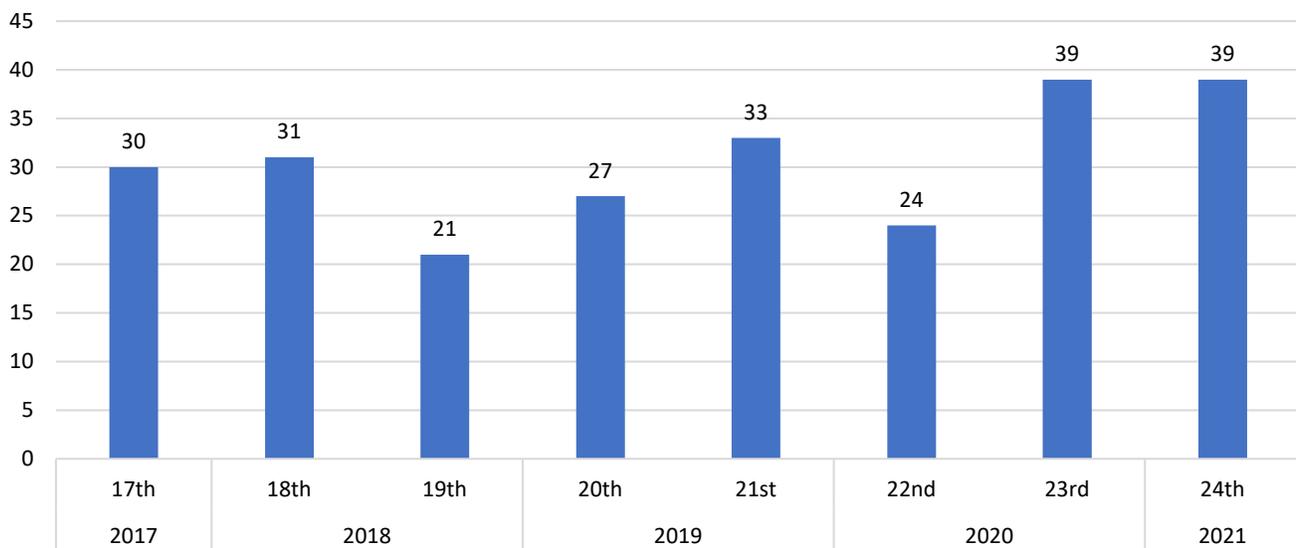
Troopers must adhere to the following guidelines related to the use of force:

- Used for protection of self or others from unlawful force by another, suicide/bodily injury
- Used to prevent the commission of a crime involving potential injury, damage, loss of property, or breach of peace
- Used to prevent an escape
- Used to effect an arrest only if the purpose of the arrest is made reasonably known, if a warrant is reasonably believed to be valid, or when the arrest is lawful
- Use of force forms filed completely and properly

### Assessment

OLEPS reviews all uses of force that originate from a motor vehicle stop. In total, there were 244 stops involving a use of force from July 1, 2017 to June 8, 2021. Figure Thirteen depicts the trend in the number of stops with a use of force.

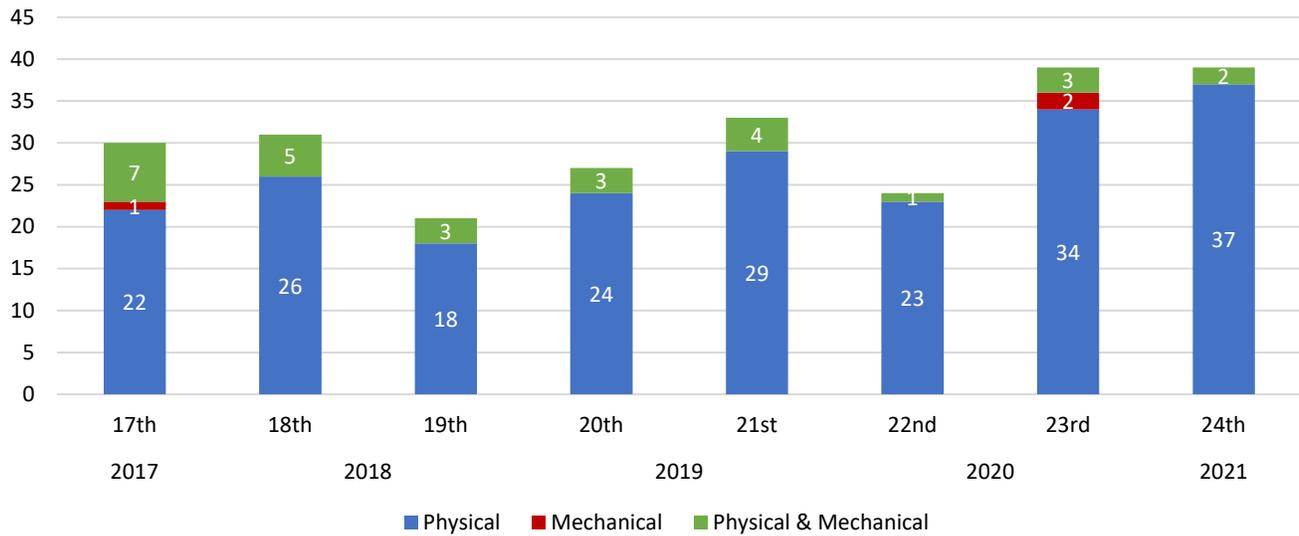
*Figure Thirteen: Stops with a Use of Force*  
July 1, 2017 – June 8, 2021



In 207 stops, troopers used force against the driver only. In 31 stops, troopers used force against a passenger only, and in six stops, troopers used force against the driver and a passenger. As shown, the number of stops involving a use of force was highest in the 23<sup>rd</sup> and 24<sup>th</sup> reporting periods.

Figure Fourteen presents the types of force used. A use of force incident can include numerous types of force used and can also include force used against multiple vehicle occupants in a stop. As in previous reporting periods, physical force alone was the most frequently used type of force.

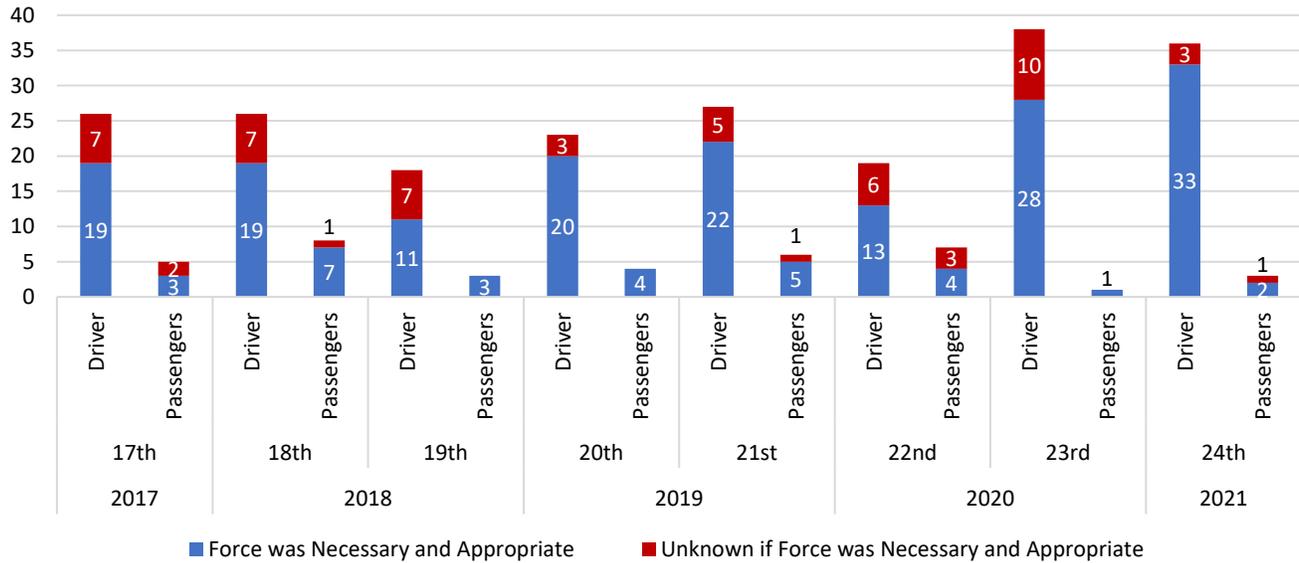
Figure Fourteen: Uses of Force by Type of Force<sup>24</sup>  
July 1, 2017 – June 8, 2021



OLEPS assesses whether uses of force occurring in motor vehicle stops were appropriate and necessary. As shown in Figure Fifteen, in 194 instances (165 uses of force involving the driver and 29 involving a passenger), the use of force was necessary and appropriate. OLEPS was unable to determine whether uses of force were appropriate in 56 instances, including 48 instances involving a driver and eight instances involving a passenger. In these 56 instances, recordings were unavailable or incomplete, or the use of force occurred partially or entirely off camera.

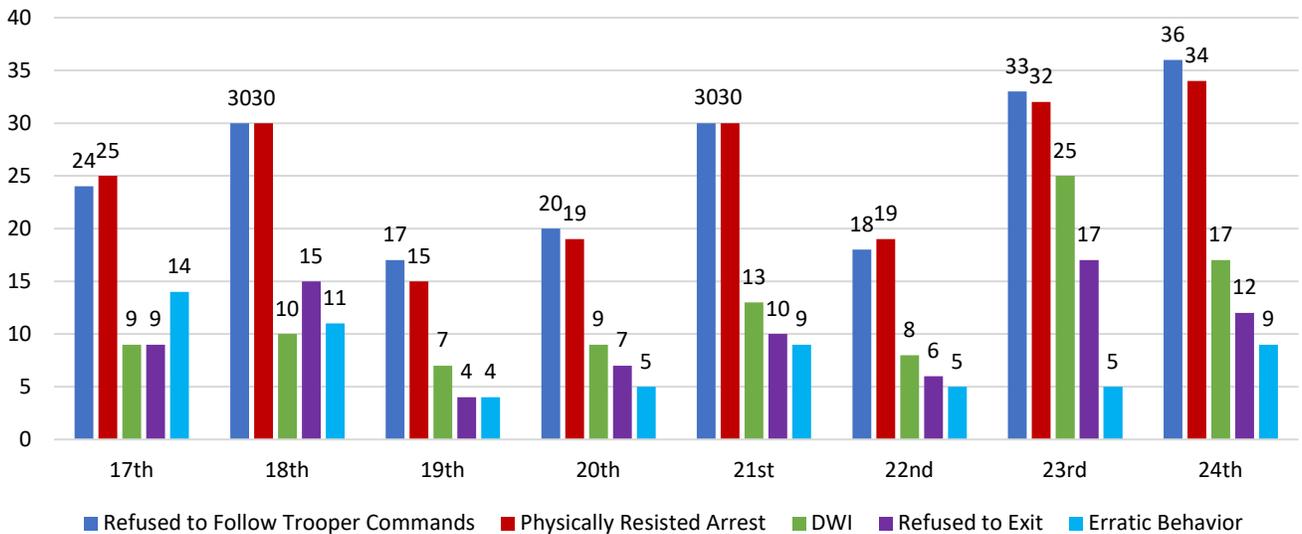
<sup>24</sup> Physical force is defined as bodily contact with a subject, not otherwise submitting or cooperating, to effect an arrest or other law enforcement objective. Mechanical force is defined as the use of some device, which employs less than deadly force such as a baton (PR24, expandable baton, etc.), police canine, chemical or natural irritating agent, etc. Enhanced mechanical force is defined as an intermediate force option between mechanical force and deadly force, requiring a greater level of justification than that pertaining to physical or mechanical force, but a lower level of justification than that required for uses of deadly force (e.g., conducted energy devices and less-lethal ammunition).

Figure Fifteen: Use of Force Errors  
July 1, 2017 – June 8, 2021



OLEPS examined the specific circumstances in each stop that gave rise to a use of force. Most commonly, individuals refused to comply with a trooper’s commands or physically resisted arrest. Figure Sixteen shows the top five factors that precipitated a use of force during these reporting periods.<sup>25</sup>

Figure Sixteen: Top Factors that Precipitated a Use of Force  
July 1, 2017 – June 8, 2021

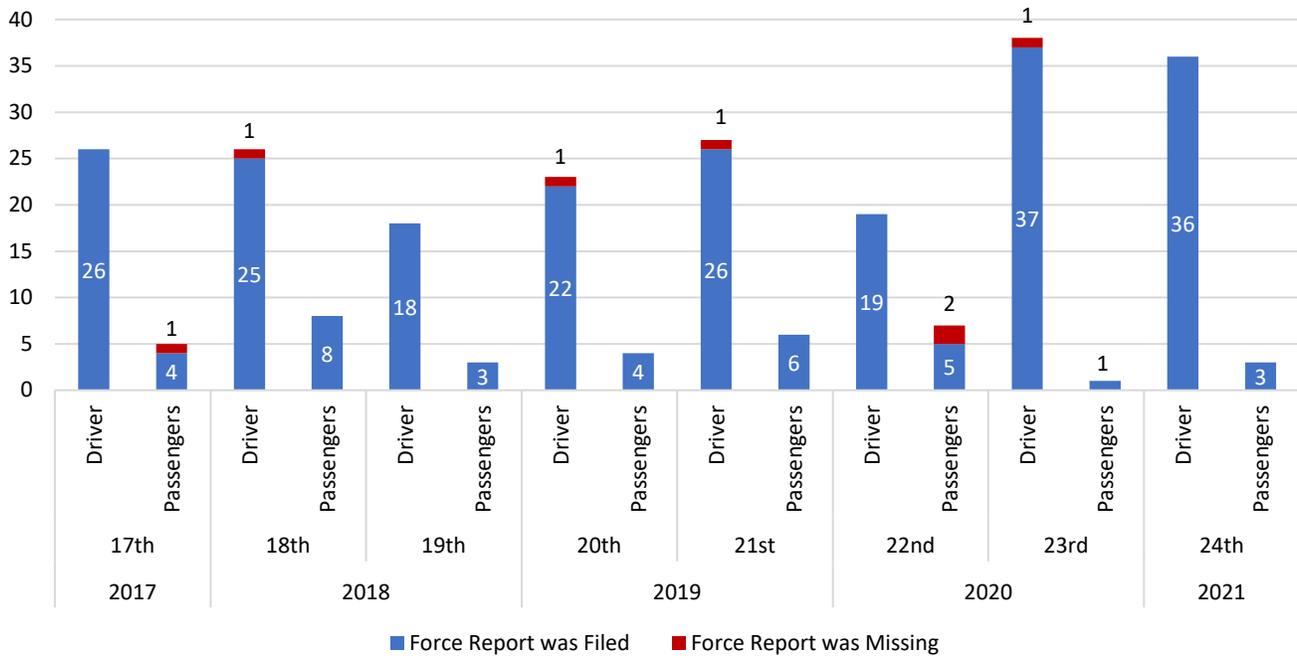


Troopers must complete a use of force report in all instances of force for each individual involved. As shown in Figure Seventeen, troopers filed a total of 243 use of force reports for the 250 uses of force. This includes

<sup>25</sup> Stops may be represented more than once since the totality of the circumstances is what leads to a use of force and because these actions may have occurred simultaneously.

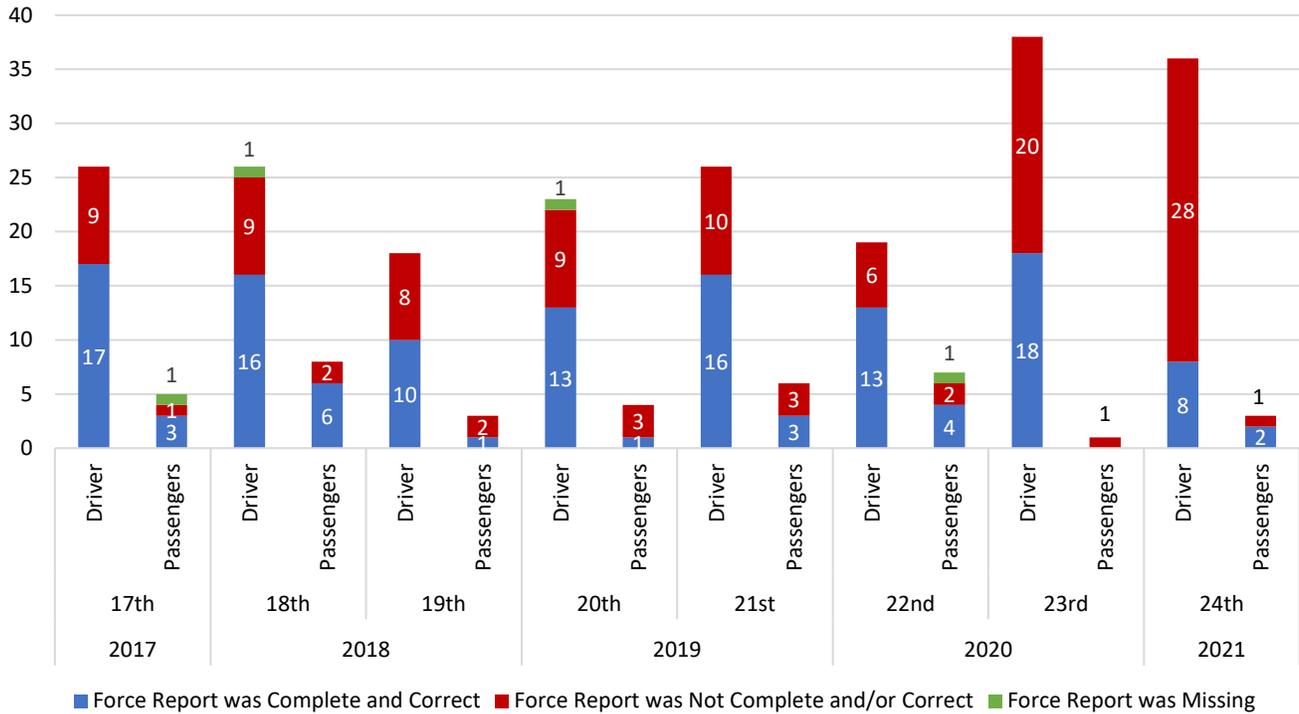
209 reports for a use of force involving the driver and 34 for a use of force involving a passenger. An additional seven reports (four for a use of force involving the driver and three for a use of force involving a passenger) were missing.

*Figure Seventeen: Use of Force Reports*  
July 1, 2017 – June 8, 2021



Additionally, OLEPS reviews use of force reports for completion and correctness. As shown in Figure Eighteen, in 114 instances involving a use of force (99 involving the driver and 15 involving a passenger), troopers did not complete the use of force report properly.

Figure Eighteen: Use of Force Report Errors  
July 1, 2017 – June 8, 2021



### Summary of Standard 4

The policies governing State Police use of force limit the actions of troopers in their use of force to specific circumstances, including effecting an arrest, protection of self or others, and preventing a crime or escape. All troopers that use force must properly document the force in a use of force report.

#### Findings:

- Of the 244 incidents involving a use of force reviewed for this report, 194 were recorded.
- OLEPS noted seven instances of a missing use of force form.
- In 114 instances involving a use of force – 99 involving the driver and 15 involving a passenger – OLEPS noted that the use of force form was not completed properly.

## Performance Standard 5: Recording & Reporting of Motor Vehicle Stops

### Standards

State Police policies and procedures require that troopers record the entirety of their motor vehicle stop and require several reporting elements before, during, and after the motor vehicle stop. There must be audio and video recording of all motor vehicle stops, beginning just prior to the first communication center call-in and ending when the stop is cleared.

The records of the stop must contain several pieces of information, which are typically radioed to communication dispatch. However, troopers may enter this information into the mobile computer in the troop car. They include the following:

- Trooper badge number and activity (*i.e.*, motorist aid or vehicle stop)
- Location, direction of travel, and municipality
- Vehicle description
- Occupant description (*i.e.*, perceived race and gender)
- Stop statute
- Status update
- Occupant description (*i.e.*, race and gender) update
- Driver date of birth
- Vehicle registration, make, and model
- Checks on licenses/identity, wanted persons status, and criminal history
- Requesting backup
- Final disposition
- Stop cleared

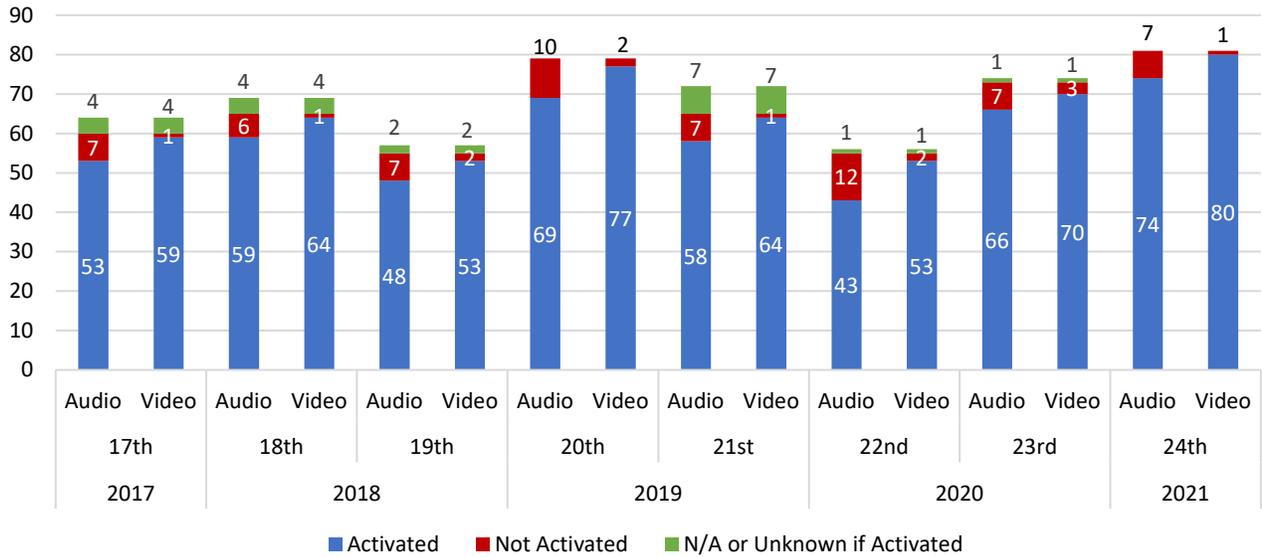
Troopers must complete a motor vehicle stop report for all stops that involve post-stop enforcement activity, excluding stops that involve only a field sobriety test without an arrest. Investigation reports are also required when a stop involves investigative functions (*e.g.*, search warrants). These reports should be completed without errors.

In addition to recordings, OLEPS reviews all documentation of motor vehicle stops. This includes all supervisory reviews of motor vehicle stops. In instances where OLEPS cannot access or locate a recording of a motor vehicle stop, OLEPS examines the supervisory review to determine whether State Police recorded the stop.

### Assessment Recording

State Police policy requires the recording of all motor vehicle stops, beginning when a trooper signals a car to stop (*i.e.*, turns on lights and sirens). A recording error occurs when the video or audio function does not record the stop in its entirety. Figure Nineteen depicts the number of stops with video and audio activation recording errors.

Figure Nineteen: Video and Audio Activation Recording Errors  
July 1, 2017 – June 8, 2021



### Audio Activation

In 470 of the 552 motor vehicle stops (85.14%) reviewed, troopers appropriately activated audio recordings. OLEPS could not determine whether the audio recording was activated in 15 stops and four stops where audio activation was not applicable because of the circumstances of the stop (3.44%). This includes 11 stops that were a paper-only review and four stops where interference made it difficult to determine whether the audio was activated. In the remaining 63 stops (11.41%), the trooper did not activate the audio appropriately at the beginning of the stop.

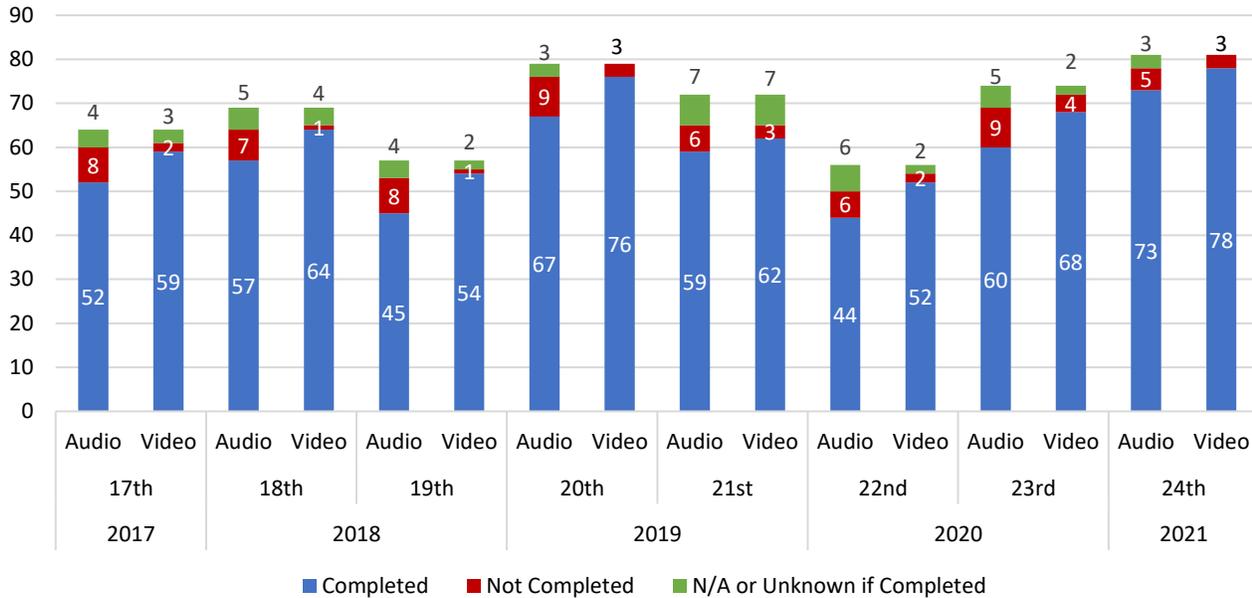
### Video Activation

Video recording activation occurred at the beginning of 520 motor vehicle stops (94.20%).<sup>26</sup> OLEPS could not determine whether the video recording was activated in 15 stops and four stops where video activation was not applicable because of the circumstances of the stop (3.44%). This includes 11 stops that were a paper-only review and four stops where interference made it difficult to determine whether the video was activated. In 13 stops, (2.36%), the trooper did not activate the video appropriately upon signaling the stop.

Figure Twenty depicts the number of stops with video and audio completion recording errors.

<sup>26</sup> All troopers reporting to the scene of a motor vehicle stop, criminal enforcement stop, motorist aid, motor vehicle accident, or pedestrian contact are required to record the incidents in their entirety.

Figure Twenty: Video and Audio Activation Recording Errors  
July 1, 2017 – June 8, 2021



As with the activation of audio and video, OLEPS also assesses whether the audio and video recordings continue to the completion of a stop.

### Audio Completion

The audio recording continued to the completion of the stop in 457 stops (82.79%). OLEPS could not determine whether the audio recording continued to the completion of the stop in 37 stops (6.70%). Eleven of these stops were paper-only reviews and in an additional 17 stops, audio interference made it difficult to determine trooper actions. In the remaining nine stops the audio was not activated, which means it could not have recorded to completion. There were 58 stops (10.51%) where the audio recording should have continued to the completion of the stop but did not.

### Video Completion

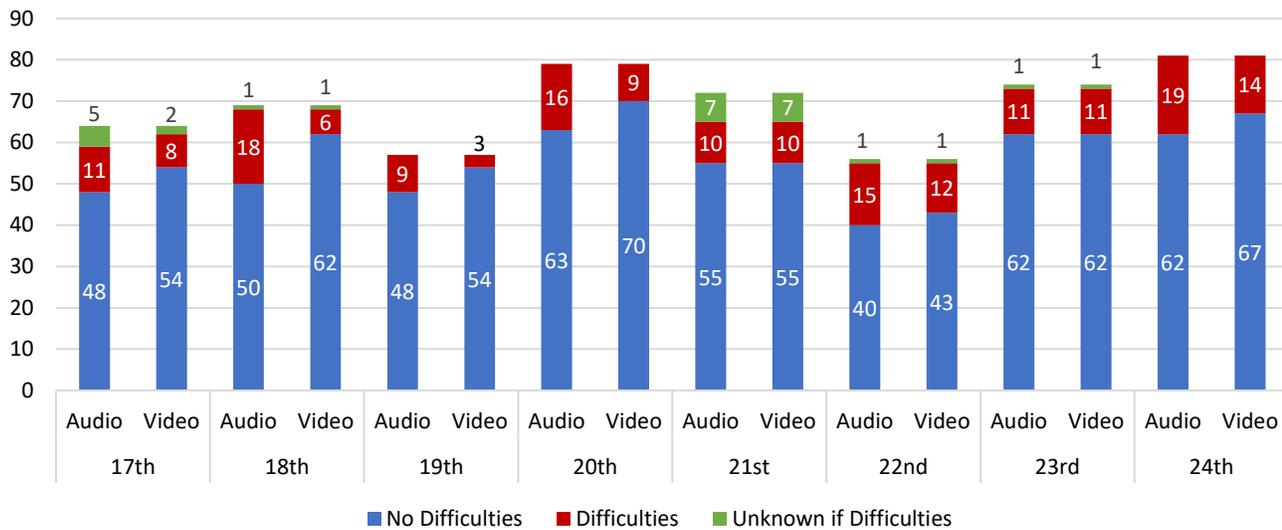
In 513 stops (92.93%), the video recording continued to the completion of the stop. OLEPS could not determine whether the video recording continued to the completion of the stop in 20 stops (3.62%). Eleven of these stops were paper-only reviews and in an additional five stops, video interference made it difficult to determine trooper actions. In the remaining four stops the video was not activated, which means it could not have recorded to completion. There were 19 additional stops (3.44%) where the video recording did not continue to the completion of the stop.

### Recording Difficulties

OLEPS also assesses the quality of audio and video recordings. While a Digital in-Vehicle Recording (DIVR) may be available for a stop, the audio may be unintelligible or the camera may not have been aimed at the stopped vehicle. In these instances, OLEPS noted whether any audio or video interference made it difficult to

determine trooper actions. There were 109 stops (19.75%) where audio interference, such as the noise of passing traffic or other external factors, made it challenging to determine trooper actions.

*Figure Twenty-One: Recording Difficulties*  
July 1, 2017 – June 8, 2021



OLEPS noted video recording issues, which made it difficult to determine trooper actions, in 73 stops (13.22%). Video interferences often result from camera positioning or environmental conditions (e.g., darkness, precipitation, etc.).

### Communication Call-Ins

State Police policies and procedures contain a number of requirements relating to communication center call-ins during a motor vehicle stop. The purpose of these call-ins is to both monitor trooper safety and to serve as a record of the events of the stop. It also acts as an additional record of the stop, should a video or audio malfunction before or during the stop.

The mobile data terminals (MDTs) in State Police vehicles allow troopers to enter most communication call-ins directly into the Computer Aided Dispatch (CAD) system. As such, OLEPS considers information noted in CAD but not heard on the recording as an appropriate communication call-in.

Upon stopping but prior to approaching the vehicle, troopers are required to call-in the location of the stop, the vehicle description, the number of occupants in the vehicle, the perceived race/ethnicity of the vehicle’s occupants, and the reason for the stop.<sup>27</sup>

<sup>27</sup> The specifications for communication call-ins vary slightly for events that do not begin as a trooper-initiated motor vehicle stop based on the specific circumstances and feasibility of call-ins in these events. For example, a trooper may be required to take immediate action prior to a communication call-in.

*Table Fifteen: Communication Call-in Errors*  
July 1, 2017 – June 8, 2021

	2017	2018	2019	2020	2021				
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>	Total
<i>Location</i>									
<i>Called In</i>	64	54	42	74	55	54	66	79	488
<i>Unknown if Called In</i>	-	15	14	3	13	-	-	1	46
<i>Not Called In</i>	-	-	1	2	4	2	8	1	18
<i>Number of Occupants</i>									
<i>Called In</i>	64	54	41	74	56	53	66	79	487
<i>Unknown if Called In</i>	-	15	14	3	13	-	-	1	46
<i>Not Called In</i>	-	-	2	2	3	3	8	1	19
<i>Vehicle Description</i>									
<i>Called In</i>	64	54	41	74	57	54	66	78	488
<i>Unknown if Called In</i>	-	15	14	3	13	-	-	1	46
<i>Not Called In</i>	-	-	2	2	2	2	8	2	18
<i>Description of Occupants</i>									
<i>Called In</i>	64	54	41	74	57	54	66	78	488
<i>Unknown if Called In</i>	-	15	14	3	13	-	-	1	46
<i>Not Called In</i>	-	-	2	3	3	3	8	3	22
<i>Stop Reason</i>									
<i>Called In</i>	64	55	41	74	55	54	66	77	486
<i>Unknown if Called In</i>	-	14	14	3	13	-	-	1	45
<i>Not Called In</i>	-	-	2	2	4	2	8	3	21
<i>Completion of Stop</i>									
<i>Called In</i>	64	66	56	79	64	45	72	73	519
<i>Unknown if Called In</i>	-	1	-	-	6	8	-	6	21
<i>Not Called In</i>	-	2	1	-	2	3	2	2	12
<i>Action Taken</i>									
<i>Called In</i>	64	66	56	79	64	45	72	73	519
<i>Unknown if Called In</i>	-	1	-	-	6	8	-	6	21
<i>Not Called In</i>	-	2	1	-	2	3	2	2	12

In the majority of stops, troopers called in the appropriate information to communication. Specifically, in 18 stops (3.26%), the trooper failed to notify communication of the location of the motor vehicle stop. In 19 stops (3.44%), the trooper failed to notify communication of the number of occupants in the vehicle. Troopers failed to notify communication of the description of the vehicle in 18 stops, (3.26%). In 22 stops (3.99%), the trooper failed to notify communication of the description of the occupants in the vehicle. In 21 stops (3.80%), the trooper failed to notify communication of the reason for the stop.

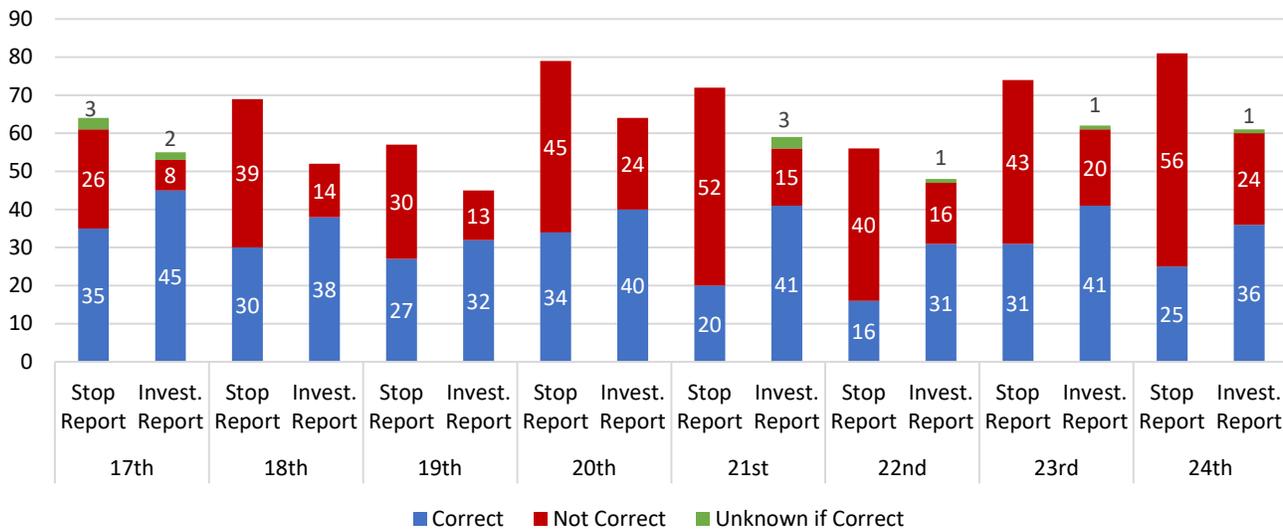
Upon completion of the stop, troopers must notify communication of the completion of the stop and the actions taken during the stop (e.g., summons, warning, towing the vehicle). In 12 stops (2.17%), troopers did not notify communication of the completion of the stop and of actions taken during the stop.

## Reporting

Motor vehicle stop reports detail the timeline of the stop, the individuals involved, and all enforcement actions/activities that occurred. State Police supervisors review and approve these reports. OLEPS reviews these reports to ensure consistency with the events of the stop depicted on recordings.

Of the 552 stops reviewed, 331 stops (59.96%) had a stop report that contained at least one error. An error on a motor vehicle stop report consists of any incomplete, missing, or inaccurate information on the report (e.g., missing notation of a frisk, missing arrest and/or charges information, or information provided is not in chronological order). Recording issues made it impossible to determine if the stop report was completed properly in three stops (0.54%).

Figure Twenty-Two: Report Errors  
July 1, 2017 – June 8, 2021



State Police is required to complete investigation reports only for stops involving investigative activities. Of the 552 stops reviewed for this report, 446 required investigation reports. Of these stops, 134 (30.04%) contained at least one error. Recording issues made it impossible to determine if the investigation report was completed properly in eight stops (1.79%).

## Summary of Standard 5

The recording and reporting requirements outlined in State Police policies and procedures facilitate documentation of a trooper’s encounters with an individual to ensure their safety and to ensure the existence of an accurate and complete documentation of the encounter.

### Findings:

- As to activating video and audio recordings:
  - In 63 stops (11.41%), the trooper did not activate the audio appropriately upon signaling the stop.

- In 13 stops (2.36%), the trooper did not activate the video appropriately upon signaling the stop.
- As to video and audio recordings continued to the completion of the stop:
  - In 58 stops (10.51%), the audio recording should have continued to the completion of the stop, but did not.
  - In 19 stops (3.44%), the audio recording should have continued to the completion of the stop, but did not.
- Nearly 20.00% of all stops had audio recording difficulties, and 13.22% of all stops had video recording difficulties.
- As to calling in the appropriate information to the communication center:
  - In 18 stops (3.26%), the trooper did not call in the location of the stop or the vehicle description at the beginning of the stop.
  - In 19 stops (3.44%), the trooper did not call in the number of occupants at the beginning of the stop.
  - In 22 stops (3.99%), the trooper did not call in the description of the occupants at the beginning of the stop.
  - In 21 stops (3.80%), the trooper did not call in the stop reason at the beginning of the stop.
  - In 12 stops (2.17%), the trooper did not call in the completion of the stop or the action taken at the end of the stop.
- Of the 552 stops reviewed, 331 stops (59.96%) with stop reports contained at least one error.
- Investigation reports were required for 446 of the 552 stops reviewed. Of the investigation reports reviewed, 134 (30.04%) contained at least one error.

In the eight reporting periods included in this report, issues continue regarding the availability, duration, and quality of recordings for motor vehicle stops. In stops with audio issues, microphones continue to cut in and out, record only static, or fail to record altogether. OLEPS recommends State Police investigate these issues.

Though the issue has improved over the past several years, OLEPS continues to note a number of issues pertaining to the availability of video recordings. State Police should examine methods to improve recordings and determine why certain portions or entire incidents do not appear, as required in the recordings database. OLEPS continues to note a number of stops where audio recordings do not activate or continue to the end of the stop.

## Performance Standard 6: Exits & Frisks

### Standards

State Police policies and procedures allow a trooper to request an individual to exit a vehicle or perform a frisk of an individual under certain circumstances. These circumstances include:

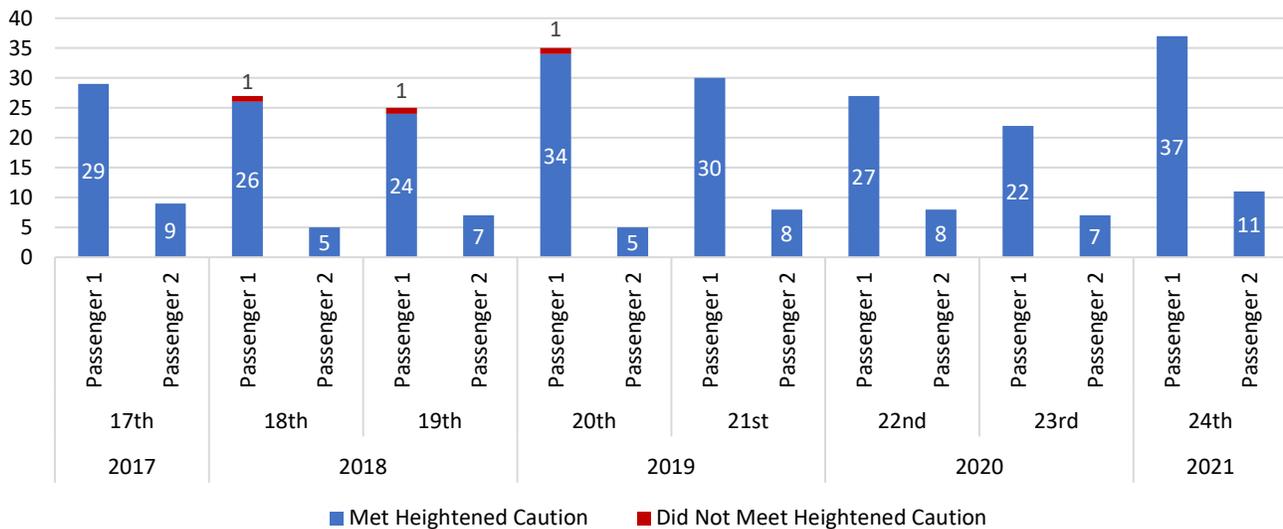
- Driver exit for any reason
- Passenger exit for articulable heightened caution, suspected criminal activity, Title 39 violation, or to perform search of vehicle<sup>28</sup>
- Frisks conducted for weapons or duty to transport (DTT)

### Assessment

#### Exits

Troopers may ask a driver to exit the vehicle for any reason, whereas a passenger must be asked out for a specific reason. In the eight reporting periods included in this report, State Police asked the driver and/or occupant to exit the vehicle in 494 stops (89.49%) of the 552 total stops. Of the stops with exits, 478 (96.76%) involved a driver exit.

Figure Twenty-Three: Vehicle Exit Errors for Passengers  
July 1, 2017 – June 8, 2021



In 238 stops (48.18%) of the 494 stops with an exit, troopers asked passenger 1 to exit the vehicle. In 229 of these stops, the exit resulted from heightened caution. In three stops, the trooper’s request for passenger 1 to exit failed to meet the standard of heightened caution. Passenger 1 was asked to exit the vehicle for duty to transport (DTT) in the remaining six stops with a passenger 1 exit.

In 62 stops (12.55%) of the stops with an exit, State Police asked passenger 2 to exit the vehicle. In 60 of these stops, the exit resulted from heightened caution. In all instances, the trooper’s request for passenger

<sup>28</sup> *State v. Smith*, 134 N.J. 599, 611, 618 (1994) describes the right of an officer to remove a driver from a lawfully stopped vehicle as established precedent. The Court further held that officers must be able to point to specific and articulable facts that would warrant heightened caution to justify ordering the occupant out of the vehicle detained for a motor vehicle violation.

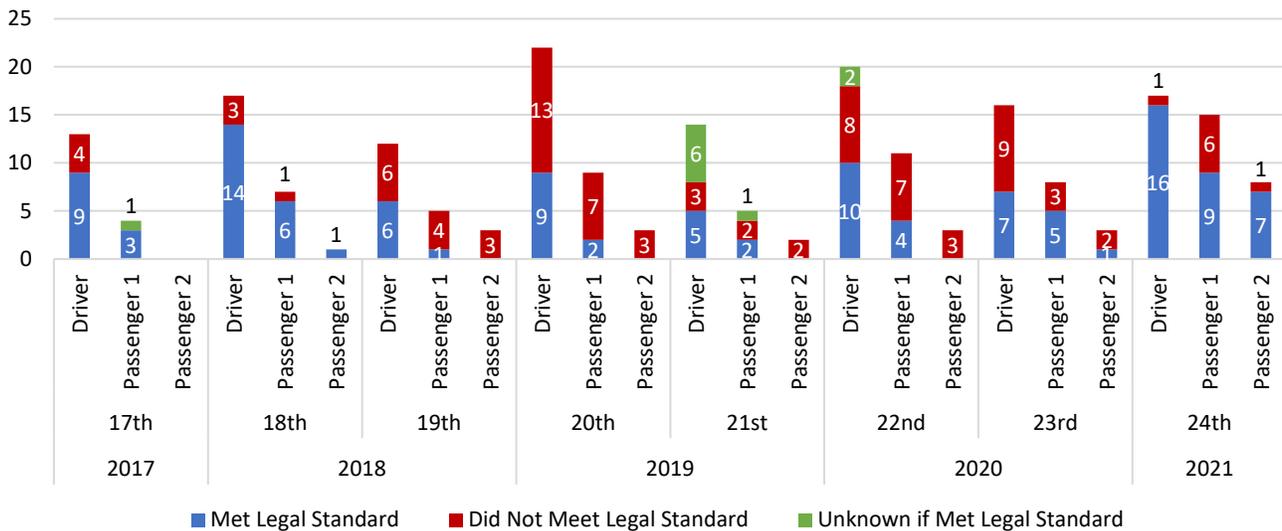
2 to exit met the legal standard of heightened caution. Passenger 2 was asked to exit the vehicle for DTT in the remaining two stops with a passenger 2 exit.

**Frisks**

Troopers utilize frisks to protect themselves and individuals involved in stops from physical harm. A frisk is an open-handed, non-manipulating, cursory pat down of a person’s outer clothing for weapons. To frisk a person, a trooper must have RAS that the person may be armed and dangerous. Troopers may also frisk individuals prior to putting them into a troop car for trooper safety (e.g., if a trooper was transporting a passenger of a vehicle whose driver was under the influence). In this instance, the reason for the frisk is DTT.

*Figure Twenty-Four: Frisk Legal Standard Errors*

July 1, 2017 – June 8, 2021

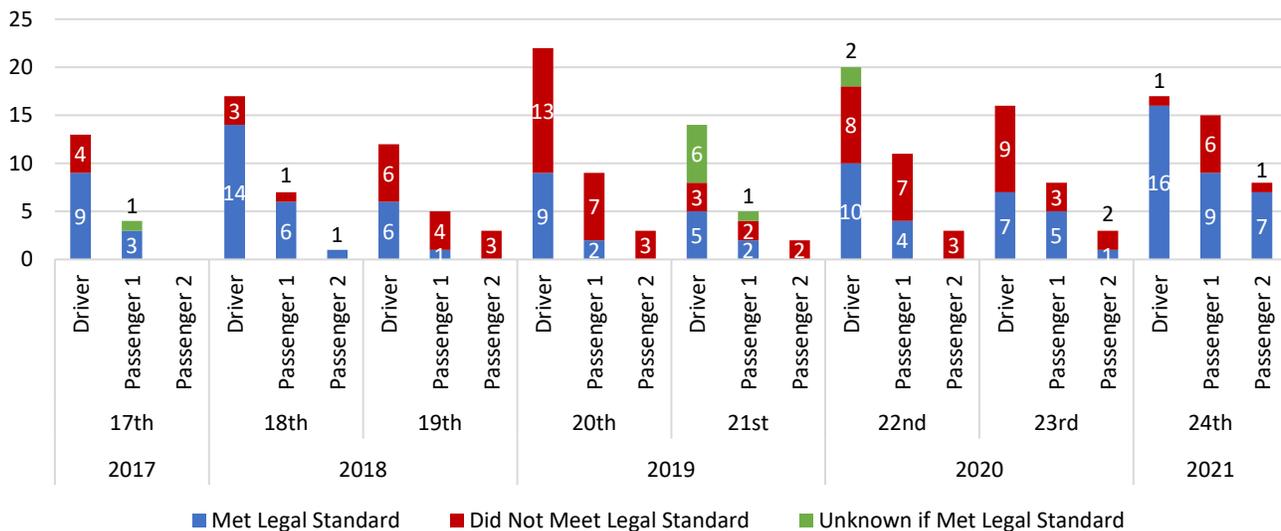


In 167 stops, the driver and/or passengers were frisked. In total, State Police frisked 139 drivers. Eight frisks of the driver resulted from DTT, and 131 resulted from RAS. Forty-seven frisks of the driver (35.81%) did not meet the legal standard of RAS. It was unknown if eight driver frisks met the legal standard of RAS. This included four paper-only reviews, two stops where interference made it difficult to determine the legal standard used to justify the frisk, and two stops where the back-up trooper did not activate their body worn camera, making it difficult to determine the justification of the frisk.

In 77 motor vehicle stops, State Police frisked at least one passenger and in 19 of those stops, State Police frisked two passengers. Seventy stops involved a frisk of passenger 1. Six of these frisks resulted from DTT, and 64 resulted from RAS. The legal standard of RAS was not met in 30 of the RAS-based stops (46.88%).

Twenty-six motor vehicle stops involved a frisk of passenger 2. Three of these frisks resulted from DTT, and 23 resulted from RAS. The legal standard of RAS was not met in 14 of the RAS-based stops (60.87%).

Figure Twenty-Five: Frisk Mechanics Errors  
July 1, 2017 – June 8, 2021



OLEPS also reviews the mechanics of each frisk to ensure it does not extend beyond appropriate boundaries, converting the frisk into an illegal search. There were 139 frisks of the driver, of which 45 (32.37%) were appropriate. OLEPS was unable to review the mechanics of the driver frisk in 86 stops (61.87%) because the frisk occurred outside of the view of the camera or because portions of the recording were missing. Eight frisks of the driver (5.76%) extended beyond a pat down.

There were 70 frisks of passenger 1. In 25 stops (35.71%), the mechanics of the frisks of passenger 1 were appropriate. In 41 frisks of passenger 1 (58.57%), OLEPS was unable to determine whether the mechanics of the frisk were appropriate because the frisk occurred off camera or because the recording was unavailable. Four frisks of passenger 1 (5.71%) extended beyond a pat down.

There were 26 frisks of passenger 2. In 12 stops (46.15%), the mechanics of the frisk of passenger 2 were appropriate. In another 12 stops involving a frisk of passenger 2 (46.15%), OLEPS was unable to determine whether the mechanics of the frisk were appropriate because the frisk occurred off camera or because the recording was unavailable. Two frisks of passenger 2 (7.69%) extended beyond a pat down.

### Summary of Standard 6

State Police policies and procedures specify the circumstances in which troopers may request an occupant exit from a vehicle. These policies and procedures also limit frisks to non-manipulating, cursory pat-downs of a person for weapons or during instances when a trooper has a duty to transport the individual.

#### Findings:

- Of the 494 stops involving a request for the passenger to exit the vehicle, all but three stops involving the exit of passenger 1 met the legal standard.
- Forty-seven driver frisks and 44 passenger frisks – 30 involving passenger 1 and 14 involving passenger 2 – did not meet the legal standard of RAS.
- Fourteen frisks – eight involving a driver, four involving passenger 1, and two involving passenger 2 – extended beyond a pat down.

- Of the 235 total frisks, OLEPS was unable to note the mechanics of the frisk in 139 instances (59.15%) – 86 involving the driver, 41 involving passenger 1, and 12 involving passenger 2 – because they occurred out of view of the camera or because recordings were not available.

## Performance Standard 7: Non-Consensual Searches/Seizures

### Standards

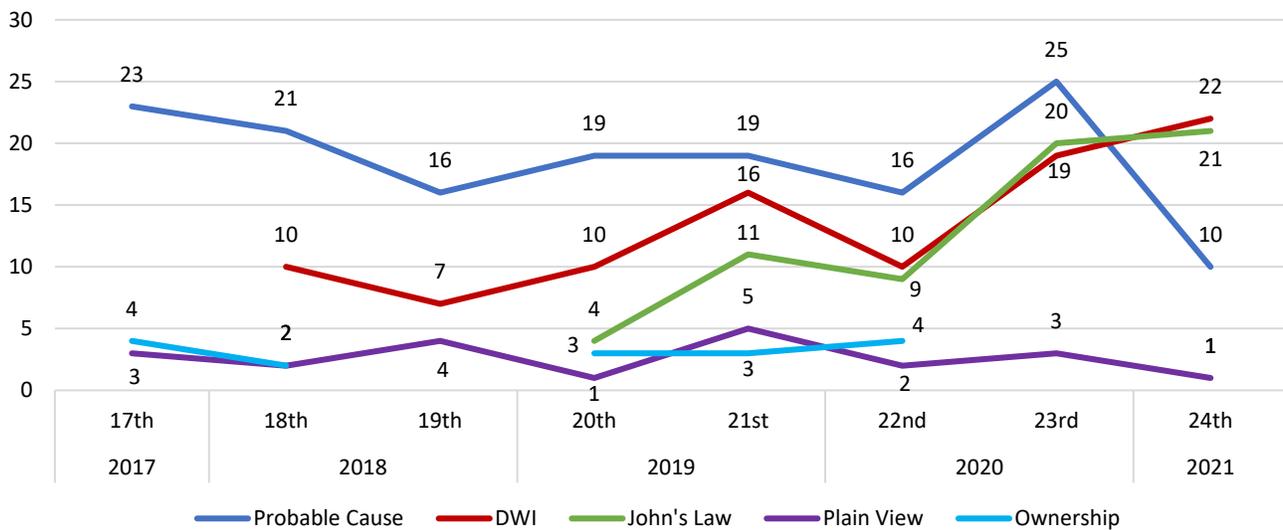
State Police policies and procedures provide the circumstances under which non-consensual searches/seizures are permitted. All searches/seizures should be based on probable cause or incidental to arrest and should be called into the communication center prior to execution.

### Assessment

#### Non-Consensual Searches/Seizures: Vehicles

OLEPS reviewed 275 stops with non-consensual vehicle searches/seizures in the eight reporting periods included in this report. As shown in Figure Twenty-Six, most often, troopers identified probable cause, DWI, John’s Law,<sup>29</sup> credential or ownership, and plain view as the basis for these searches. Of the 275 stops with vehicle searches/seizures, 149 involved probable cause searches/seizures, 94 were identified as DWI searches, 65 were identified as John’s Law searches, 21 were identified as plain view searches/seizures, and 16 were identified as ownership searches.<sup>30</sup> One search was executed based on a search warrant.

Figure Twenty-Six: Top Five Reasons for Vehicle Searches/Seizures  
July 1, 2017 – June 8, 2021

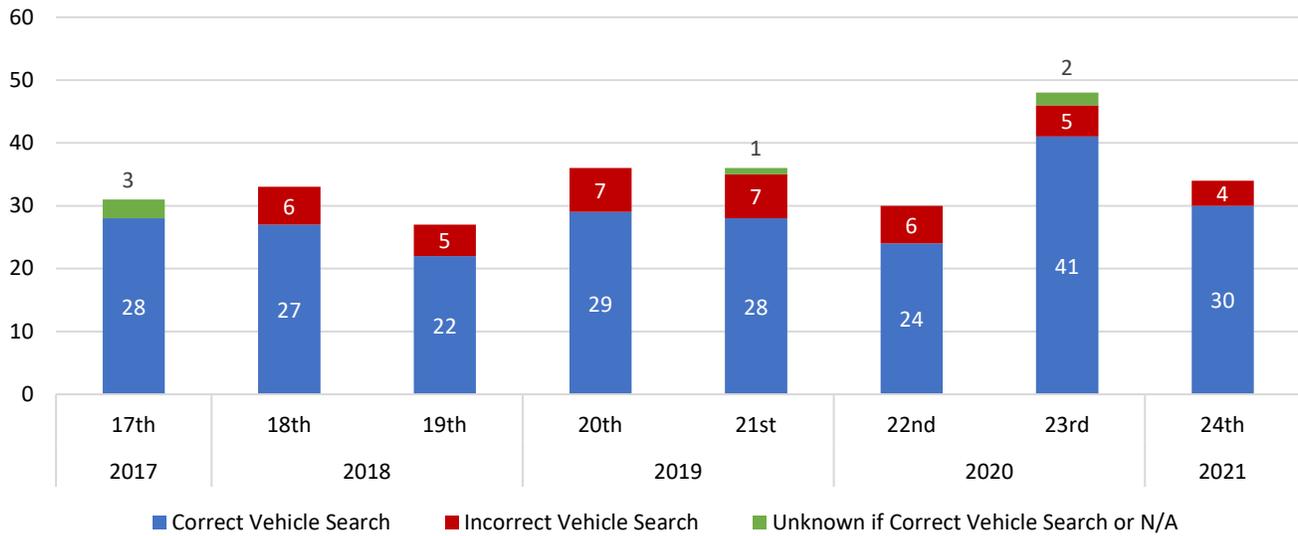


OLEPS noted an error in a vehicle search of 40 stops. These errors varied and included troopers improperly searching a part of the vehicle the canine did not alert to, improperly searching the vehicle while retrieving the driver’s and/or passenger’s property, and failing to clarify CUMMA before conducting the search. These are shown in Figure Twenty-Seven.

<sup>29</sup> “John’s Law” authorizes police to hold vehicles for up to 12 hours after a DWI. Under certain circumstances, police may search the vehicle while it is impounded.

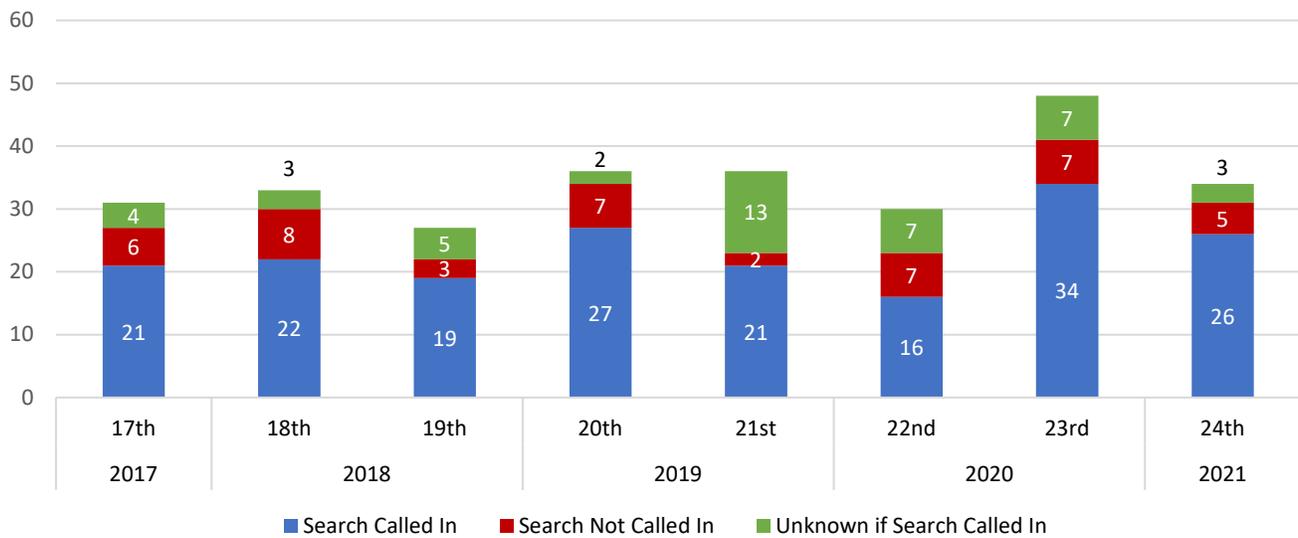
<sup>30</sup> Troopers identified multiple reasons for some searches/seizures.

Figure Twenty-Seven: Search of Vehicle Errors  
July 1, 2017 – June 8, 2021



State Police policy requires troopers to notify communication prior to conducting a vehicle search. In 45 stops involving a vehicle search (16.36%), the trooper failed to notify communication prior to the search. This is shown in Figure Twenty-Eight.

Figure Twenty-Eight: Search of Vehicle Communication Call-In Errors  
July 1, 2017 – June 8, 2021



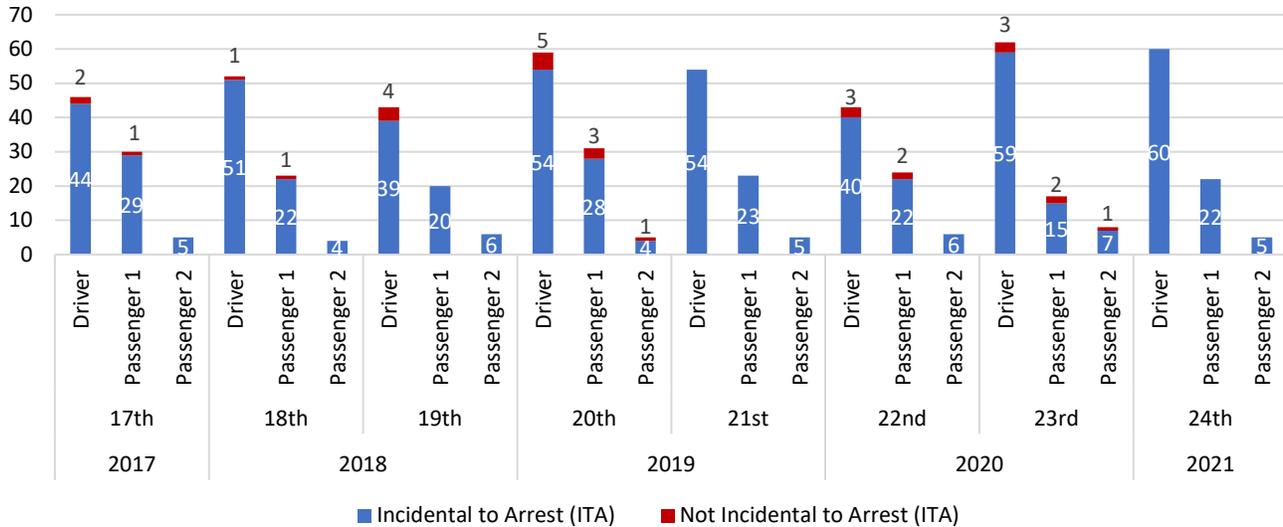
**Non-Consensual Searches/Seizures: Persons**

There were 463 stops involving a search of a person. This includes 419 stops involving a search of the driver, 190 stops involving a search of passenger 1, and 44 stops involving a search of passenger 2.

State Police policy requires these searches to be incidental to arrest (ITA). As shown in Figure Twenty-Nine, there were 401 stops (95.70%) with a search of the driver that was ITA. The remaining 18 stops (4.30%) with a search of a driver were not ITA.

There were 181 stops (95.26%) with a search of passenger 1 that was ITA and nine stops with a search of passenger 1 that was not ITA. There were 42 stops (95.45%) with a search of passenger 2 that was ITA and two stops (4.55%) with a search of passenger 2 that were not ITA.

Figure Twenty-Nine: Search of Person Errors  
July 1, 2017 – June 8, 2021



### Summary of Standard 7

State Police policies and procedures require that searches of vehicles and persons be based on probable cause or occur ITA. Troopers must radio the beginning of each search/seizure to communication and searches must occur in accordance with the appropriate legal standard.

#### Findings:

- Eighteen of the 419 stops with a search of the driver were not ITA. Of the 234 searches involving a passenger – 190 of passenger 1 and 44 of passenger 2 – 11 were not ITA. This included nine involving passenger 1 and two involving passenger 2.

## Performance Standard 8: Length of Stops

### Standards

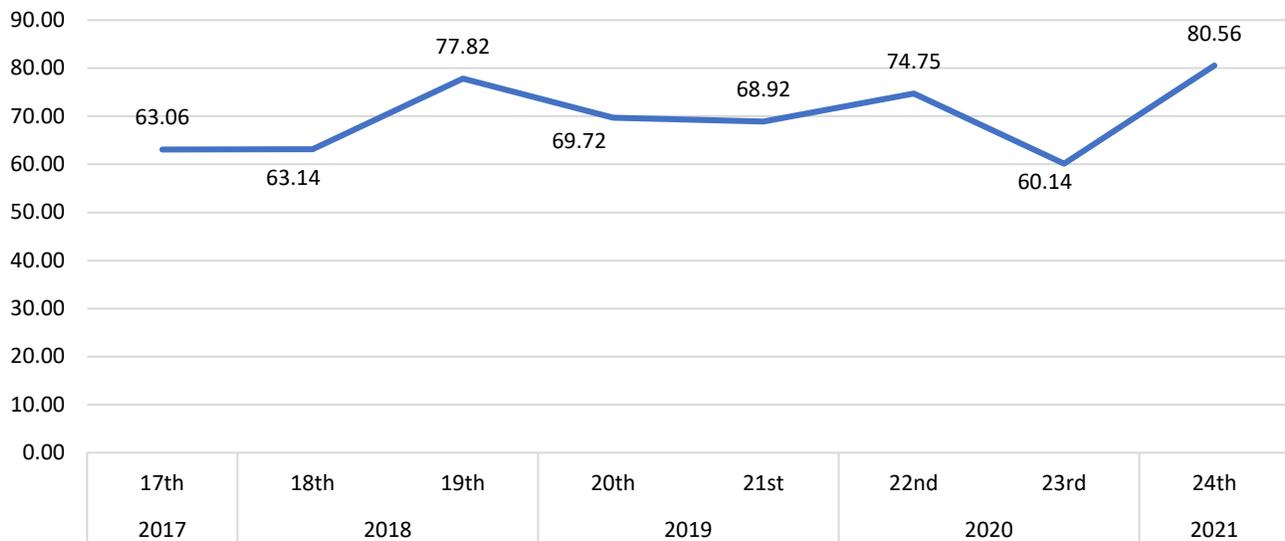
According to State Police procedures, RAS stops should be brief. Because the length of a stop may be indicative of inappropriate enforcement (e.g., detaining a motorist until RAS has been established for a consent search), it is an important stop characteristic to examine.

For the purposes of this report, brief is defined relative to the average (mean) stop length. Any motor vehicle stops found to be more than one standard deviation above or below the average length of that type of stop (e.g., length of stops with RAS consent searches will only be compared with RAS consent searches) are examined to identify potential reasons for the aberration in length.

### Assessment

The average length of all motor vehicle stops reviewed for this report was 69.67 minutes. As shown in Figure Thirty, the average by reporting period ranged from 60.14 minutes in the 23<sup>rd</sup> reporting period to 80.56 minutes in the 24<sup>th</sup> reporting period.

Figure Thirty: Average Length (in Minutes) of Motor Vehicle Stops  
July 1, 2017 – June 8, 2021



### Duration of Stops

Table Sixteen shows the average length of motor vehicle stops, based on the activities that occurred in each stop. Typically, as motor vehicle stops involve more enforcement activities the length of the stop increases. Therefore, it can be expected that because all of the stops reviewed for this report contained an activity OLEPS defined as critical, these stops were longer than stops without a critical activity during the same period.

*Table Sixteen: Average Length (in Minutes) of Motor Vehicle Stops based on Post-Stop Intervention*  
July 1, 2017 – June 8, 2021

	2017	2018			2019		2020		2021	Average
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>		
<i>All Stops</i>	63.06	63.14	77.82	69.72	68.92	74.75	60.14	80.56	69.67	
<i>All Stops with Consent Requests</i>	87.12	88.58	98.67	92.25	90.57	104.67	91.71	93.51	93.06	
<i>Consent Granted</i>	81.27	79.48	101.63	89.89	85.56	97.33	83.77	86.94	87.78	
<i>Consent Denied</i>	131.00	106.08	93.875	97.44	104.1	115.67	106.25	110.5	106.24	
<i>Critical Canine Deployments</i>	113.30	99.77	119.08	110.67	122.15	119.48	116.60	116.93	115.10	
<i>Consent Requests &amp; Critical Canine Deployments</i>	113.3	99.77	121.70	113.79	122.42	119.06	117.07	116.93	115.50	
<i>Consent Granted &amp; Critical Canine Deployments</i>	101.50	81.00	131.80	119.33	126.83	120.57	151.00	110.50	118.08	
<i>Consent Denied &amp; Critical Canine Deployments</i>	131.00	105.40	111.60	112.27	118.00	118.09	107.82	119.50	114.10	

The average length of stops with consent requests was 93.06 minutes. As shown in Table Sixteen, there was a difference in the average length of stops where consent was granted compared to stops where consent was denied. Stops with granted consent searches had an average stop length of 87.78 minutes, while those with denied consent searches had an average stop length of 106.24 minutes. The average length of a motor vehicle stop with a critical canine deployment was 115.10 minutes. Motor vehicle stops with a granted consent request and critical canine deployment had an average stop length of 118.08 minutes, as compared to an average of 114.10 minutes for stops with a denied consent request and a critical canine deployment.

#### Variation in Stop Length by RAS Reasons

To ensure troopers meet the standard of RAS in accordance with State Police policies and relevant legal principles, OLEPS examined whether variation across specific RAS reasons existed. OLEPS examined the average lengths of the 300 RAS-consent based stops with each RAS factor cited (e.g., criminal history, nervousness, conflicting statements, itinerary, failure to make eye contact, sweating, admissions, B.O.L.O., etc.). Table Seventeen shows the average stop length for stops where one of the top five RAS reasons was cited.

*Table Seventeen: Average Length (in Minutes) of Motor Vehicle Stops for Top RAS Reasons*  
July 1, 2017 – June 8, 2021

	2017	2018			2019		2020		2021	Average
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>		
<i>Nervousness</i>										
<i>Cited</i>	87.08	85.20	97.25	97.17	89.54	104.63	90.26	96.53	93.86	
<i>Not Cited</i>	87.20	92.33	100.85	80.47	93.00	104.83	94.73	84.73	91.35	
<i>Criminal History</i>										
<i>Cited</i>	88.63	92.65	110.17	93.97	104.39	108.19	94.54	94.71	97.44	
<i>Not Cited</i>	81.29	82.33	72.20	89.11	77.47	100.64	84.90	92.36	86.02	
<i>Conflicting Statements</i>										
<i>Cited</i>	90.05	101.22	91.76	92.63	84.95	110.16	92.61	95.80	94.62	
<i>Not Cited</i>	82.38	77.20	106.00	91.71	97.94	95.18	90.69	90.33	91.05	
<i>Itinerary</i>										
<i>Cited</i>	85.04	90.95	112.63	96.57	84.95	110.16	95.37	97.00	95.89	
<i>Not Cited</i>	91.45	86.21	85.53	88.71	97.94	95.18	87.07	88.18	89.56	
<i>Failure to Make Eye Contact</i>										
<i>Cited</i>	87.18	85.71	86.88	100.71	89.54	104.63	90.26	96.53	94.26	
<i>Not Cited</i>	87.09	89.23	102.44	89.05	93.00	104.83	94.73	84.73	91.94	

### Racial/Ethnic Differences in Stop Length

OLEPS also explored racial/ethnic differences in the length of motor vehicle stops. As noted above, the average length of all stops was 69.67 minutes. Table Eighteen shows the length of stops for all drivers based on each racial/ethnic group.

*Table Eighteen: Length (in Minutes) of All Stops by the Race/Ethnicity of the Driver<sup>31</sup>*  
July 1, 2017 – June 8, 2021

	2017	2018			2019		2020		2021	Average
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>		
<i>White</i>	60.88	69.59	71.04	71.91	78.30	62.17	65.64	65.59	<b>68.50</b>	
<i>Black</i>	70.47	59.59	73.64	66.82	57.63	73.41	58.00	99.19	<b>70.30</b>	
<i>Hispanic</i>	59.43	54.50	86.25	71.54	74.00	104.23	57.38	70.77	<b>71.97</b>	
<i>Asian</i>	69.00	26.00	166.00	-	38.00	51.00	88.50	32.50	<b>69.07</b>	
<i>Other</i>	-	-	49.00	-	44.00	-	-	49.50	<b>48.00</b>	

To explore variation in stop length across racial/ethnic groups, Table Nineteen identifies the average length of all motor vehicle stops reviewed in each reporting period based on race/ethnicity for all stops compared to stops with consent requests and the legal standard used to request consent.

<sup>31</sup> There were no stops involving an Asian driver in the 20<sup>th</sup> reporting period and no stops involving a driver categorized as Other in the 17<sup>th</sup>, 18<sup>th</sup>, 20<sup>th</sup>, 22<sup>nd</sup>, or 23<sup>rd</sup> reporting periods.

Table Nineteen: Average Length (in Minutes) of Motor Vehicle Stops by Race/Ethnicity

	July 1, 2017 – June 8, 2021 <sup>32</sup>								
	2017	2018	2019	2020	2021				
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>	Average
<i>White (All Stops)</i>	60.88	69.59	71.04	71.91	78.30	62.17	65.64	65.59	<b>68.50</b>
<i>Consent Requests</i>	76.74	91.41	91.06	84.16	93.57	92.33	91.00	86.12	<b>87.80</b>
<i>Critical Canine Deployments</i>	86.00	100.00	111.80	110.22	134.43	109.00	121.50	100.00	<b>110.40</b>
<i>Force</i>	39.36	29.58	34.20	28.86	33.13	32.92	46.63	34.45	<b>34.90</b>
<i>Black (All Stops)</i>	70.47	59.59	73.64	66.82	57.63	73.41	58.00	99.19	<b>70.30</b>
<i>Consent Requests</i>	107.88	89.20	105.67	102.94	78.00	112.22	89.37	100.24	<b>98.03</b>
<i>Critical Canine Deployments</i>	124.80	108.00	177.00	107.75	77.50	134.20	106.27	125.00	<b>116.48</b>
<i>Force</i>	27.71	34.92	49.63	28.44	50.83	29.75	28.55	98.30	<b>46.95</b>
<i>Hispanic (All Stops)</i>	59.43	54.50	86.25	71.54	74.00	104.23	57.38	70.77	<b>71.80</b>
<i>Consent Requests</i>	100.60	77.17	99.50	94.56	97.11	116.63	99.57	96.25	<b>98.12</b>
<i>Critical Canine Deployments</i>	175.00	82.50	118.17	118.50	123.00	118.40	168.50	118.50	<b>121.93</b>
<i>Force</i>	36.56	31.83	36.67	19.75	35.20	28.00	24.56	30.00	<b>30.51</b>
<i>Asian (All Stops)</i>	69.00	26.00	166.00	-	38.00	51.00	88.50	32.50	<b>69.07</b>
<i>Consent Requests</i>	69.00	-	229.00	-	-	89.00	88.50	-	<b>105.50</b>
<i>Critical Canine Deployments</i>	76.00	-	103.00	-	-	-	-	-	<b>89.50</b>
<i>Force</i>	-	26.00	-	-	38.00	32.00	-	32.50	<b>33.00</b>
<i>Other (All Stops)</i>	-	-	49.00	-	44.00	-	-	49.50	<b>48.00</b>
<i>Consent Requests</i>	-	-	49.00	-	44.00	-	-	83.00	<b>58.67</b>
<i>Critical Canine Deployments</i>	-	-	-	-	-	-	-	-	<b>-</b>
<i>Force</i>	-	-	-	-	-	-	-	16.00	<b>16.00</b>

### All Stops

White drivers had an average stop length of 68.50 minutes, Black drivers had an average stop length of 70.30 minutes, Hispanic drivers had an average stop length of 71.80 minutes, Asian drivers had an average stop length of 69.07 minutes, and drivers categorized as Other had an average stop length of 48.00 minutes.

### Stops Above and Below the Standard Deviation

To determine whether a motor vehicle is notably longer or shorter in length than similar stops, OLEPS examines stops found to be more than one standard deviation above or below the average length in minutes for each type of stop. As discussed earlier, the average length of all motor vehicle stops reviewed for this report was 69.67 minutes. The standard deviation for all stops reviewed for this report was 55.17 minutes.

Table Twenty shows the standard deviation for the stops reviewed in each reporting period, as well as the standard deviation broken down by the race/ethnicity of the driver.

<sup>32</sup> There were no stops involving an Asian driver in the 20<sup>th</sup> reporting period and no stops involving a consent search of an Asian driver in the 18<sup>th</sup>, 21<sup>st</sup>, or 24<sup>th</sup> reporting periods. There were no stops involving a critical canine deployment of an Asian driver in the 18<sup>th</sup>, 21<sup>st</sup>, 22<sup>nd</sup>, 23<sup>rd</sup>, or 24<sup>th</sup> reporting periods. There were also no stops involving a use of force of an Asian driver in the 17<sup>th</sup>, 19<sup>th</sup>, or 23<sup>rd</sup> reporting periods. There were no stops involving a driver categorized as Other in the 17<sup>th</sup>, 18<sup>th</sup>, 20<sup>th</sup>, 22<sup>nd</sup>, or 23<sup>rd</sup> reporting periods. There were also no stops involving a critical canine deployment or a use of force of a driver categorized as Other in the 19<sup>th</sup> or 21<sup>st</sup> reporting periods and no stops of a driver categorized as Other involving a critical canine deployment in the 24<sup>th</sup> reporting period.

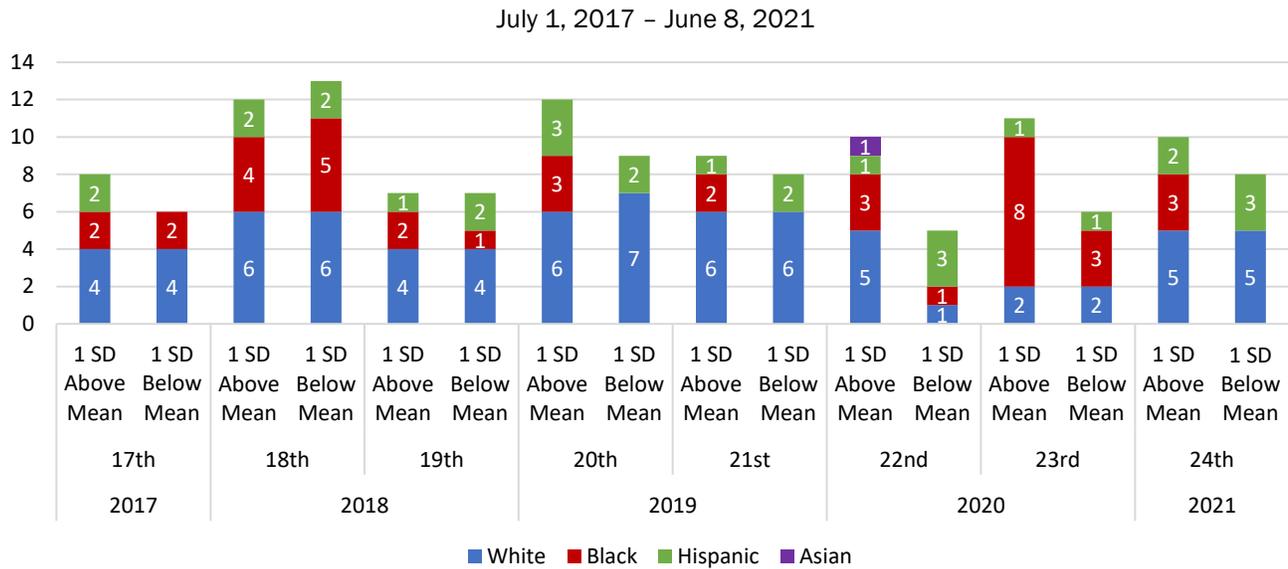
*Table Twenty: Standard Deviation (in Minutes) of Motor Vehicle Stops by Race/Ethnicity*  
July 1, 2017 – June 8, 2021<sup>33</sup>

	2017	2018	2019	2020	2021	Average			
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>		22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>
<i>All Stops</i>									
<i>Standard Deviation (S.D.)</i>	39.41	35.82	47.65	48.88	54.02	48.18	42.75	92.38	<b>55.17</b>
<i>One S.D. Above the Mean</i>	102.48	98.97	125.47	118.60	122.94	122.93	102.89	172.94	<b>124.84</b>
<i>One S.D. Below the Mean</i>	23.65	27.32	30.18	20.84	14.89	26.57	17.38	-11.83	<b>14.50</b>
<i>White</i>									
<i>Standard Deviation (S.D.)</i>	31.52	36.64	43.36	35.72	41.02	41.97	38.27	37.02	<b>37.85</b>
<i>One S.D. Above the Mean</i>	92.40	106.23	114.39	107.63	119.32	104.14	103.91	102.61	<b>106.34</b>
<i>One S.D. Below the Mean</i>	29.36	32.94	27.68	36.19	37.28	20.20	27.38	28.57	<b>30.65</b>
<i>Black</i>									
<i>Standard Deviation (S.D.)</i>	52.57	37.24	42.43	60.27	71.76	52.29	40.30	129.16	<b>72.98</b>
<i>One S.D. Above the Mean</i>	123.04	96.83	116.07	127.08	129.39	125.70	98.30	228.35	<b>143.28</b>
<i>One S.D. Below the Mean</i>	17.90	22.35	31.21	6.55	-14.14	21.12	17.70	-29.97	<b>-2.68</b>
<i>Hispanic</i>									
<i>Standard Deviation (S.D.)</i>	44.77	29.94	48.87	49.02	47.03	46.87	55.05	37.99	<b>47.01</b>
<i>One S.D. Above the Mean</i>	104.19	84.44	135.12	120.56	121.03	151.10	112.43	108.76	<b>118.81</b>
<i>One S.D. Below the Mean</i>	14.66	24.56	37.38	22.52	26.97	57.36	2.32	32.78	<b>24.79</b>
<i>Asian</i>									
<i>Standard Deviation (S.D.)</i>	9.90	-	89.10	-	19.80	32.97	2.12	17.68	<b>54.00</b>
<i>One S.D. Above the Mean</i>	78.90	-	255.10	-	57.80	83.97	90.62	50.18	<b>123.07</b>
<i>One S.D. Below the Mean</i>	59.10	-	76.90	-	18.20	18.03	86.38	14.82	<b>15.07</b>
<i>Other</i>									
<i>Standard Deviation (S.D.)</i>	-	-	-	-	-	-	-	47.38	<b>27.48</b>
<i>One S.D. Above the Mean</i>	-	-	-	-	-	-	-	96.88	<b>75.48</b>
<i>One S.D. Below the Mean</i>	-	-	-	-	-	-	-	2.12	<b>20.52</b>

Fifth-seven stops were more than one standard deviation above the average length of stops for their respective reporting period, and 14 stops were more than one standard deviation below the average length of stops. Figure Thirty-One shows the number of stops in each reporting period that were one standard deviation above and below the average length for that reporting period by the race/ethnicity of the driver.

<sup>33</sup> In the 18<sup>th</sup> reporting period, there was one stop involving an Asian driver and in the 20<sup>th</sup> reporting period, there were no stops involving an Asian driver. In the 17<sup>th</sup>, 18<sup>th</sup>, 20<sup>th</sup>, 22<sup>nd</sup>, and 23<sup>rd</sup> reporting periods there were no stops involving a driver categorized as Other and in both the 19<sup>th</sup> and 21<sup>st</sup> reporting periods, there was one stop involving a driver categorized as Other.

Figure Thirty-One: Number of Stops Above and Below the Standard Deviation by the Race/Ethnicity of the Driver



### Summary of Standard 8

State Police policies and procedures require stops to be brief in duration. OLEPS examines stop length based on the average stop length and examines stops found to be more than one standard deviation from the average length of that type of stop.

#### Findings:

- The average length of all motor vehicle stops reviewed for this report was 69.67 minutes, with the averages ranging from 60.14 minutes in the 23<sup>rd</sup> reporting period to 80.56 minutes in the 24<sup>th</sup> reporting period.
- Stops with a critical canine deployment were generally longer than stops without a critical canine deployment. Also, stops with a denied consent request were generally longer than stops without a consent request and also than stops with a granted consent request.
- There were 79 stops that were one standard deviation or more above the mean stop length for their respective race/ethnicity and reporting period, and 62 stops that were one standard deviation or more below the mean stop length for their respective race/ethnicity and reporting period.

## Supervisory Review

### *Assessment Process*

OLEPS assesses Supervisory Review by reviewing a sample of motor vehicle stops and noting any deviations from policy or procedure. OLEPS compares its observations to those of the supervisor who reviewed the stop, if applicable. OLEPS reviews supervisors' notes to determine if State Police supervisors noted the same errors observed by OLEPS and, if they were, whether an intervention was issued in the MAPPs database. These interventions provide documentation that the supervisor notified the trooper of the error.

Supervisory reviews are essential to an agency being able to self-monitor and correct deficiencies in practice before they become agency-wide or problematic. While we note that a trooper may have deviated from policy during a motor vehicle stop (an "error"), if a supervisor notes that error, it is noted as a "caught error."

## Performance Standard 9: Supervisory Review of Motor Vehicle Stops

### Standards

According to State Police policies and procedures, State Police supervisory personnel must review motor vehicle stops. Specifically, review is required for all critical incidents (*i.e.*, any stop involving a drug detection canine deployment, an RAS consent to search request, and/or a use of force). State Police policy does not require review of all non-critical stops. Rather, State Police only reviews a selection of non-critical stops. Additionally, supervisors may review motor vehicle activity in the course of assessing a trooper's performance relative to their peers or as part of an investigation of a complaint. Motor vehicle stop reviews require the supervisor to assess adherence to policies, procedures, and applicable legal standards.

This performance standard reviews errors troopers made in connection with any aspect of a motor vehicle stop. An error occurs when a trooper, through their action or inaction during a stop (including necessary documentation), does not follow State Police policy or applicable legal principles. Further, this section discusses whether supervisors reviewing the stop noted the error. If so, OLEPS notes the error as caught. If the supervisor failed to note the error, then OLEPS records it as an error not caught. If OLEPS noted an error in a stop that has not undergone supervisory review, OLEPS records it as a non-reviewed error.

### Assessment

State Police policies and procedures detail the requirements, trooper responsibilities, and appropriate actions required in motor vehicle stops. In reviewing motor vehicle stops, State Police supervisory personnel are required to determine adherence to all requirements and to identify if any violations of individual rights or deviations from policy occurred. In addition, OLEPS reviews motor vehicle stops and notes instances in which supervisors did and did not identify deviations from State Police policies and procedures.

OLEPS determines whether State Police caught an error based on State Police supervisory review of the motor vehicle stop. OLEPS noted State Police supervisory reviews for 532 of the 552 stops selected for review. State Police did not review 20 of the stops OLEPS reviewed in the eight reporting periods included in this report.

### All Errors

In the 552 stops, OLEPS noted a total of 1,816 errors. This includes 1,779 errors in the 532 stops State Police reviewed and 37 errors in the 20 stops that did not receive State Police supervisory review.

### Types of Errors

The errors noted during a motor vehicle stop may stem from a possible violation of an individual's rights or violations of State Police policy. OLEPS classified errors into several categories based on the nature of the error.

#### *Recording errors*

Errors referring to whether the trooper activated the audio and video recordings at the beginning of the motor vehicle stop and whether the audio and video recording continued to the completion of the stop.

#### *Reporting errors*

Errors made in completing the motor vehicle stop report or the investigation report (if applicable).

*Call-in errors*

A trooper's failure to call-in the appropriate information to the communication center at the beginning or completion of the stop.

*Vehicle exit errors*

Errors made when an individual is asked to exit a vehicle.

*Frisk errors*

Errors made during the course of a frisk.

*Search of a person errors*

Errors made when searching a person without consent.

*Search of a vehicle errors*

Errors made during a non-consensual vehicle search.

*Consent search errors*

Errors made in connection with the rules governing consent to search requests, including all reporting and recording requirements.

*Canine deployment errors*

Errors made when a canine is improperly deployed or the deployment is not properly documented.

*Use of force errors*

Errors made during a use of force or in the documentation of a use of force.

*Arrest errors*

Errors made during the course of an arrest or the documentation of the arrest.

*CUMMA errors*

Errors made pertaining to the determination of whether a motorist is a medical marijuana patient or caregiver prior to arrest or other law enforcement actions when the odor of marijuana is detected.

*Evidence seized errors*

Errors made during a seizure of evidence.

Within stops reviewed by State Police, supervisors may catch some, but not all, errors. Therefore, each stop reviewed by OLEPS with an error can appear as either a stop with errors caught by State Police supervisors, a stop with errors not caught by State Police supervisors, or both. Of the 532 stops reviewed by State Police, 500 (93.98%) contained at least one error. This includes 1,552 errors State Police caught (87.24%) and 227 errors (12.76%) State Police did not catch. The remaining 32 stops reviewed by State Police did not contain any errors. Table Twenty-One shows the percentage and types of errors State Police caught. As shown, State Police caught the greatest percentage of errors in the categories of recording (96.69%), person searches (93.10%), and CUMMA (92.31%).

*Table Twenty-One: Percentage of Errors Caught by State Police*  
July 1, 2017 – June 8, 2021<sup>34</sup>

	2017	2018			2019		2020		2021	Average
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>		
<i>Recording</i>	100.00%	93.33%	100.00%	91.67%	100.00%	95.00%	95.65%	100.00%	<b>96.69%</b>	
<i>Reporting</i>	97.06%	90.20%	83.72%	79.71%	96.83%	90.57%	93.44%	92.50%	<b>90.31%</b>	
<i>Communication Call-ins</i>	-	50.00%	100.00%	54.55%	38.89%	87.50%	77.27%	71.43%	<b>71.19%</b>	
<i>Vehicle Exits</i>	-	100.00%	100.00%	0.00%	-	-	-	-	<b>66.67%</b>	
<i>Frisks</i>	100.00%	100.00%	78.57%	100.00%	100.00%	94.74%	68.75%	100.00%	<b>91.26%</b>	
<i>Search of Person</i>	100.00%	100.00%	75.00%	100.00%	-	100.00%	83.33%	-	<b>93.10%</b>	
<i>Search of Vehicle</i>	87.50%	69.23%	77.78%	71.43%	88.89%	100.00%	92.31%	80.00%	<b>83.33%</b>	
<i>Consent Search</i>	84.62%	90.32%	83.93%	92.13%	95.31%	95.65%	89.09%	93.33%	<b>91.09%</b>	
<i>Canine Deployments</i>	0.00%	50.00%	0.00%	100.00%	100.00%	100.00%	-	50.00%	<b>50.00%</b>	
<i>Uses of Force</i>	81.82%	66.67%	90.00%	53.85%	71.43%	77.78%	71.43%	68.97%	<b>71.43%</b>	
<i>Arrests</i>	72.73%	90.00%	80.00%	73.91%	83.33%	95.83%	93.33%	76.19%	<b>83.56%</b>	
<i>CUMMA</i>	100.00%	100.00%	100.00%	66.67%	50.00%	100.00%	100.00%	100.00%	<b>92.31%</b>	
<i>Evidence Seizures</i>	66.67%	-	75.00%	100.00%	-	-	50.00%	-	<b>70.00%</b>	
<b>Total</b>	<b>87.84%</b>	<b>86.19%</b>	<b>84.95%</b>	<b>83.86%</b>	<b>88.67%</b>	<b>92.82%</b>	<b>86.43%</b>	<b>88.15%</b>	<b>87.24%</b>	

In addition to the 1,779 errors in stops reviewed by State Police, there were an additional 37 errors in 18 of the 20 stops State Police did not review. Of the 37 total errors not caught by State Police supervisory review, 13 (35.14%) pertaining to consent searches, 9 (24.32%) pertaining to reporting, and four (10.81%) pertaining to communication call-ins. In total, these three categories accounted for 70.27% of errors in non-reviewed stops. This is shown in Table Twenty-Two.

<sup>34</sup> A “-” indicates that there were no errors in stops State Police reviewed in that specific category and that specific reporting period. For example, there were no communication call-in errors in stops State Police reviewed in the 17<sup>th</sup> reporting period.

*Table Twenty-Two: Number of Errors in Stops Not Reviewed by State Police*  
July 1, 2017 – June 8, 2021<sup>35</sup>

	2017		2018		2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>		
Recording	-	-	-	-	-	2	-	-	-	2
Reporting	-	2	-	-	4	2	1	-	-	9
Communication Call-ins	-	-	-	-	2	2	-	-	-	4
Vehicle Exits	-	-	-	-	-	-	-	-	-	0
Frisks	-	-	-	-	1	1	-	-	-	2
Search of Person	-	-	-	-	-	-	-	-	-	0
Search of Vehicle	-	1	-	-	-	1	-	-	-	2
Consent Search	-	-	-	1	10	1	1	-	-	13
Canine Deployments	-	-	-	-	-	-	-	-	-	0
Uses of Force	-	-	-	-	-	1	1	-	-	2
Arrests	-	-	-	-	-	1	1	-	-	2
CUMMA	-	-	-	-	-	1	-	-	-	1
Evidence Seizures	-	-	-	-	-	-	-	-	-	0
<b>Total</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>17</b>	<b>12</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>37</b>

## Interventions

Interventions are a tool intended to improve a trooper's performance.<sup>36</sup> Generally, supervisors record interventions in MAPPS to memorialize a supervisor's review of a trooper's activities. Interventions may be positive, commending a trooper for a job well done, or may note a deficiency in a trooper's conduct. An intervention allows the trooper and future supervisors to review supervisory feedback. Without an intervention, a trooper may not be made aware of a deficiency. Likewise, a future supervisor may be unaware of areas in which a trooper may require improvement. Interventions are also vital to a trooper's improvement as they are likely the only searchable and accessible record of a supervisor's comments about a trooper. Without an intervention, the supervisor may be unaware that the next level of remediation, such as additional training, might be most effective.

OLEPS examined the extent to which supervisors noted that they informed the trooper of errors by reviewing MAPPS for evidence of interventions. According to State Police policy, interventions are required when a supervisor notes that a trooper has made an error during a motor vehicle stop. State Police issued an intervention for 35.24% of caught errors, issuing 547 interventions out of a total of 1,552 errors caught

<sup>35</sup> A "-" indicates that there were no errors in stops that did not receive a State Police supervisory review in that specific category and that specific reporting period. For example, there were no recording errors in stops that did not receive a State Police supervisory review in the 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup>, 23<sup>rd</sup>, or 24<sup>th</sup> reporting periods.

<sup>36</sup> OLEPS notes State Police's position that its policy does not require an intervention for all performance deficiencies or errors. Rather, State Police interprets the policy as giving the reviewer discretion to issue an intervention. In the absence of a clear definition of which types, categories, or seriousness of errors require an intervention, OLEPS recommends that all errors result in an intervention. Given this interpretation by State Police, OLEPS does not count the lack of an intervention as an error. Rather, the lack of an intervention merely indicates a lack of an official record of any feedback given to the trooper for a performance deficiency.

through supervisory review. Table Twenty-Three shows the percentage of interventions issued as a percentage of the total errors caught by State Police by reporting period.

*Table Twenty-Three: Interventions Issued as a Percentage of Total Caught Errors*  
July 1, 2017 – June 8, 2021<sup>37</sup>

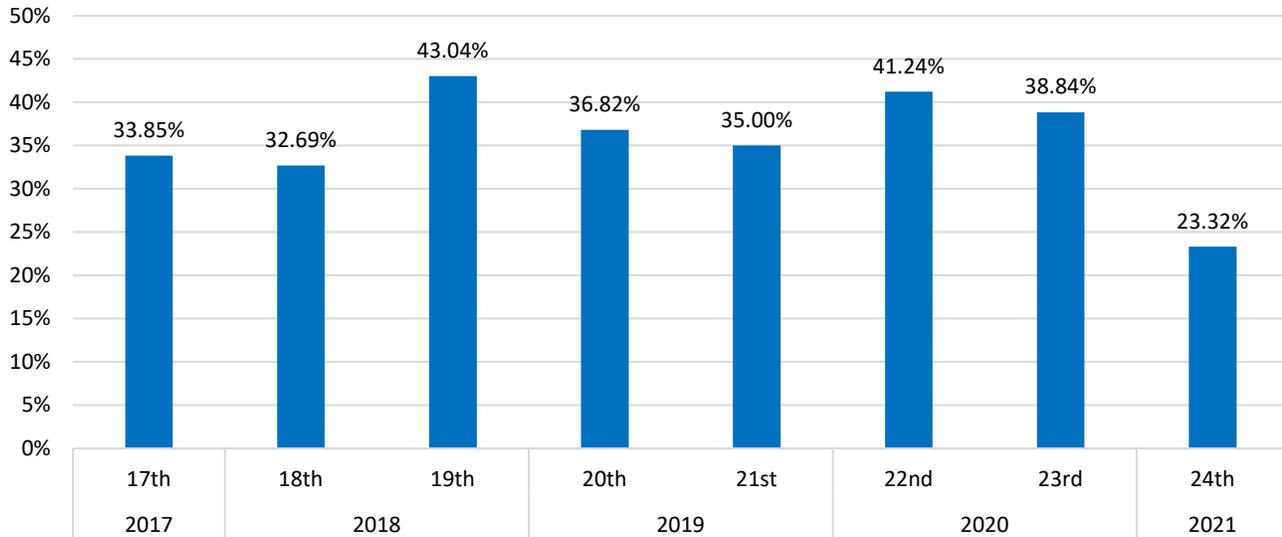


Table Twenty-Four shows the percentage of interventions issued by State Police, by category of error. As shown, the most common categories with an intervention issued were stops involving a vehicle exit and stops involving an evidence seizure.<sup>38</sup> Only 2.35% of the stops containing a caught use of force error resulted in an intervention.<sup>39</sup>

<sup>37</sup> There were no communication call-in errors in stops reviewed by State Police the 17<sup>th</sup> reporting period; no vehicle exit errors in stops State Police reviewed in the 17<sup>th</sup>, 21<sup>st</sup>, 22<sup>nd</sup>, 23<sup>rd</sup> or 24<sup>th</sup> reporting periods; no person search errors in stops State Police reviewed in the 21<sup>st</sup> or 24<sup>th</sup> reporting periods; no canine deployment errors in stops State Police reviewed in the 23<sup>rd</sup> reporting period; and no evidence seizure errors in stops State Police reviewed in the 18<sup>th</sup>, 21<sup>st</sup>, 22<sup>nd</sup>, or 24<sup>th</sup> reporting periods.

<sup>38</sup> Due to the low volume of stops with a caught error pertaining to stops involving a vehicle exit and stops involving an evidence seizure, the percentage was highly susceptible to change, meaning that the addition of even a single stop with a caught error pertaining to either category could change the percentage considerably.

<sup>39</sup> All 85 of the caught use of force errors pertained to report errors.

*Table Twenty-Four: Percentage of Caught Errors Resulting in an Intervention, by Category Type*

	July 1, 2017 – June 8, 2021								
	2017	2018		2019		2020		2021	
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>	Average
<i>Recording</i>	11.11%	28.57%	66.67%	36.36%	52.94%	57.89%	45.45%	25.00%	<b>41.10%</b>
<i>Reporting</i>	21.21%	21.74%	27.78%	21.82%	19.67%	33.33%	21.05%	16.22%	<b>22.20%</b>
<i>Communication Call-ins</i>	-	100.00%	0.00%	0.00%	0.00%	50.00%	29.41%	20.00%	<b>25.00%</b>
<i>Vehicle Exits</i>	-	100.00%	100.00%	-	-	-	-	-	<b>100.00%</b>
<i>Frisks</i>	80.00%	50.00%	81.82%	48.15%	66.67%	38.89%	54.44%	11.11%	<b>51.06%</b>
<i>Search of Person</i>	66.67%	50.00%	66.67%	33.33%	-	60.00%	80.00%	-	<b>55.56%</b>
<i>Search of Vehicle</i>	42.86%	44.44%	57.14%	50.00%	50.00%	35.71%	33.33%	37.50%	<b>42.67%</b>
<i>Consent Search</i>	45.45%	33.93%	38.30%	46.34%	45.90%	34.09%	46.94%	31.63%	<b>39.79%</b>
<i>Canine Deployments</i>	-	0.00%	-	100.00%	0.00%	0.00%	-	100.00%	<b>33.33%</b>
<i>Uses of Force</i>	0.00%	0.00%	0.00%	0.00%	0.00%	14.29%	6.67%	0.00%	<b>2.35%</b>
<i>Arrests</i>	56.25%	55.56%	87.50%	41.18%	60.00%	60.87%	53.57%	31.25%	<b>53.28%</b>
<i>CUMMA</i>	25.00%	100.00%	50.00%	0.00%	100.00%	100.00%	100.00%	0.00%	<b>66.67%</b>
<i>Evidence Seizures</i>	50.00%	-	100.00%	100.00%	-	-	100.00%	-	<b>85.71%</b>
<b><i>Total</i></b>	<b>33.85%</b>	<b>32.69%</b>	<b>43.04%</b>	<b>36.82%</b>	<b>35.00%</b>	<b>41.24%</b>	<b>38.84%</b>	<b>23.32%</b>	<b>35.24%</b>

OLEPS continues to recommend the use of interventions to ensure troopers are aware of mistakes and can remedy those errors in the future.

### *Summary of Standard 9*

State Police policies and procedures require supervisors to review motor vehicle stops to ensure troopers perform in accordance with these policies and procedures. Supervisors should then detail the trooper's performance in a motor vehicle stop review and issue interventions to encourage troopers to modify the noted conduct or to commend the trooper's conduct.

#### Findings:

- State Police supervisors reviewed 532 of the 552 stops selected by OLEPS for review. State Police did not review the remaining 20 stops.
- OLEPS identified 1,816 errors in the 552 stops reviewed for this report. This includes 1,779 errors in stops State Police reviewed and 37 errors in stops State Police did not review.
- State Police supervisors caught 1,552 (87.24%) of the 1,779 errors identified by OLEPS in the stops State Police reviewed.
- State Police issued an intervention for 35.24% of the 1,552 errors caught through supervisory review, issuing 547 interventions during the eight reporting periods included in this report.

Troopers can only correct behavior if they know there is an issue. Interventions are a vital tool for self-analysis, allowing both troopers and supervisors to record areas of both excellence and those in need of improvement. OLEPS recommends that State Police increase its use of interventions so that troopers can learn from their errors and modify future behavior.

## Performance Standard 10: Supervisory Referral to OPS

### *Standards*

If in the review of a motor vehicle stop, OLEPS determines that the conduct recorded during the motor vehicle stop reasonably indicates misconduct, a Reportable Incident Form must be completed and submitted to the Office of Professional Standards (OPS).

### *Assessment*

OLEPS did not refer any incidences to OPS for an “independent review to ensure an impartial and thorough investigation was conducted” during the eight reporting periods included in this report.

## Performance Standard 11: Supervisory Presence in the Field

### Standard

This standard remains unchanged from the Consent Decree:

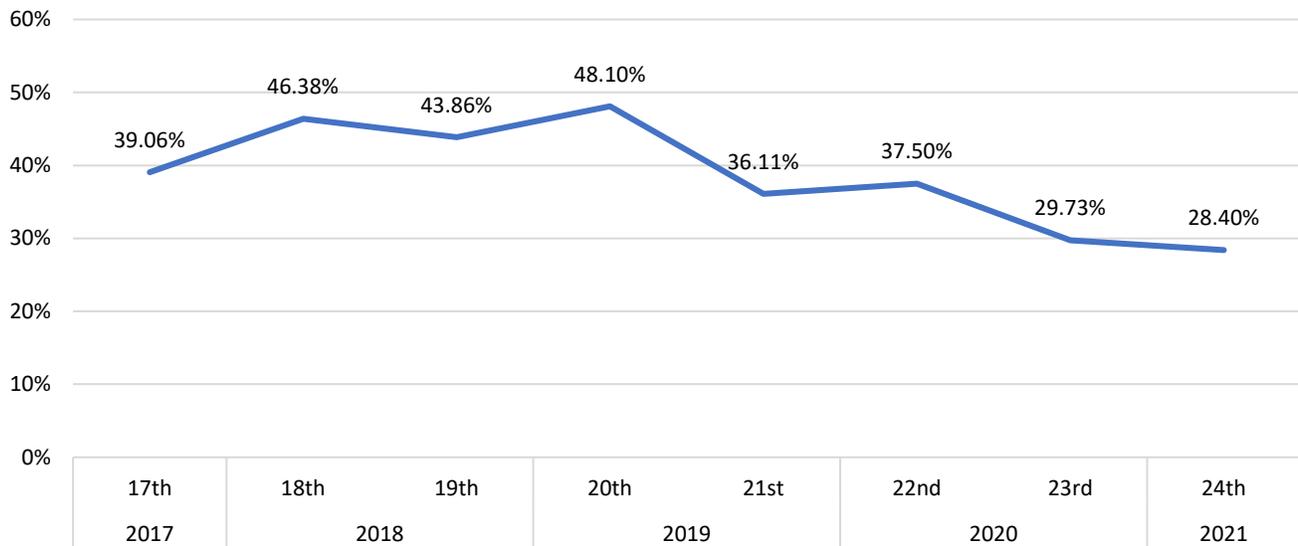
*The State Police shall require supervisors of patrol squads that exclusively, or almost exclusively, engage in patrols on limited access highways to conduct supervisory activities in the field on a routine basis.*

In light of motor vehicle stop review requirements that take up much of a supervisor’s available road time, there is no set numeric requirement of supervisory presence. It is recommended, however, that State Police should at a minimum maintain, but ideally improve, its rate of supervisory presence in the field.

### Assessment

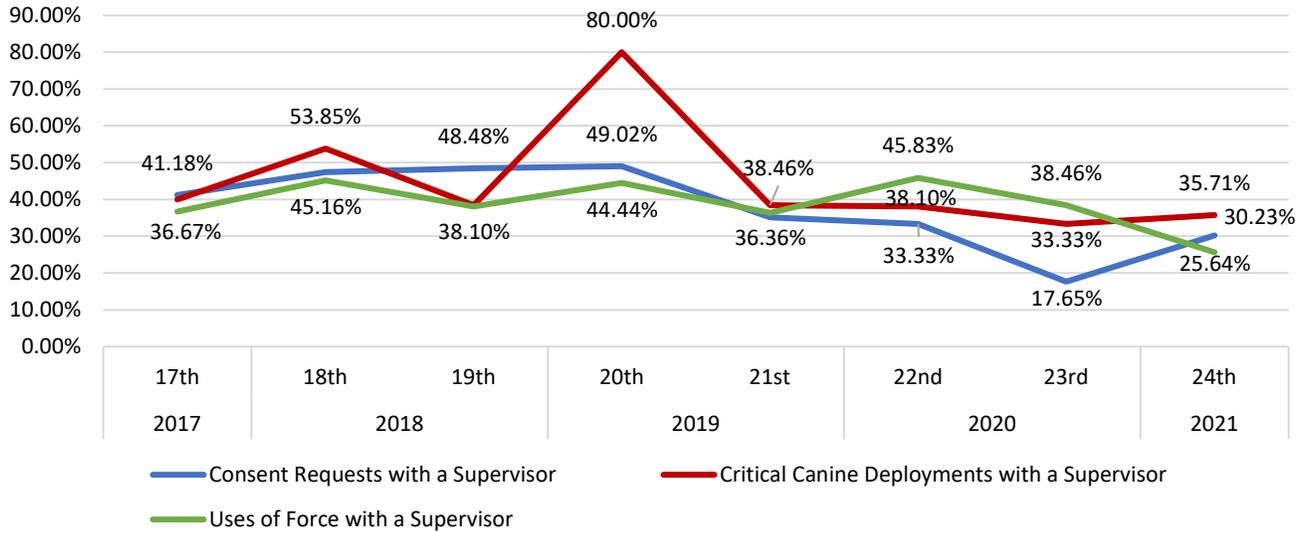
In the eight reporting periods included in this report, supervisors were present in 212 stops (38.41%) of all stops. This is shown in Figure Thirty-Two. OLEPS verified supervisory presence in all 212 stops through stop reports and/or videos. Supervisory presence in the field provides the trooper initiating or engaging in a stop enhanced supervision and guidance.

*Figure Thirty-Two: Trend of Supervisory Field Presence in Critical Stops  
July 1, 2017 – June 8, 2021*



Critical stops, those with an RAS-based consent request, a drug-detecting canine deployment at the scene of the stop, or a use of force, undergo mandatory supervisory reviews, and their activities require supervisory approval and additional reports. As noted previously, all 552 stops reviewed for this report were deemed critical. As shown in Figure Thirty-Three, the proportion of supervisory presence in each category of critical stops varied, as did the proportion of supervisory presence based on reporting period. Supervisors were present most often in stops with a critical canine deployment.

Figure Thirty-Three: Supervisory Field Presence based on the Activity in the Stops  
July 1, 2017 – June 8, 2021



### Summary of Standard 11

State Police policies and procedures require supervisory presence on the road because it provides oversight of troopers during motor vehicle stops.

#### Findings:

- Supervisors were present in 212 stops (38.41%) of the 552 stops OLEPS reviewed for this report period. Of the critical stops reviewed for this report, supervisors were present most often in stops with a critical canine deployment.

Routine supervisory presence on the road provides oversight of troopers’ road activities. OLEPS recommends that State Police increase its supervisory presence of patrol squads to ensure that troopers are following State Police policies and procedures and are corrected when their actions deviate from those policies and procedures.

## Office of Professional Standards & Investigations

OLEPS monitors the Office of Professional Standards (OPS) based on the timeliness and appropriateness of investigations. OLEPS also audits the citizen complaint process.

### *Methodology*

OLEPS monitors OPS by conducting audits of OPS investigations on a biannual basis.<sup>40</sup> These audits include a determination of whether the evidence in the case supports the findings of substantiated, insufficient evidence, exonerated, or unfounded.<sup>41</sup> The audits involve a review of all complaints regarding racial profiling, disparate treatment, excessive force, illegal or improper searches, false arrests, and domestic violence. In addition to a review of these complaints, OLEPS also selects a sample of all other complaints State Police received for review. For each complaint, OLEPS reviews the written investigative file, including a review of all required investigative tasks.

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<sup>40</sup> Historically, OLEPS conducted a legal review of substantiated disciplinary investigations to determine whether there was sufficient evidence to move forward with disciplinary action. This function was transferred out of OLEPS in August 2017.

<sup>41</sup> State Police defines the determinations as follows: Substantiated: A preponderance of the evidence shows that the trooper violated federal or state law, NJSP rules, regulations, SOPs, directives or training; Insufficient evidence: There is not enough evidence to determine whether the alleged conduct occurred; Exonerated: A preponderance of the evidence shows that the alleged conduct occurred but that it did not violate federal or state law or NJSP rules, regulations, SOPs, directives or trainings; Unfounded: A preponderance of the evidence shows that the alleged misconduct did not occur.

## Performance Standard 12: Appropriate & Timely Investigations

### Standards

OPS is required to complete misconduct investigations within 120 working days. In instances where an investigator believes a case will extend beyond 120 working days, the investigator must complete a request for an extension with the Internal Affairs Investigation Bureau (IAIB) Bureau Chief prior to the 120-day deadline.

### Assessment

OLEPS performed an audit of investigations of closed OPS cases alleging misconduct conducted from July 1, 2017 to June 30, 2021.<sup>42</sup>

This audit consisted of a review of 563 mandatory cases (*i.e.*, those with complaints involving racial profiling, disparate treatment, excessive force, illegal or improper searches, and domestic violence). OLEPS conducted reviews of the written files for all 563 mandatory cases.

### Investigation Length

During OLEPS' audit of OPS, OLEPS examined the length of misconduct investigations to determine if these investigations were completed in an appropriate amount of time, based on justifiable reasons. Justifiable reasons included, but were not limited to:

- Investigator caseload
- Unavailability of principals, complainants, or witnesses
- Investigator re-assignment
- Pending criminal investigation

OLEPS' audit noted that 29.19% (129 of the 442 cases submitted for a misconduct investigation) took State Police longer than 120 working days to complete. During this audit, OLEPS noted that 110 of these cases, 85.27%, included an appropriate and timely request for an extension. Table Twenty-Five shows this information broken out by reporting period.

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<sup>42</sup> Although this oversight report covers the period of July 1, 2017 to June 8, 2021, OLEPS' audit of OPS includes misconduct investigations that occurred during the period of January 1, 2021 to June 30, 2021.

*Table Twenty-Five: Timeliness of Cases Submitted for a Misconduct Investigation*

July 1, 2017 – June 30, 2021

	2017	2018	2019	2020	2021	Total			
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>	Total
Number of Reviewed Closed Cases Alleging Misconduct	96	83	98	78	54	45	39	60	<b>553</b>
Number of Cases submitted for a Misconduct Investigation	81	73	80	66	39	26	27	50	<b>442</b>
Number of Cases that took State Police Longer than 120 Days to Complete	39 (48.2%)	17 (23.3%)	27 (33.8%)	17 (25.8%)	1 (2.6%)	8 (30.8%)	5 (18.5%)	15 (30.0%)	<b>129 (29.19%)</b>
Number of Cases that Included an Appropriate Extension Request	31 (79.5%)	15 (88.2%)	27 (100%)	17 (100%)	1 (100%)	6 (75.0%)	5 (100%)	8 (53.3%)	<b>110 (85.27%)</b>
Number of Cases that Did Not Include an Appropriate Extension Request	8 (20.5%)	2 (11.8%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	2 (25.0%)	0 (0.0%)	7 (46.7%)	<b>19 (14.73%)</b>

### Summary of Standard 12

State Police policies and procedures require OPS to complete misconduct investigations within 120 working days and, in instances where this cannot be done, to complete a request for an extension.

#### Findings:

- Of the 442 cases submitted for a misconduct investigation, 129 (29.19%) took State Police longer than 120 days to complete.
- Nineteen of the 129 cases (14.73%) that took longer than 120 days to complete did not include an appropriate request for an extension.

## Performance Standard 13: Internal Audits of Citizen Complaint Processes

### Standards

According to State Police policies and procedures, the following requirements govern the citizen complaint process:

- All calls must be recorded
- All complaints must be reviewed to determine whether they constitute allegations of misconduct and whether the allegation is:
  - Criminal
  - Requires administrative investigation
  - Non-disciplinary performance matter
  - Administratively closed

### Assessment

OLEPS audits the citizen complaint process through an audit of the complaint hotline, checking for proper reception and classification of complaints. This audit covered the period of July 1, 2017 to June 30, 2021.<sup>43</sup> State Police received 797 complaint calls to the hotline during that period. OLEPS reviewed 79 of these calls. OLEPS concluded that OPS assigned a case number appropriately for all calls reviewed, and that State Police classified 75 of the 79 calls reviewed, 94.94%, properly in IAPro. Table Twenty-Six shows this information broken out by reporting period.

*Table Twenty-Six: Reception and Classification of Calls to State Police Complaint Hotline*  
July 1, 2017 – June 30, 2021

	2017		2018		2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>		
Hotline Complaints Received	85	105	90	123	114	85	98	97		<b>797</b>
Number of Hotline Cases Reviewed by OLEPS	9	11	9	12	11	8	10	9		<b>79</b>
Cases Appropriately Assigned by OPS	9 (100%)	11 (100%)	9 (100%)	12 (100%)	11 (100%)	8 (100%)	10 (100%)	9 (100%)		<b>79 (100.00%)</b>
Cases Appropriately Classified by OPS	8 (88.9%)	11 (100%)	8 (88.9%)	11 (91.7%)	10 (90.9%)	8 (100%)	10 (100%)	9 (100%)		<b>75 (94.94%)</b>

### Summary of Standard 13

State Police policies and procedures require all citizen complaint calls to be recorded and for those complaints to be reviewed to determine if the complaints constitute allegations of misconduct.

<sup>43</sup> Although this Oversight Report covers the period of July 1, 2017 to June 8, 2021, OLEPS' audit of State Police's complaint hotline includes misconduct investigations that occurred during the period of January 1, 2021 to June 30, 2021.

Findings:

- OLEPS reviewed 79 of the 797 complaint calls received by the State Police hotline from July 1, 2017 to June 30, 2021. OPS appropriately assigned a case number for all those calls and properly classified 75 of the 79 calls (94.94%) in IAPro.

## MAPPS

Multiple units in State Police share responsibility for entering data into Management Awareness & Personnel Performance System (MAPPS). The information contained in MAPPS comes from other information systems in State Police. Specifically, stop data stored in MAPPS comes from the Computer Aided Dispatch (CAD) system and Records Management System (RMS), which the Information Technology Bureau manages. Misconduct data and complaints handled as performance issues come from the IPro database maintained by the Office of Professional Standards. Information in MAPPS on assignments and promotions comes from the Human Resources Bureau. Training information displayed in MAPPS is a live view of State Police Academy's database known as the Academy Computerized Training System (ACTS).

All supervisors, regardless of their assignment, are required to review MAPPS data and to note certain reviews in MAPPS. All quarterly performance evaluations must be entered in MAPPS, as must all interventions given to members, regardless of assignment. Supervisors in Field Operations primarily conduct stop data reviews of individuals and video reviews. The MAPPS Unit analyzes and presents unit and troop analyses of stop data and trends to a command-level panel for review during the Risk Analysis Core Group (RACG) meeting.<sup>44</sup> The RACG is also responsible for analyzing MAPPS data for specific units to determine trends that indicate potential training issues. OPS reviews patterns of individual misconduct.

### *Methodology*

OLEPS assessed MAPPS to ensure State Police used the system according to its policy. MAPPS Performance Standards assessed whether appropriate data were available in a timely manner and if they were securely stored. Additionally, OLEPS assessed whether State Police used MAPPS as a management tool to assist with supervisory and management decision-making.

OLEPS' formal audit of MAPPS contained two parts. First, OLEPS accessed MAPPS to find evidence of specific information as required by State Police policy and procedures. Second, all troopers subject to a 3-in-2 review<sup>45</sup> were queried in MAPPS to determine whether those reviews were properly conducted. OLEPS audited the MAPPS system by selecting a sample of troopers and accessing all records in MAPPS to ensure the availability of records of all requirements, per State Police policies and procedures.

OLEPS notes any issues with MAPPS and communicates them to the MAPPS Unit. Additionally, since this Unit creates the RACG report, OLEPS also discusses troop trends and patterns in trooper behavior with the Unit.

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<sup>44</sup> Risk Analysis Core Group (RACG) meetings are quarterly meetings of upper level command staff to review State Police data.

<sup>45</sup> State Police conducts reviews on troopers who receive three misconduct allegations within two years, also known as 3-in-2 Reviews.

## Performance Standard 14: Maintenance of MAPPS

### Standards

According to State Police policies and procedures, MAPPS must include the following data:

- Motor Vehicle Stop Data
- Misconduct Data
- Performance Data
- Interventions
- Assignments
- Training
- Compliments
- Motor Vehicle Stop Reviews (MVRs)
- Journals

### Assessment

For the MAPPS audit, OLEPS audited all 368<sup>46</sup> troopers who conducted the 552 motor vehicle stops OLEPS reviewed for this report. MAPPS should contain data elements – performance data, assignments, and training – for all troopers.

The presence of other elements depends on the individual troopers' specific activities and whether those activities were recognized for exemplary or deficient behaviors. Table Twenty-Seven details the overall results of the current audit of MAPPS. For example, performance data, assignments, and training are required for each trooper. The other results depend on the individual troopers' performance.

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<sup>46</sup> Eighty-three of the 368 troopers were involved in more than one stop in the eight reporting periods included in this report.

**Table Twenty-Seven: Summary of MAPPS Data Audit**  
July 1, 2017- June 30, 2021

	2017	2018	2019	2020	2021				
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>	Total
<i>Number of Troopers involved in a Critical Stop</i>	61	65	52	63	66	50	68	67	<b>492</b>
<i>Performance Data<sup>47</sup></i>									
<i>Documented</i>	58	62	49	63	63	50	65	62	<b>472</b>
<i>Missing</i>	3	3	3	0	3	0	3	5	<b>20</b>
<i>Assignments</i>									
<i>Documented</i>	61	65	52	63	66	50	68	67	<b>492</b>
<i>Missing</i>	0	0	0	0	0	0	0	0	<b>0</b>
<i>Training</i>									
<i>Documented</i>	61	63	52	62	64	0	67	61	<b>430</b>
<i>Missing</i>	0	2	0	1	2	50 <sup>48</sup>	1	6	<b>62</b>
<i>Number of Troopers with Motor Vehicle Stop Data</i>	61	65	52	63	62	50	68	67	<b>488</b>
<i>Number of Troopers with a Misconduct Report</i>	23	18	14	22	24	18	34	22	<b>175</b>
<i>Number of Troopers with an Intervention</i>	51	58	49	61	60	47	60	57	<b>443</b>
<i>Number of Troopers with a Compliment</i>	16	19	13	17	16	6	21	6	<b>114</b>
<i>Number of Troopers with a Motor Vehicle Stop Review</i>	56	65	52	62	59	48	65	65	<b>472</b>
<i>Number of Troopers with a Journal Entry</i>	1	2	1	2	2	2	5	1	<b>16</b>
<i>Number of Troopers with a Use of Force Supervisory Review</i>	8	6	3	4	8	5	8	1	<b>43</b>

### Motor Vehicle Stop Data

MAPPS must contain information on all motor vehicle stops a trooper performed. This module contains several analytic tools that allow State Police to examine a trooper's stop data in relation to both internal and external benchmarks.

### Performance Data

#### Trooper Reviews

OLEPS accessed the MAPPS Performance Module for evidence of quarterly evaluations. Quarterly evaluations are conducted four times a year. The quarters consist of 90-day periods and are as follows:

- First Quarter: January 1 to March 31

<sup>47</sup> Performance Data looks at whether an evaluation was completed for the trooper.

<sup>48</sup> In response to the COVID-19 pandemic, then Attorney General Grewal issued Attorney General Directive No. 2020-4, titled "Directive Revising Firearms Qualification and Requalification Standards for New Jersey Law Enforcement." Under the directive, troopers were required to attend only one rifle qualification session between July 1, 2020 and December 31, 2020.

- Second Quarter: April 1 to June 30
- Third Quarter: July 1 to September 30
- Fourth Quarter: October 1 to December 31

Of the troopers sampled, MAPPS reported that 472 received at least one evaluation and 20 had not received any evaluation in a specific reporting period.

### Assignments

MAPPS provides information on current and historical assignments for each trooper. MAPPS listed current and past assignments for all 492 troopers.

### Training

The Academy Computerized Training System (ACTS) feeds data into MAPPS regarding training completion. Of the 492 troopers reviewed for this report, 430 troopers completed the on-duty firearms training for the period they were reviewed. MAPPS did not contain information about the on-duty firearms training for 60 troopers. This includes all 50 troopers whose information was not available in MAPPS for the 22<sup>nd</sup> reporting period, and was the result of the Attorney General Directive No. 2020-4, which revised the firearms semi-annual qualification to a single qualification requirement for the 2020 year.

### Compliments

The compliments module in MAPPS contains records of all compliments received by troopers for service performed. This module lists general information pertaining to each compliment. OLEPS found that 114 of the troopers sampled received at least one compliment.

### Motor Vehicle Stop Reviews

State Police supervisors must review motor vehicle stops as determined by Field Operations' review schedule. For this requirement, OLEPS ensured that MAPPS contained motor vehicle stop reviews for the sampled troopers. OLEPS found evidence that 472 of the sampled troopers had at least one review of a motor vehicle stop on record.

### Journals

MAPPS' Journal module provides supervisory personnel with a method to formally document non-intervention information. Supervisors are required to notify their subordinates of journal entries in which the staff member is the subject.

There were 16 journal entries for the sampled troopers included in this report.

### Interventions

MAPPS contains an Interventions module wherein members may issue an intervention or task another member with administering an intervention directed toward improving a member's performance. OLEPS found that interventions were recorded for 443 of the 492 sampled troopers. These interventions resulted from a variety of actions and behaviors. As noted in Performance Standard 9, 35.38% of all errors State Police caught resulted in an intervention.

## Misconduct

OLEPS checked to ensure that all cases listed in IAPro (the database that houses misconduct information) were also in MAPPS for the selected troopers. Of the 492 troopers, OLEPS found 175 misconduct cases for troopers<sup>49</sup> with misconduct cases in both IAPro and MAPPS. Notably, there were no errors noted in the reporting periods included in this report regarding documenting misconducts in both programs.

## Use of Force Supervisory Reviews

State Police has set a threshold of two uses of force within a one-year period for a trooper before an alert is triggered that begins a supervisory review process. Forty-three of the 492 troopers had documented use of force supervisory reviews in MAPPS.

## Summary of Standard 14

State Police policies and procedures require MAPPS to include specific data.

Findings:

- Of the 492 troopers OLEPS sampled, 472 received at least one evaluation in the reporting period their data was reviewed.
- Of the 492 sampled troopers, 430 completed one on-duty firearms training in the reporting periods included in this report.

OLEPS recommends State Police fully utilize all aspects of MAPPS to record communication with troopers who have made an error during a motor vehicle stop.

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<sup>49</sup> This is based on the date of incident compared to the date of incident listed in IAPro.

## Performance Standard 15: MAPPS Reports

### Standards<sup>50</sup>

The data in MAPPS is used to create reports that assist State Police in self-assessment and risk management. Pursuant to State Police policy, these reports are used to identify both organizational and member/personnel risk issues and trends over time. As noted in the Decree, analyses of MAPPS data concerning motor vehicle stops shall include comparisons of:

- Racial/ethnic percentages of all motor vehicle stops
- Racial/ethnic percentages of all motor vehicle stops by reason for the stop (e.g., moving violation, non-moving violation, other)
- Racial/ethnic percentages of enforcement actions and procedures taken in connection with or during the course of stops
- Racial/ethnic percentages for motor vehicle consent searches
- Racial/ethnic percentages for non-consensual searches/seizures of motor vehicles
- Racial/ethnic percentages of requests for consent to search vehicles with find rates
- Evaluations of trends and differences over time
- Evaluations of trends and differences between troopers, units and subunits
- To the extent possible, a benchmark racial/ethnic percentage should be used

### Assessment

The requirements of this standard are assessed through OLEPS' review of the quarterly Risk Analysis Core Group (RACG) reports. OLEPS reviewed reports published by MAPPS on the racial/ethnic distribution of stops and post-stop interactions, as well as on trend analysis. OLEPS also attended quarterly meetings reviewing these reports.

These reports include the examination of racial/ethnic percentages for all stops based on stop reasons and enforcement actions. The reports and presentations include data from three years. The focus of these reports and presentations changes each quarter. Although one troop is selected for primary analysis each quarter, Division-wide analysis is also presented. State Police uses an internal benchmark of trend analysis to compare motor vehicle stops and associated activity.

OLEPS reviews these reports, noting trends and providing suggestions for future analytic direction. The meeting also serves as a forum for questions, comments, and requests for further analysis of the reviewed data. The meeting is mandatory for Risk Management Advisory Panel members and any member invited by the Superintendent, typically the command staff for the troop being reviewed. If a required member is unable to attend the meeting, they must send a designated replacement. Table Twenty-Eight depicts attendance at the 16 RACG meetings held during the reporting periods included in this report.

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<sup>50</sup> This standard was Task 50 in previous reports. It remains unchanged.

**Table Twenty-Eight: RACG Meeting Attendance**  
July 1, 2017 – June 30, 2021

Troop	2017				2018				2019				2020		2021	
	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
Deputy Superintendent/Branch Commander of Administration	D <sup>51</sup>	D	D	D	Y	Y	D	Y	Y	N	D	Y	Y	Y	D	Y
Deputy Superintendent of Operations/Branch Commander of Operations	D	Y	N	D	Y	Y	N	D	Y	Y	Y	Y	Y	N	D	Y
Deputy Superintendent of Investigations/Branch Commander of Investigations	N	N	N	N	N	N	D	D	Y	D	D	Y	Y	D	D	Y
Commanding Officer, Office of Professional Standards	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y	D	D	D	Y
Quality Assurance Officer, Office of Quality Assurance <sup>52</sup>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Deputy Superintendent of Homeland Security <sup>53</sup>	Y	Y	D	D	N	N	D	Y	Y	D	N	Y	D	Y	Y	D <sup>54</sup>
OLEPS Director	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Chief of Staff/Division Executive Officer <sup>55</sup>	D	Y	Y	Y	Y	N	N	Y	Y	Y	Y	N	Y	N	N	N
Troop Commander	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Deputy Troop Commander(s)	1	1	1	1	1	1	1	0	1	1	1	1	1	1	1	1
Regional Troop Commander(s)	2	1	2	1	2	3	1	1	2	2	1	0	1	0	0	1
Additional Troop Resource(s) <sup>56</sup>	0	1	2	1	0	0	0	2	0	2	0	1	2	1	0	0

In addition to the Risk Management Advisory Panel members, the troop commander, deputy troop commander, and regional troop commander(s) for the focus troop are often invited to the meeting, as are additional troopers in leadership roles. The number of those additional members who attending each meeting is shown in the last four lines of Table Twenty-Eight. As shown in Table Twenty-Eight, the Risk Management Advisory Panel members or their designee attended most of these meetings.

### Summary of Standard 15

MAPPS reports must include specific analysis of data concerning motor vehicle stops.

<sup>51</sup> A “D” indicates that a designee attended the meeting in lieu of the invited member.

<sup>52</sup> In 2019, the Quality Assurance Officer, who had been a voting member of the RACG became a non-voting member of the group.

<sup>53</sup> In 2019, the Branch Commander of Homeland Security became a voting member of the RACG.

<sup>54</sup> The Branch Commander of Field Operations replaced the Branch Commander of Homeland Security as a voting member of the RACG in June 2021.

<sup>55</sup> Beginning in June 2019, the position of Chief of Staff transitioned to the position of Division Executive Officer.

<sup>56</sup> Command staff is encouraged to bring additional troopers with them to RACG meetings.

**Findings:**

- The MAPPS reports meet the requirements of this performance standard.
- The 16 RACG meetings examined for this report were attended by a majority of the Risk Management Advisory Panel members or their designees.

## Oversight & Public Information

### Performance Standard 16: Maintenance of the Office of Law Enforcement Professional Standards

#### Standards

The Law Enforcement Professional Standards Act of 2009 (N.J.S.A. 52:17B-222, *et seq.*) (the Act), created the Office of Law Enforcement Professional Standards (OLEPS). OLEPS is tasked with auditing State Police.

OLEPS is required to complete the following reports:

- Publication of bi-annual reports assessing aggregate patterns and trends in motor vehicle stop data<sup>57</sup>
- Publication of bi-annual oversight reports assessing State Police compliance with all requirements put forth in the Act
- Publication of biannual reports on aggregate trends in misconduct

#### Assessment

During the reporting periods included in this report, OLEPS published the Sixth Public Aggregate Misconduct Report, the Seventh Public Aggregate Misconduct Report, and the Eighth Public Aggregate Misconduct Report.

OLEPS also published the Thirteenth Oversight Report, the Fourteenth Oversight Report, and the Fifth Oversight Report.

OLEPS reports and publications can be found on the OLEPS website,

<https://www.njoag.gov/about/divisions-and-offices/office-of-law-enforcement-professional-standards-home/oleps-library/>.

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<sup>57</sup> OLEPS reports aggregate patterns and trends in motor vehicle stop data on the New Jersey State Police Traffic Stop Data Dashboard. The dashboard can be found at <https://www.njoag.gov/trafficstops/>.

## Performance Standard 17: Approval of Revisions to Protocols, Forms, Reports, and Logs

### Standards

The Act mandates that OLEPS review and approve, in writing, all changes to State Police rules, regulations, standing operating procedures, and operating instructions relating to any applicable non-discriminatory policy established by the Attorney General, and those relating to the laws of arrest, search and seizure, and to the documentation of motor vehicle stops and law enforcement activities occurring during the course of motor vehicle stops.

### Assessment

State Police continues to discuss changes/revisions to protocols, forms, reports, and logs with OLEPS. OLEPS reviews and comments on proposed changes to State Police policies and procedures, and associated documentation. During the eight reporting periods included in this report OLEPS reviewed 15 operational instructions, 18 standing operating procedures, and lesson plans for 64 trainings.<sup>58</sup> This is shown in Table Twenty-Nine.

*Table Twenty-Nine: OLEPS' Review of Proposed Changes to State Police Policies and Procedures*  
July 1, 2017 – June 30, 2021

	2017		2018			2019		2020		2021	Total
	17 <sup>th</sup>	18 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	23 <sup>rd</sup>	24 <sup>th</sup>			
<i>Operational Instructions</i>	2	0	5	2	1	0	3	2	<b>15</b>		
<i>Standing Operating Procedure</i>	2	3	2	1	4	1	4	1	<b>18</b>		
<i>Trainings for Lesson Plans</i>	5	14	8	8	8	5	8	8	<b>64</b>		

<sup>58</sup> OLEPS may review multiple lesson plans per training. For example, OLEPS reviewed and provided recommendations to lesson plans for eight blocks of instruction prior to State Police's Semi-Annual Firearms Qualification in the spring of 2021.

# Summary

## Overview

OLEPS analyzed State Police and trooper activities from July 1, 2017 to June 8, 2021, including 552 motor vehicle stops, MAPPS data, and OPS cases.

Motor vehicle stops involving uses of force increased from the 22<sup>nd</sup> to 23<sup>rd</sup> reporting periods and remained higher in the 24<sup>th</sup> reporting period.

OLEPS noted several instances where troopers did not meet the appropriate legal standards for the post-stop activities used. Specifically, OLEPS noted the following:

- There were 31 stops in which the legal standard of RAS to request consent to search was not met
- There were 40 stops with consent searches where troopers failed to limit their search to the scope requirements of the search
- In 12 stops, the deployment of a canine did not meet the legal standard of RAS
- In 47 stops, a frisk of the driver failed to meet the legal standard of RAS
- In 44 stops – 30 involving passenger 1 and 14 involving passenger 2 – a frisk failed to meet the legal standard of RAS
- Eight frisks of the driver that extended beyond a pat down
- In six stops – four involving passenger 1 and two involving passenger 2 – a frisk extended beyond a pat down
- Forty stops with a vehicle search error
- Eighteen stops with the search of a driver that was not incidental to arrest (ITA)
- In 11 stops – nine involving passenger 1 and two involving passenger 2 – the search was not ITA

OLEPS noted issues with frisks failing to meet the legal standard in the reporting periods included in this report. OLEPS continues to recommend supervisory vigilance on frisks and improvement in notification of these errors via the intervention module.

The average stop length for stops reviewed was 69.67 minutes, with the average length per reporting period ranging from 60.14 minutes for stops conducted during the 23<sup>rd</sup> reporting period to 80.56 minutes for stops conducted during the 24<sup>th</sup> reporting period. OLEPS found several *de facto* arrests based on the length of the stop. Specifically, OLEPS noted 44 stops with a *de facto* arrest in the eight reporting periods included in this report.

Among the stops State Police reviewed, 93.98% (500 of 532) of stops contained at least one error. State Police caught 87.24% of these errors. Due to the number of errors noted in these stops, OLEPS continues to reinforce to State Police the need for detailed reviews with appropriate feedback to troopers. It is especially important that troopers adhere to legal standards and that interventions are used to document when this is not done.

Related, the use of interventions following an error during a motor vehicle stop was inconsistent throughout the eight reporting periods included in this report but never exceeded 44%. State Police policy does not require an intervention for all performance deficiencies or errors. It is therefore OLEPS' recommendation that all errors result in an intervention. Because of this, OLEPS does not count the lack of an intervention as an error. Instead, the lack of an intervention indicates the lack of an official record of any feedback given to a trooper for a performance deficiency. In the reporting periods included in this report, 35.24% of all errors caught through State Police supervisory review resulted in an intervention. Because a trooper can only correct behavior if he/she knows there is an issue, OLEPS continues to recommend State Police supervisors use interventions when errors are noted.

Supervisors were present in 38.41% of the stops OLEPS reviewed for this report. OLEPS continues to examine the proportion of supervisors on the road to determine whether there is a relationship between the quality of reviews and the use of interventions and supervisor presence during stops.

### *Recommendations*

Given the issues noted in this report, OLEPS' recommendations to State Police are as follows:

- Conduct detailed supervisory reviews, especially in all critical stops and noted areas of concern.
- Increase the use of interventions so that troopers who make an error can modify future behavior.
- Reiterate the requirements of RAS, probable cause, and all applicable legal standards to ensure that troopers appropriately engage in post-stop activities, especially frisks.
- Address concerns regarding the length of stops. Refer to previous monitoring reports written by the Independent Monitors (see Appendix One) for more detail regarding the concerns surrounding *de facto* arrests.
- Increase supervisory presence in the field.
- Ensure that all information required to be stored in MAPPS is appropriately entered or transferred into the database.
- Continue upgrades and repairs to aging audio and video equipment, and ensure troopers are appropriately activating this equipment.
- Continue to follow State Police policies and procedures and the Attorney General directives.

## Appendix One: Previously Published Monitoring/Oversight Reports

Report	Publication Date	Reporting Period
<a href="#">Monitors' First Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	October 6, 2000	December 31, 1999-September 15, 2000
<a href="#">Monitors' Second Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	January 10, 2001	September 30, 1999-December 15, 2000
<a href="#">Monitors' Third Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	April 12, 2001	December 16, 2000-March 15, 2001
<a href="#">Monitors' Fourth Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	July 17, 2001	January 1, 2001-March 31, 2001
<a href="#">Monitors' Fifth Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	January 14, 2002	May 30, 2001-December 15, 2001
<a href="#">Monitors' Sixth Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	July 19, 2002	December 31, 2001-May 30, 2001
<a href="#">Monitors' Seventh Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	January 17, 2003	May 1, 2002-October 30, 2002
<a href="#">Monitors' Eighth Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	August 21, 2003	October 1, 2002-March 31, 2003
<a href="#">Monitors' Ninth Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	January 23, 2004	April 1, 2002-September 30, 2003
<a href="#">Monitors' Tenth Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	July 16, 2004	October 1, 2003-March 31, 2004
<a href="#">Monitors' Eleventh Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	December 20, 2004	April 1, 2004-September 30, 2004
<a href="#">Monitors' Twelfth Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	July 12, 2005	October 1, 2004-March 31, 2005
<a href="#">Monitors' Thirteenth Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	December 2005	April 1, 2005-September 30, 2005
<a href="#">Monitors' Fourteenth Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	June 2006	October 1, 2005-March 31, 2006
<a href="#">Monitors' Fifteenth Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	January 2007	April 1, 2006-September 30, 2006
<a href="#">Monitors' Sixteenth Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	August 2007	October 1, 2006-March 31, 2007
<a href="#">Monitors' Seventeenth Report: Long-term Compliance Audit Civil Number 99-5970(MLC)</a>	April 16, 2009	January 1, 2007-December 31, 2007
<a href="#">First Monitoring Report Prepared by the Office of Law Enforcement Professional Standards</a>	April 29, 2010	January 1, 2008-December 31, 2008
<a href="#">Second Monitoring Report Prepared by the Office of Law Enforcement Professional Standards</a>	August 2011	January 1, 2009-June 30, 2009

<a href="#">Third Monitoring Report Prepared by the Office of Law Enforcement Professional Standards</a>	July 2012	July 1, 2009- December 31, 2009
<a href="#">Fourth Monitoring Report Prepared by the Office of Law Enforcement Professional Standards</a>	October 2012	January 1, 2010- December 31, 2010
<a href="#">Fifth Monitoring Report prepared by the Office of Law Enforcement Professional Standards</a>	May 2013	January 1, 2011- December 31, 2011
<a href="#">Sixth Oversight Report prepared by the Office of Law Enforcement Professional Standards</a>	July 2013	January 1, 2012- June 30, 2012
<a href="#">Seventh Oversight Report prepared by the Office of Law Enforcement Professional Standards</a>	March 2014	July 1, 2012- December 31, 2012
<a href="#">Eighth Oversight Report prepared by the Office of Law Enforcement Professional Standards</a>	October 2014	January 1, 2013- June 30, 2013
<a href="#">Ninth Oversight Report prepared by the Office of Law Enforcement Professional Standards</a>	July 2015	July 1, 2013- December 31, 2013
<a href="#">Tenth Oversight Report prepared by the Office of Law Enforcement Professional Standards</a>	September 2015	January 1, 2014- June 30, 2014
<a href="#">Eleventh Oversight Report prepared by the Office of Law Enforcement Professional Standards</a>	October 2016	July 1, 2014- December 31, 2014
<a href="#">Twelfth Oversight Report prepared by the Office of Law Enforcement Professional Standards</a>	March 2017	January 1, 2015- June 30, 2015
<a href="#">Thirteenth Oversight Report prepared by the Office of Law Enforcement Professional Standards</a>	June 2018	July 1, 2015 – December 31, 2015
<a href="#">Fourteenth Oversight Report prepared by the Office of Law Enforcement Professional Standards</a>	February 2019	January 1, 2016 – June 30, 2016
<a href="#">Fifteenth Oversight Report prepared by the Office of Law Enforcement Professional Standards</a>	May 2020	July 1, 2016 – December 31, 2016
<a href="#">Sixteenth Oversight Report prepared by the Office of Law Enforcement Professional Standards</a>	July 2021	January 1, 2017 – June 30, 2017

## Appendix Two: Definitions of Acronyms and Abbreviations

*B.O.L.O.*: Be On the Look Out

*CAD*: Computer Aided Dispatch. The dispatch system employed by State Police.

*DTT*: Duty to Transport

*IAIB*: Internal Affairs Investigation Bureau

*IAPro*: Internal Affairs Professional. The database used by OPS.

*Independent Monitors*: The monitoring team put in place by the Department of Justice

*MAPPS*: Management Awareness & Personnel Performance System. The database used to monitor all trooper activity. It is fed from CAD, RMS, and IAPro.

*MDT*: Mobile data terminal. The computer inside State Police vehicles

*MVR*: Motor vehicle stop review

*MVSR*: Motor vehicle stop report

*OLEPS*: Office of Law Enforcement Professional Standards, formerly the Office of State Police Affairs (OSPA)

*OPS*: Office of Professional Standards. The office handles the disciplinary process for State Police

*PC*: Probable Cause

*RAS*: Reasonable Articulate Suspicion

*RMS*: Records Management System

*SOP*: Standing Operating Procedure. Policies and procedures that govern all activity and behavior of State Police

*The Act*: Law Enforcement Professional Standards Act (2009) (N.J.S.A. 52:17B-222, et seq.)

*The Decree*: The Consent Decree. State Police entered the Decree in 1999 to promote law enforcement integrity.

# Appendix Three: New Jersey State Police Troop Area

