



# OLEPS

OFFICE OF LAW ENFORCEMENT PROFESSIONAL STANDARDS

## Fifth Public Aggregate Misconduct Report June 2017



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## Introduction

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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 aggregate reports regarding misconduct investigations conducted by the New Jersey State Police (State Police). These reports are required to include the number of external, internal, and total complaints received and the disposition of these complaints.

This Aggregate Misconduct Report discusses the volume of misconduct investigations for January 1, 2015 to December 31, 2015, and trends in misconduct from 2011 to 2015. The report provides an overview of the misconduct process as conducted by the State Police and details aggregated misconduct data for the reporting period. This report details the following: total number of cases opened within a given time period; the total number of misconduct cases closed within a given time period; the disposition for each closed case; and several other measures designed to more fully illustrate the State Police's internal disciplinary process.

Publication of this report continues fulfillment of the requirements of the Act and OLEPS' goals of improving transparency, integrity, and awareness in law enforcement and the State Police.

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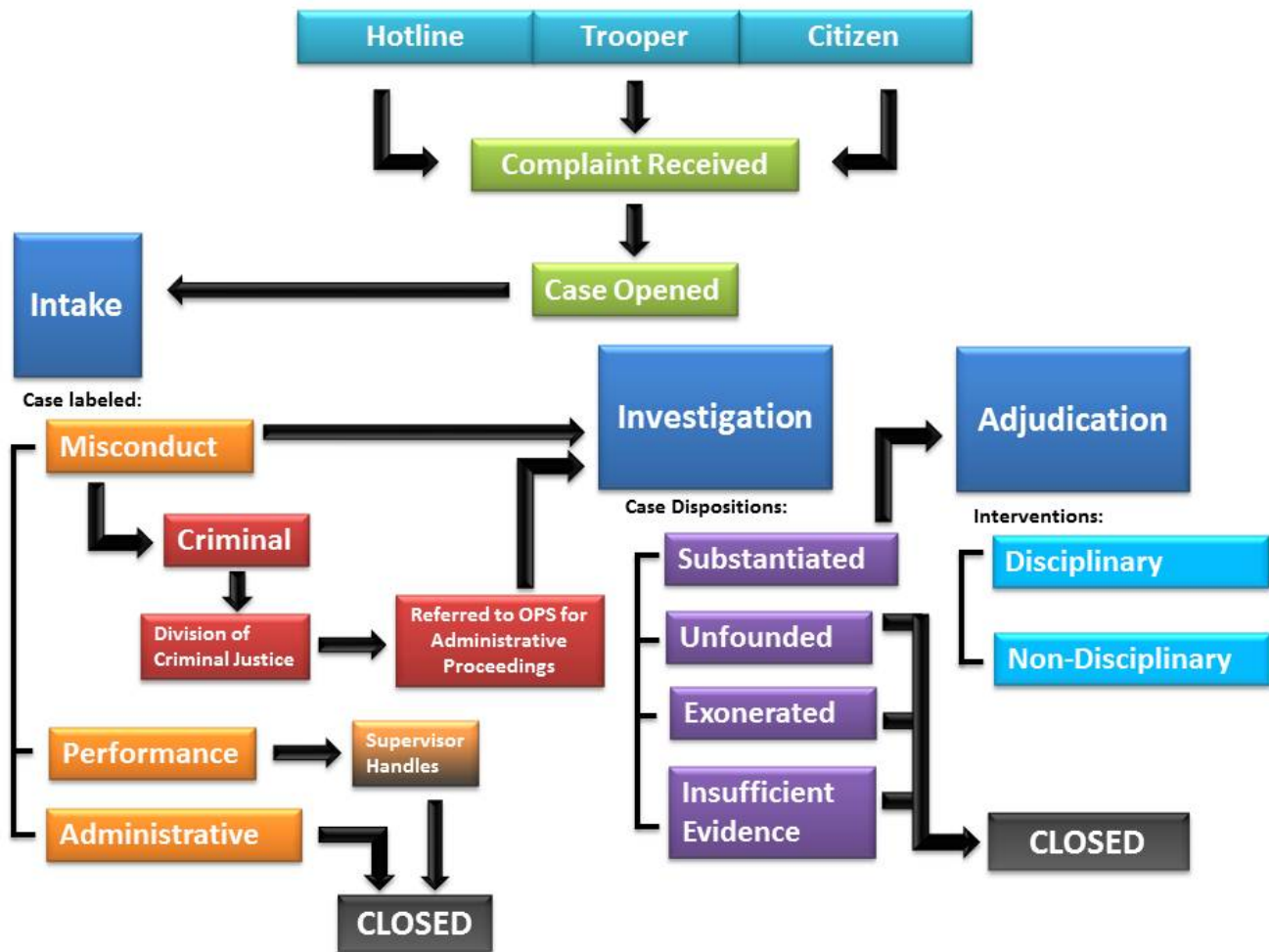
## Misconduct Process

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The Office of Professional Standards (OPS) is the Division Unit tasked with investigating alleged misconduct by enlisted members of the State Police. The process of receiving a complaint to the closing of a misconduct case can be lengthy and is dependent upon a number of factors inherent in the complaint. Generally, when a complaint is received, OPS determines whether the complaint warrants an investigation. If it does warrant an investigation, the specifics of the complaint and case dictate the process of the investigation, and ultimately, the disposition.

Figure One outlines the process for complaints received by OPS, detailing the process from receipt of a complaint to the final outcome of the case.

**Figure One: Workflow of the Office of Professional Standards**



How are complaints received?

- Complaints or allegations of misconduct are received in a number of ways: a call may be received on the NJSP complaint line, a citizen may contact OPS or OLEPS to file a complaint, a citizen may fill out a complaint form and provide it to any trooper, or another trooper may file a complaint/misconduct allegation against another trooper.

What happens to complaints?

- Regardless of the method received, all complaints are reviewed and assessed by OPS Intake staff. The Intake Unit reviews the complaint and can then make several determinations: to administratively close the case, label it as a criminal incident, a performance issue, or a misconduct case.
- A case is administratively closed when it is determined that there is no indication a trooper violated criminal laws, NJSP rules and regulations, or written orders. Administratively closed cases do not proceed any further.

- Performance issues are determined to be issues of job performance, best addressed by a trooper's supervisor within the chain of command.
- Criminal incidents are handled by the Division of Criminal Justice or local prosecutors' offices prior to OPS action.
- Misconduct cases are investigated internally by OPS.

#### Brief overview of the misconduct investigation process

- The misconduct investigation process is an attempt to determine whether the allegations of misconduct are true. These cases typically involve multiple allegations and may involve one or more troopers. Because allegations can be very specific (*i.e.*, disparate treatment *v.* racial profiling), the allegations are classified according to a classification system outlined in Appendix One.
- The investigation process may involve speaking with the individual who filed the complaint or any witnesses to the event that led to the complaint. Investigations may also require reviews of reports and documentation of the incident (*i.e.*, motor vehicle stop reports, investigation reports, arrest reports, recordings etc.). Once an investigation is deemed complete, OPS will apply one of the following dispositions based on a preponderance of evidence: substantiated, unfounded, exonerated, or insufficient evidence.<sup>1</sup> Substantiated cases are passed to the adjudication office within OPS to determine appropriate consequences of the misconduct.

#### Brief overview of adjudication process

- After a disposition has been assigned to a case following an investigation, the adjudication process begins. For a given case, a trooper may receive disciplinary or non-disciplinary interventions. These interventions are reviewed for legal sufficiency and must be based on the facts and circumstances of the case and the trooper's past misconduct history.<sup>2</sup>

## Report Methodology

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This report details the volume of activity handled by OPS for 2015. This report provides aggregate analysis on misconduct investigations opened in 2015. This report also provides an overview of misconduct, performance, and administrative cases that were closed in 2015, regardless of the date they were opened.

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<sup>1</sup> Substantiated - a preponderance of the evidence shows that a member violated State Police rules, regulations, protocols, standard operating procedures, directives, or training.

Unfounded - a preponderance of the evidence shows that the alleged misconduct did not occur.

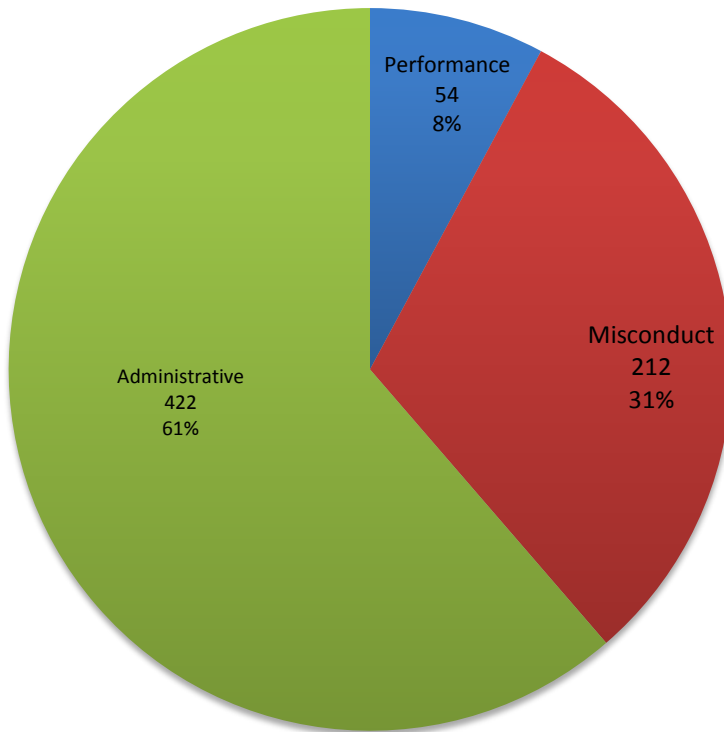
Exonerated - a preponderance of the evidence shows that the alleged conduct did occur, but did not violate state police rules, regulations, standard operating procedures, directives, or training.

Insufficient evidence (formerly unsubstantiated) - where there is insufficient evidence to determine whether the alleged misconduct occurred.

<sup>2</sup> During this review, OLEPS has full access to the involved trooper's disciplinary history. This is evaluated in conjunction with the evidence developed by the investigation before disciplinary charges are filed and a penalty recommended.

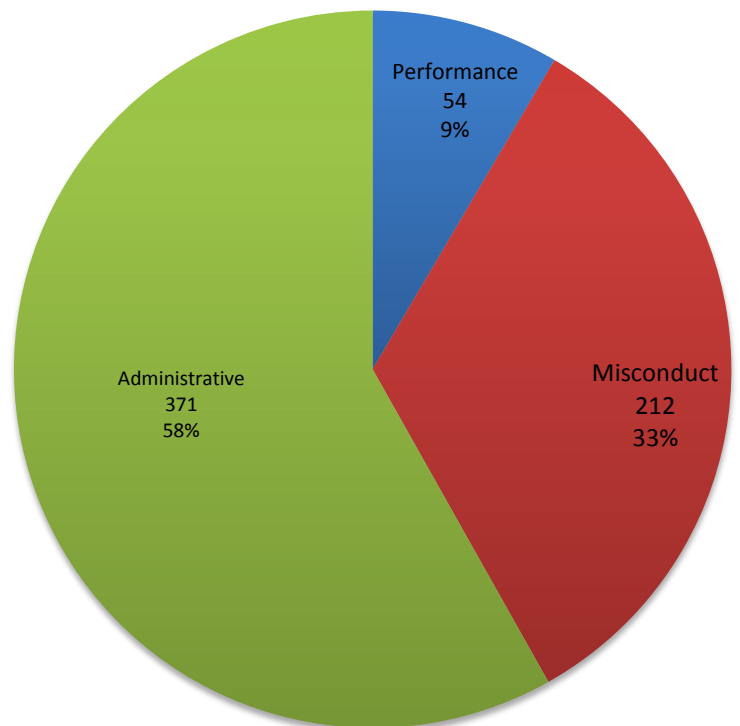
## Data

**Figure Two: Cases Opened in 2015**



OLEPS collected data on all misconduct cases received, all misconduct cases closed, administrative cases closed, and performance investigations completed from January 1, 2015 to December 31, 2015. The requested information includes: the dates the incidents occurred; were received; were opened; date investigations were completed; and were closed. Also included are the allegations, allegation outcomes, classifications, and the number of troopers involved in each case. In 2015, OPS received a total of 688 complaints. Of these 688 complaints, 212 were misconduct cases, 422 were administrative cases, and 54 were performance cases.

**Figure Three: Cases Closed in 2015**



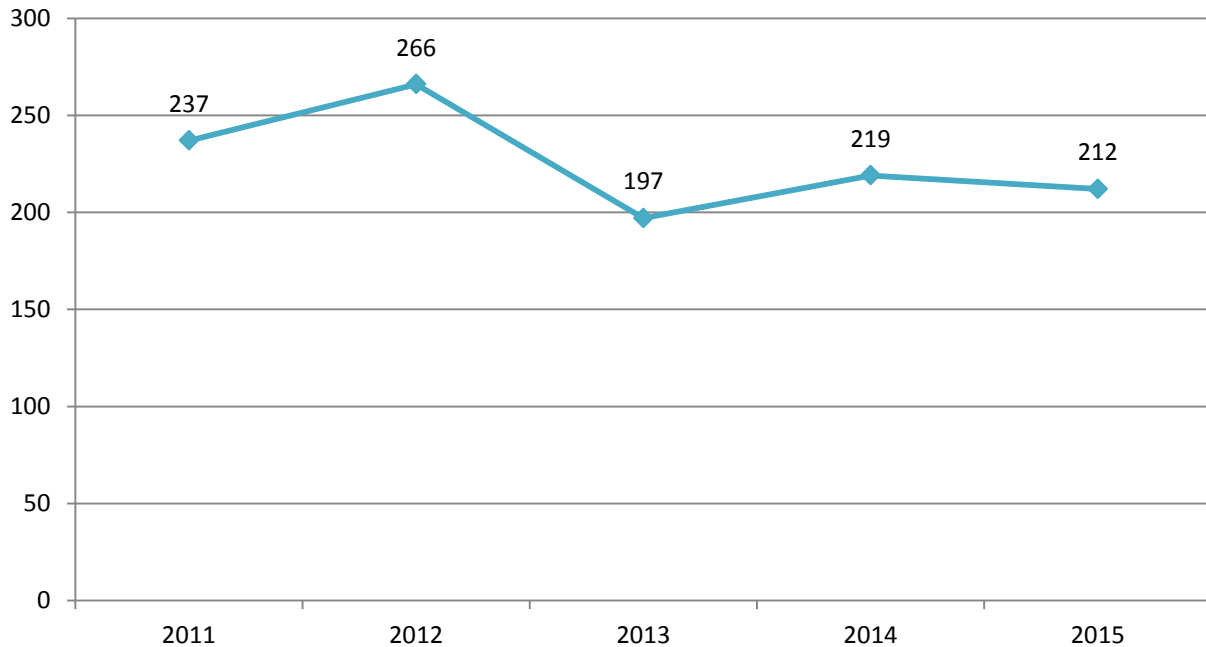
A case may be opened in a given year and closed in any subsequent year, depending upon the investigation, allegations, and principals. Consequently, the cases opened in 2015 were not necessarily the same cases closed in 2015. In 2015, OPS closed 637 cases/complaints. Similar to the volume of cases opened, the majority of closed cases, 58%, were identified as administrative cases. Less than 10% of closed cases were performance cases and 33% of closed cases were misconduct cases. Thus, the bulk of cases closed are administrative or misconduct cases.

## Analysis

### Misconduct Cases Received in 2015

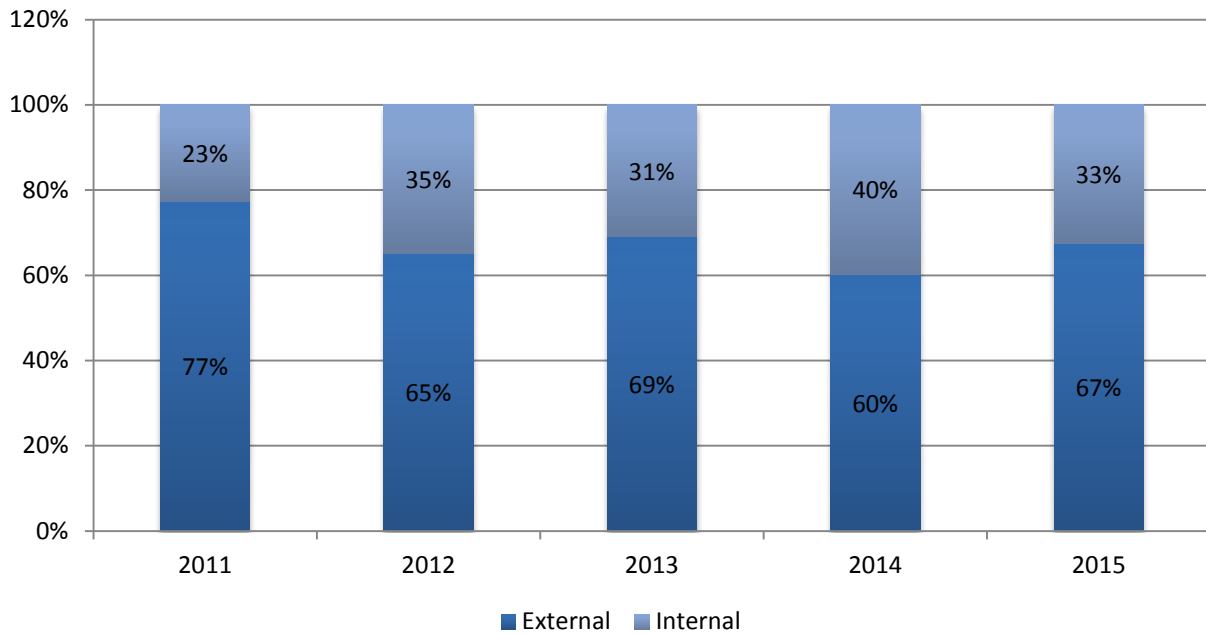
Figure Four depicts the trend of the number of misconduct investigations opened in each year. There were 212 misconduct cases opened in 2015, a 3% decrease from the 219 cases opened in 2014. This volume for 2015 remains lower than the volume opened in 2011 and 2012.

**Figure Four: Trends in the Number of Misconduct Cases Opened**  
2011-2015



Misconduct cases are generated from complaints made from either external, internal, or anonymous sources to the State Police. Similar to the previous year, the majority of misconduct cases stem from external complaints, those made by citizens. In 2015, 143 misconduct cases (67%) originated from external complaints, while 69 misconduct cases (33%) developed from internal complaints. Figure Five depicts the proportion of cases that are internally or externally generated for each year. Compared to the previous year, there was a considerably smaller proportion of complaints generated internally. However, the proportion noted for 2015 is consistent with previous years, suggesting 2014 was an anomalous year.

**Figure Five: Misconduct Cases Received By Source**  
 2011-2015



**Figure Six: Date Misconduct Cases Received**  
 2015

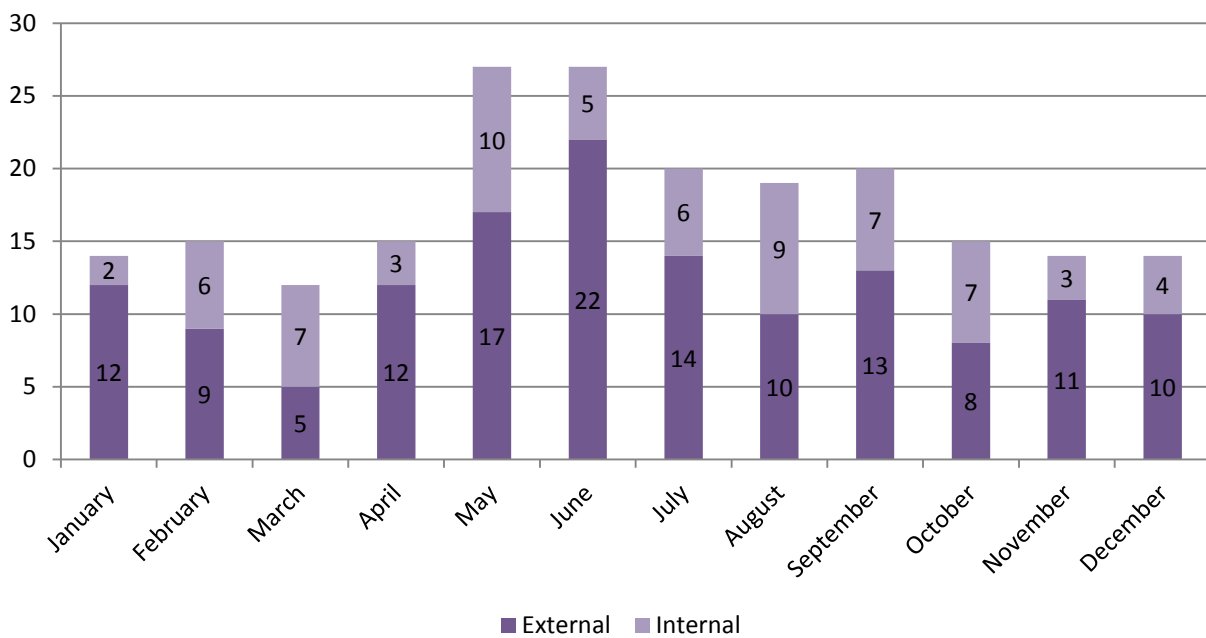


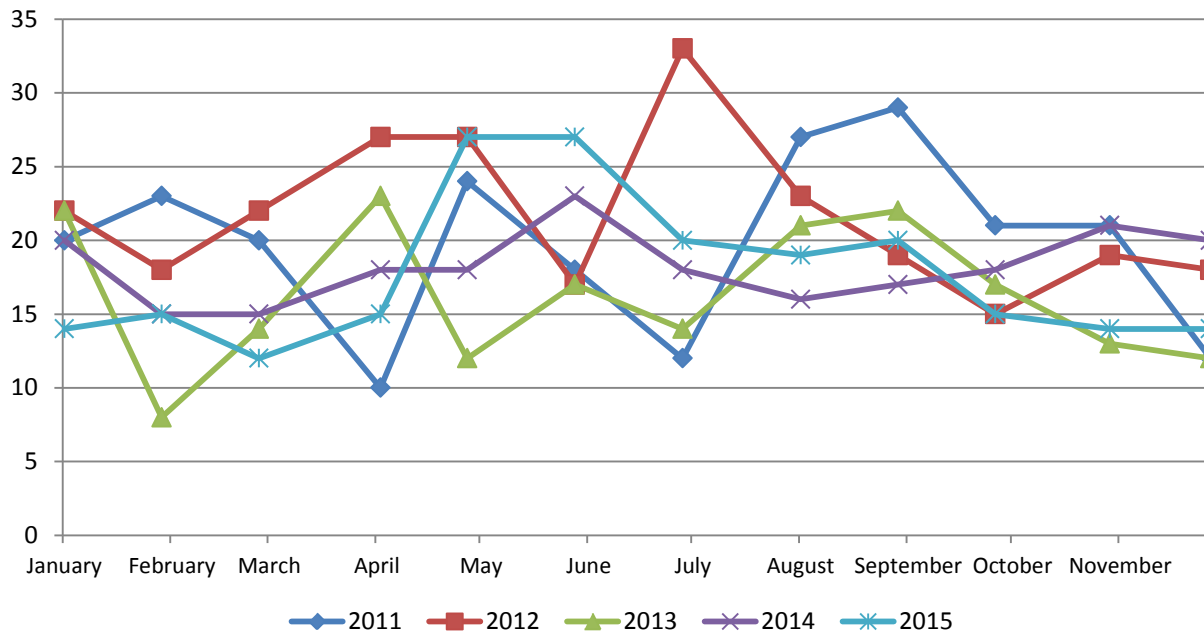
Figure Six depicts the number of misconduct cases OPS received by month during 2015. The number of cases fluctuates each month with no discernable pattern. However, OPS received a higher volume of cases in May and June. In May, these cases were slightly more likely to be internally generated while in June they were more likely to be externally generated.

Figure Seven compares the dates of cases received in each year from 2011 to 2015. Based on this figure, there does not appear to be any pattern to when OPS receives cases. For example, the highest



number of cases received in a month in each year differs. In 2011, the highest number of cases was received in September, in July for 2012, in April for 2013, in June for 2014, and in May and June for 2015.

**Figure Seven: Misconduct Cases Received**  
 2011- 2015



*Case Status<sup>3</sup>*

The lifespan of misconduct cases varies depending on the circumstances of each case. Each case is unique, resulting in varying numbers of principals and allegations. Additionally, some cases are deemed priority and, as such, are opened and closed quickly, while other misconduct cases remain open. Of the 212 cases opened in 2015, as of March 2016, 44 cases had investigations that were completed. A review of the findings and adjudication were the only remaining steps of the investigative process. Fifty-one cases opened in 2015 were under supervisory review in the Investigation Bureau as of March 2016. Of the cases not forwarded for supervisory review or adjudication, fifteen were suspended.<sup>4</sup> The remaining 102 cases opened in 2015 are the cases that remain under active investigation, identical to the number of active cases in 2014.

<sup>3</sup> All determinations of case status were made in March 2016 when the data were obtained from OPS and IAPro (Internal Affairs Professional, the database used by OPS to document and track cases).

<sup>4</sup> Cases may become suspended due to pending criminal investigations or for legal review. These cases must remain suspended until the completion of the criminal review or legal review process.

**Table One: Status of Misconduct Cases Opened**  
2015

<b>Status</b>	<b>Number of Cases</b>	<b>Number of Allegations</b>
Active	102	305
Completed	44	79
Supervisory Review	51	165
Suspended	15	43
<b>Total</b>	<b>212</b>	<b>592</b>

### *Age of Cases*

In general, it is possible for a misconduct case to be opened for an incident that occurred on that day or any day prior to the opened date. Therefore, allegations of misconduct received in 2015 by OPS can include incidents that occurred prior to 2015. The incidents precipitating the majority of cases opened in 2015 occurred within the same year; 171 misconduct cases opened in 2015 were based upon incidents that occurred at some point in 2015. Of the 212 misconduct cases opened in 2015, nine cases resulted from an incident that occurred sometime prior to January 1, 2015. Of these nine cases, more than half (seven) resulted from incidents that occurred in the prior year. Additionally, there were 32 cases opened in 2015 that did not list a date of incident.<sup>5</sup>

### *Trooper Assignment*

Troopers are assigned to a variety of stations, units, and administrative positions. Depending on the nature of the assignments, some troopers have more frequent and direct contact with the public, while other assignments are removed from public contact. Troopers with higher levels of citizen contact may be more likely to receive misconduct complaints than others by virtue of this contact. Accordingly, it is important to examine the number of complaints received by trooper assignment.

Table Two depicts the distribution of complaints across stations. The table indicates the number and percent of misconduct cases that named at least one trooper at each station and the number and percent of troopers named in any case in 2015. The total numbers in this table are greater than the number of cases opened because each case may involve multiple troopers, and thus multiple stations can be involved in the same case. For this reason, the total number of troopers is also higher than the total number of cases.

The complaints are generally distributed evenly across stations. In the past, no single station accounted for more than 5% of the total number of misconduct cases received or total number of troopers named that year. However, in 2015, troopers assigned at Metro South station accounted for slightly more than 5% of the total number of troopers involved in misconduct cases opened in 2015. Metro South station had the highest number of troopers involved in a case, with 18 troopers (5.90%). However, the 18 troopers were only involved in five misconduct cases. Two of these cases involved five or more troopers, which is uncommon. In 2014, Sussex station had the largest volume of troopers involved in misconduct cases. In 2015, they have the second highest volume with 15 troopers involved

<sup>5</sup> Dates of incidents may not be recorded because the complaint refers to multiple incidents or the case is the outcome of a previous investigation.

in five cases. Thus, though not the highest volume of troopers, Sussex troopers were still involved in a high volume of misconduct cases in 2015.

**Table Two: Trooper Assignments on Date Complaint Received<sup>6</sup>**  
 2015

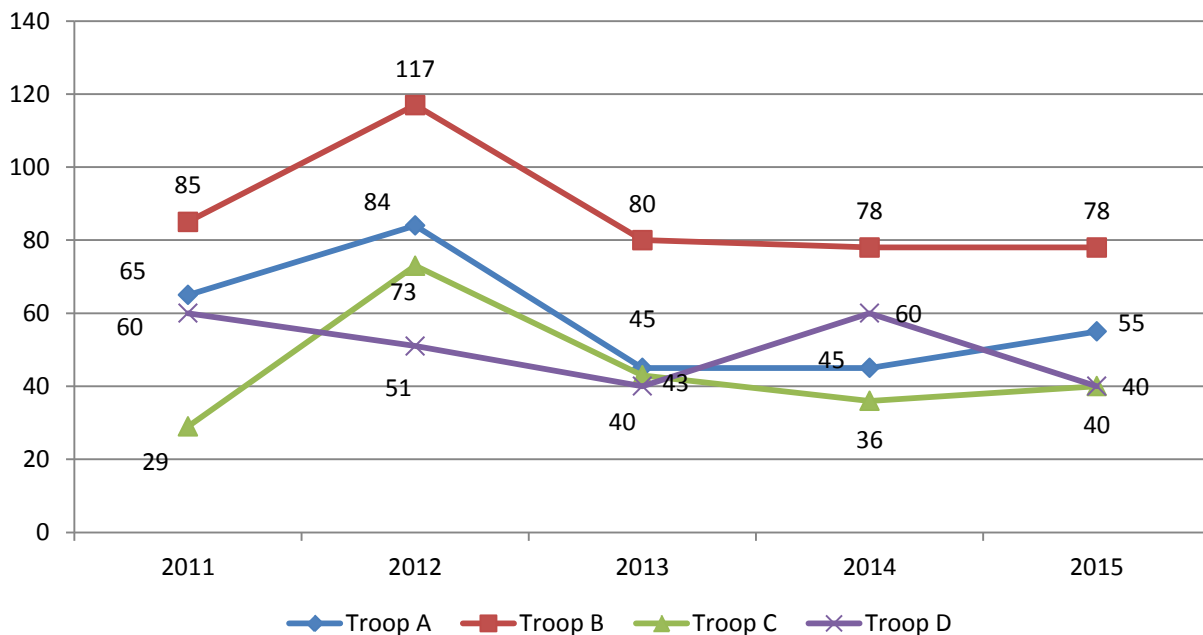
	Station	# of Cases	% of Cases	# of Troopers	% of Troopers
<b>Troop A</b>	Atlantic City	2	0.94%	2	0.66%
	Bellmawr	2	0.94%	3	0.98%
	Bridgeton	11	5.19%	14	4.59%
	Buena Vista	3	1.42%	4	1.31%
	Metro South	5	2.36%	18	5.90%
	Port Norris	2	0.94%	2	0.66%
	Woodbine	3	1.42%	3	0.98%
	Woodstown	5	2.36%	5	1.64%
	Troop A Other	3	1.42%	4	1.31%
	<b>Troop A Total</b>	<b>36</b>		<b>55</b>	
<b>Troop B</b>	Hope	5	2.36%	11	3.61%
	Metro North	1	0.47%	1	0.33%
	Netcong	6	2.83%	9	2.95%
	Perryville	8	3.77%	8	2.62%
	Somerville	8	3.77%	10	3.28%
	Sussex	5	2.36%	15	4.92%
	Totowa	5	2.36%	12	3.93%
	Washington	4	1.89%	4	1.31%
	Troop B Other	4	1.89%	8	2.62%
	<b>Troop B Total</b>	<b>46</b>		<b>78</b>	
<b>Troop C</b>	Bordentown	6	2.83%	9	2.95%
	Hamilton	4	1.89%	4	1.31%
	Kingwood	3	1.42%	3	0.98%
	Red Lion	6	2.83%	11	3.61%
	Tuckerton		0.00%		0.00%
	Troop C Other	10	4.72%	13	4.26%
	<b>Troop C Total</b>	<b>29</b>		<b>40</b>	
<b>Troop D</b>	Bloomfield	3	1.42%	3	0.98%
	Cranbury	6	2.83%	6	1.97%
	Galloway	7	3.30%	10	3.28%
	Holmdel	2	0.94%	2	0.66%
	Moorestown	4	1.89%	4	1.31%
	Newark	6	2.83%	7	2.30%
	Troop D Other	4	1.89%	8	2.62%
	<b>Troop D Total</b>	<b>32</b>		<b>40</b>	
Other	54	25.47%	70	22.95%	
Unknown	15	7.08%	22	7.21%	
<b>Total</b>	<b>212</b>		<b>305</b>		

<sup>6</sup> Assignment on the date a complaint was received was used because it was more easily ascertainable and more available than the date of the actual incident for all cases. Additionally, the majority of troopers had the same assignment on the date of the incident and the date OPS received the complaint.

Overall, misconduct cases in 2015 averaged 1.4 troopers per case. However, this average varies across stations. As noted previously, Metro South averaged a high number of troopers per case, 3.6 troopers. Sussex station averaged 3 troopers per case opened in 2015. These higher average numbers of troopers per case may speak to the policing methods used in these stations, the time of day the incidents occurred, the use of dual patrols, or requests for backup. Further, it is unknown whether a trooper is actively working at their assigned station, on a temporary detachment assignment, or overtime detail at the time of the incident. Therefore, the concentration of cases at any given station is only a rough estimate and may not necessarily be indicative of station behavior, but rather other assignments.

Figure Eight depicts the trends in the number of individual troopers cited in cases for each troop. Troops A and C experienced an increase in the number of troopers involved in misconduct cases, Troop D experienced a decrease, and Troop B experienced no change in the number of troopers involved in misconduct cases in 2015.

**Figure Eight: Trends in the Number of Troopers Involved Per Troop**  
 2011-2015



As in previous reporting periods, Troop B continues to report the largest number of troopers involved in misconduct cases. In 2015, Troop B had 78 troopers involved in misconduct cases, 25% of all troopers involved in misconduct cases in 2015. Historically, Troop B conducts a high number of motor vehicle stops. Additionally, Troop B's patrol area encompasses an area with a larger and denser population compared to the rest of New Jersey. Thus, the higher number of troopers involved in misconduct cases may be reflective of staff, activity, and public interaction levels. In contrast, Troop C and D had the fewest troopers involved in misconduct cases in 2015, with 40 cases each. Troop D experienced a 33% decrease in the number of troopers involved in misconduct cases in 2015 while Troop C actually experienced an 11% increase.

A chi-square test was conducted to determine whether there were significant differences in the number of troopers involved in misconduct cases across troops. There were no statistically significant differences between the volume of misconduct cases opened at any of the troops during this reporting period.

### Case Complexity

The age of an investigation, from opening to closing, is dependent upon a number of factors. However, the complexity of a case is the most important and relevant feature of a case that impacts the investigation. The term “case complexity” in this report refers to the principals cited in a case (number of troopers), the number of allegations against each principal, and the total number of allegations in a case. Each case may involve any combination of number of troopers and number of allegations. In one case, there may be one allegation against multiple troopers or several allegations against each trooper involved. The complexity of a case is dependent upon the number of troopers and allegations within each case, since each individual trooper and each allegation require investigation.

**Figure Nine: Number of Cases, Troopers, and Allegations**  
2015

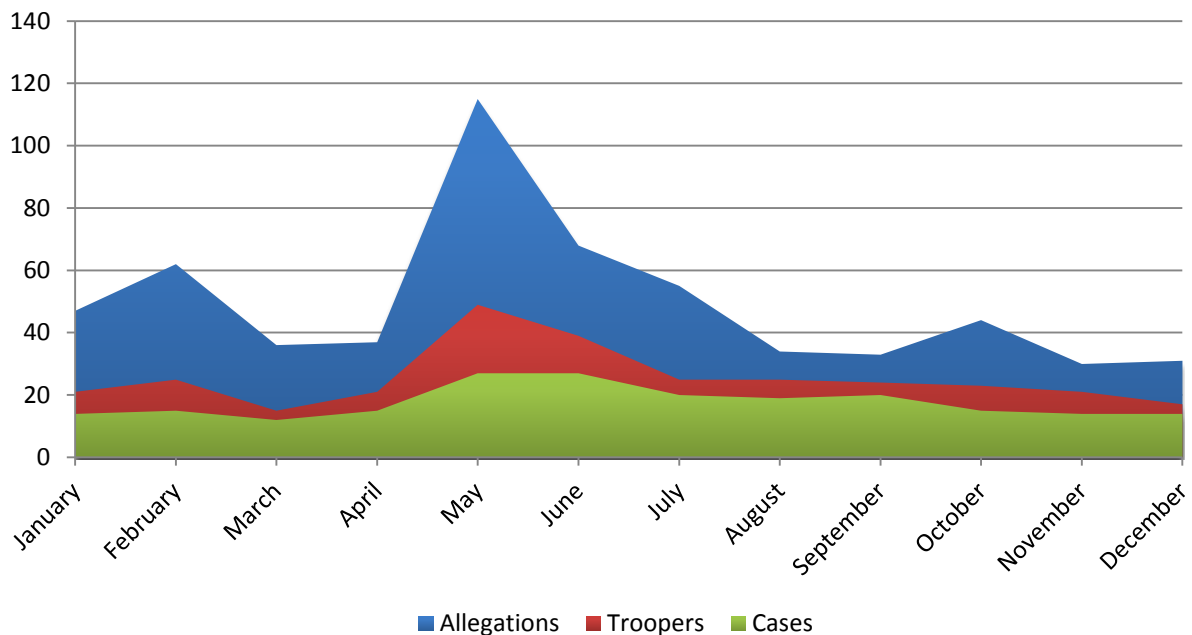


Figure Nine presents the number of cases, troopers involved, and allegations for cases opened in each month in 2015. Since there can be multiple troopers and/or allegations in a given case, there are fewer cases than there are both troopers and allegations. Each individual trooper involved in a misconduct case can have one or more allegations against him/her. For example, in May 2015, OPS opened 27 cases involving 49 troopers with 115 allegations.

**Figure Ten: Trends of Allegations, Troopers, and Cases**  
 2011-2015

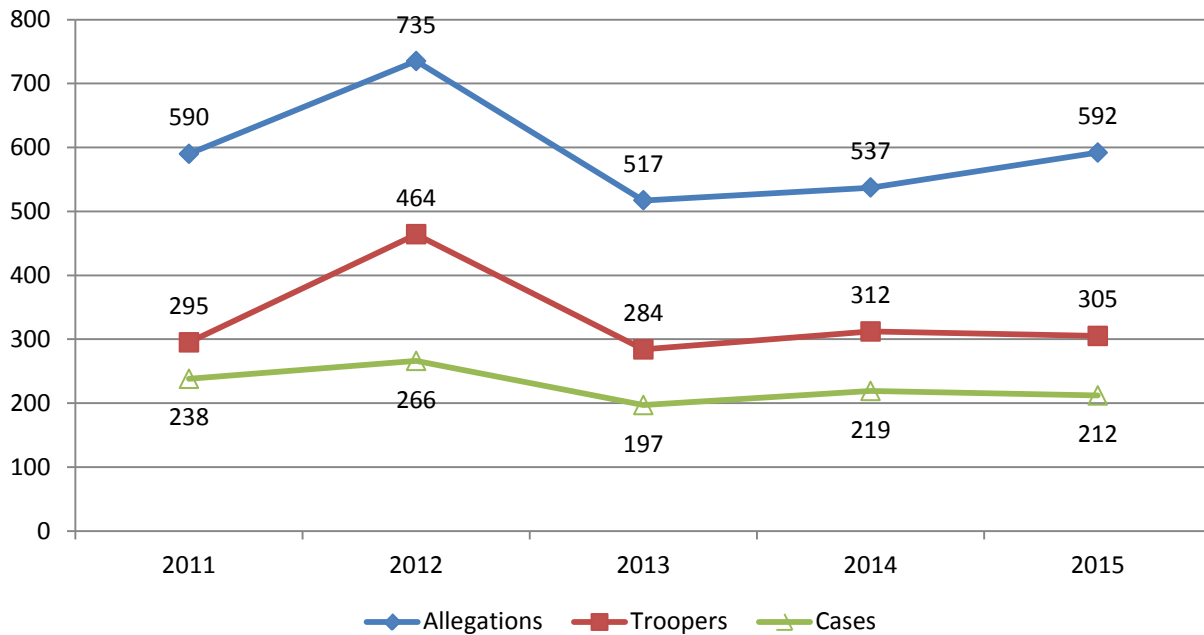


Figure Ten depicts the trends in the number of allegations, troopers, and cases from 2011 to 2015. Since the number of misconduct cases decreased for the current reporting period, it is expected that the number of allegations and troopers involved would also decrease. The number of cases decreased 3% from 2014 to 2015. Similarly, the number of troopers involved in cases decreased 2%. However, the total number of allegations cited increased 10% from 2014 to 2015. This suggests that although there were slightly fewer misconduct cases in 2015, they involved, on average, a higher number of allegations than in 2014.

*Allegations*

In 2015, there were 592 total allegations of misconduct made in the 212 misconduct cases received by OPS. On average, there were 2.8 allegations of misconduct per case in 2015, slightly more than the average of 2.5 misconduct allegations per case in 2014.

**Figure Eleven: Allegations per Case**  
2015

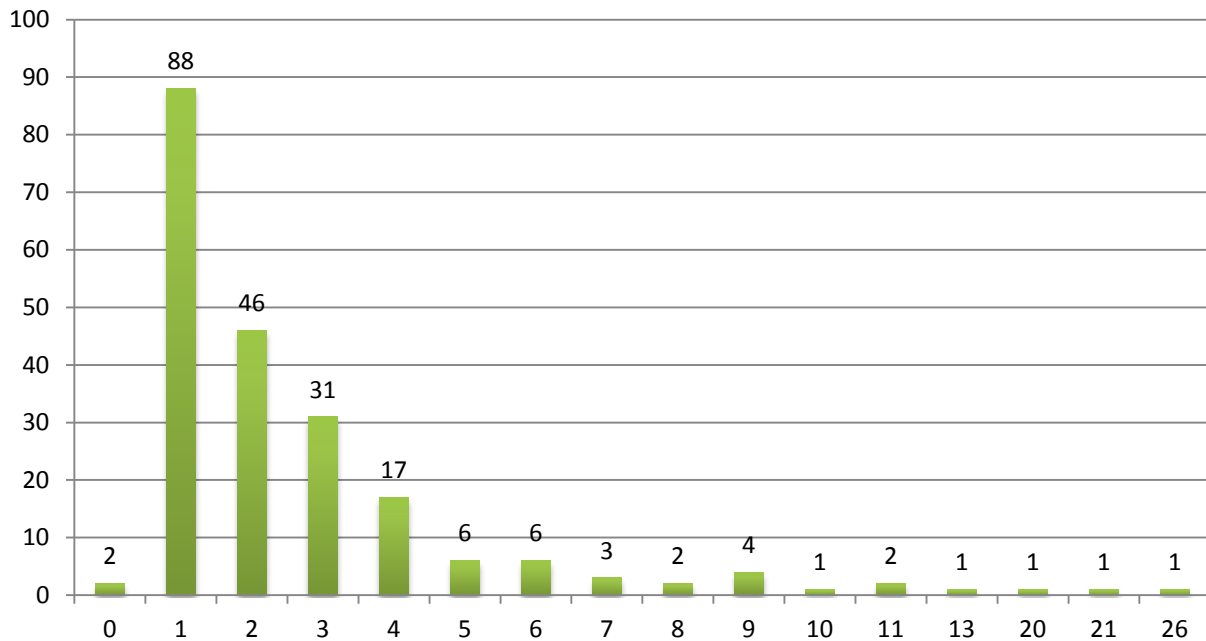


Figure Eleven depicts the total number of allegations per misconduct case. The majority of cases involve multiple allegations. There were 88 misconduct cases that involved only one allegation, 46 cases that involved two allegations, 31 cases that involved three allegations, and 45 cases that involved four or more allegations. Four cases involved nine allegations, and two cases involved 11 allegations. There were two cases with no allegations.<sup>7</sup> Throughout the life of a case, allegations may be added based on the facts and circumstances surrounding the incident. Thus, the total number of allegations in a case is not only reflective of the allegations levied by the complainant, but also those that may be added during the course of an investigation.

### *Troopers*

There were a total of 305 troopers involved in misconduct cases received in 2015. Of these troopers, 29 were involved in more than one misconduct case. There were 23 troopers involved in two misconduct cases. There were five troopers that were involved in three misconduct cases, and one trooper involved in four misconduct cases in 2015.

Figure Twelve illustrates the trends in misconduct cases involving one trooper or multiple troopers. The proportion of cases involving multiple troopers has generally remained constant, about 27%. However, in 2015, this proportion was only 23%. In 2015, 77% of all misconduct cases opened involved only one trooper.

<sup>7</sup> As of March 1, 2015, the date the data was pulled for this report, State Police had not yet identified the specific allegations in these cases.

**Figure Twelve: Trends in Number of Troopers per Case**  
 2011-2015

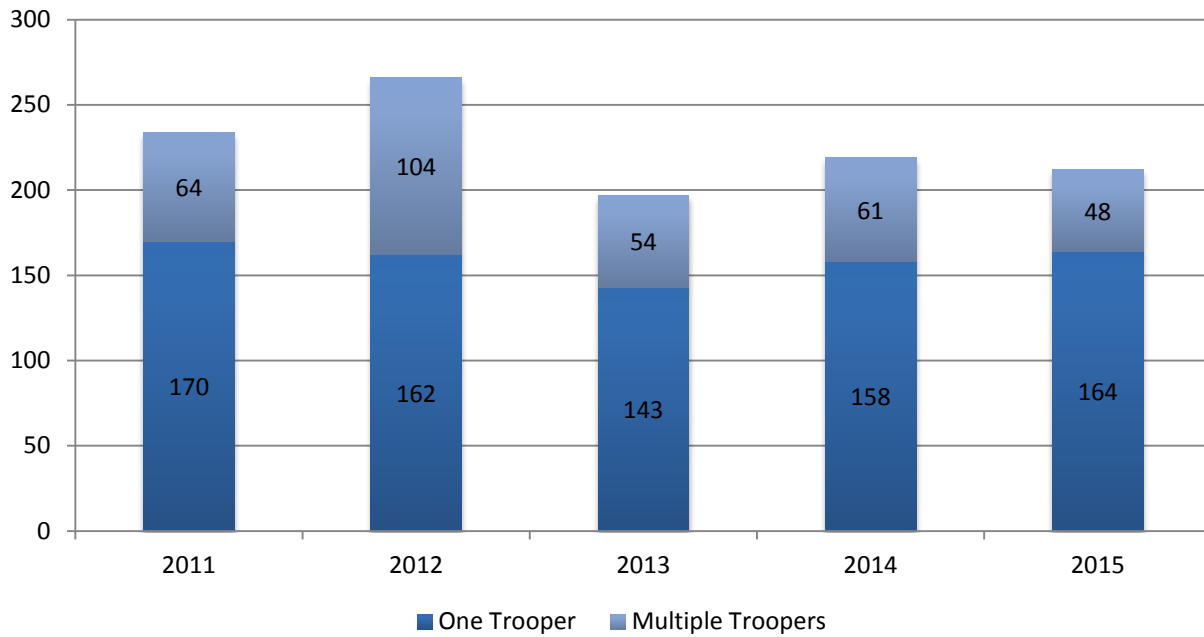
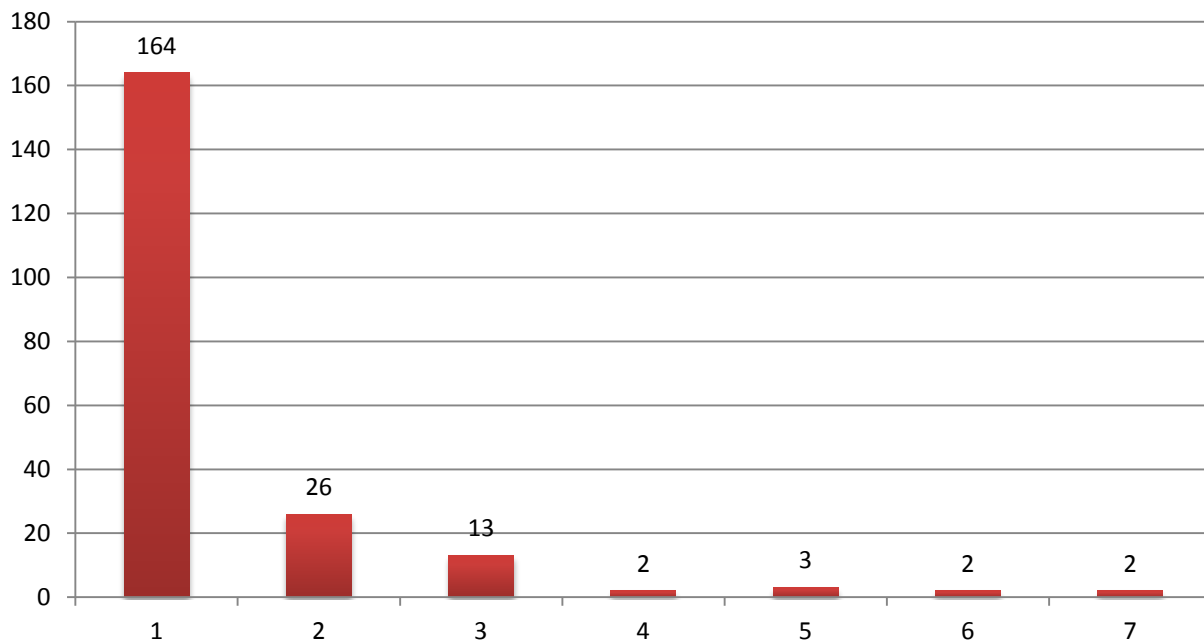


Figure Thirteen depicts the number of troopers involved in each misconduct case received in 2015. As noted previously, the majority of misconduct cases involve one trooper. During 2015, 164 of the 212 cases involved one trooper. The 48 cases with multiple troopers involved had between two and seven troopers in each case. On average, there were 1.4 troopers involved per misconduct case in 2015, the same as 2013 and 2014.

**Figure Thirteen: Troopers per Case**  
 2015





*Types of Allegations*

In each misconduct case, the allegation(s) levied against trooper(s) are unique to the circumstances of the incident. Despite the decrease in the number of cases in 2015, the number of allegations increased in 2015. There was an increase of 54 allegations in 2015 compared to 2014. While there were 592 allegations made, each type of allegation appeared multiple times in the 212 cases. There were only 85 unique allegations cited in 2015. However, the total number of unique allegations increased from 62 in the previous reporting period to 85 in the current reporting period.

**Figure Fourteen: Allegation Frequencies**  
 2015

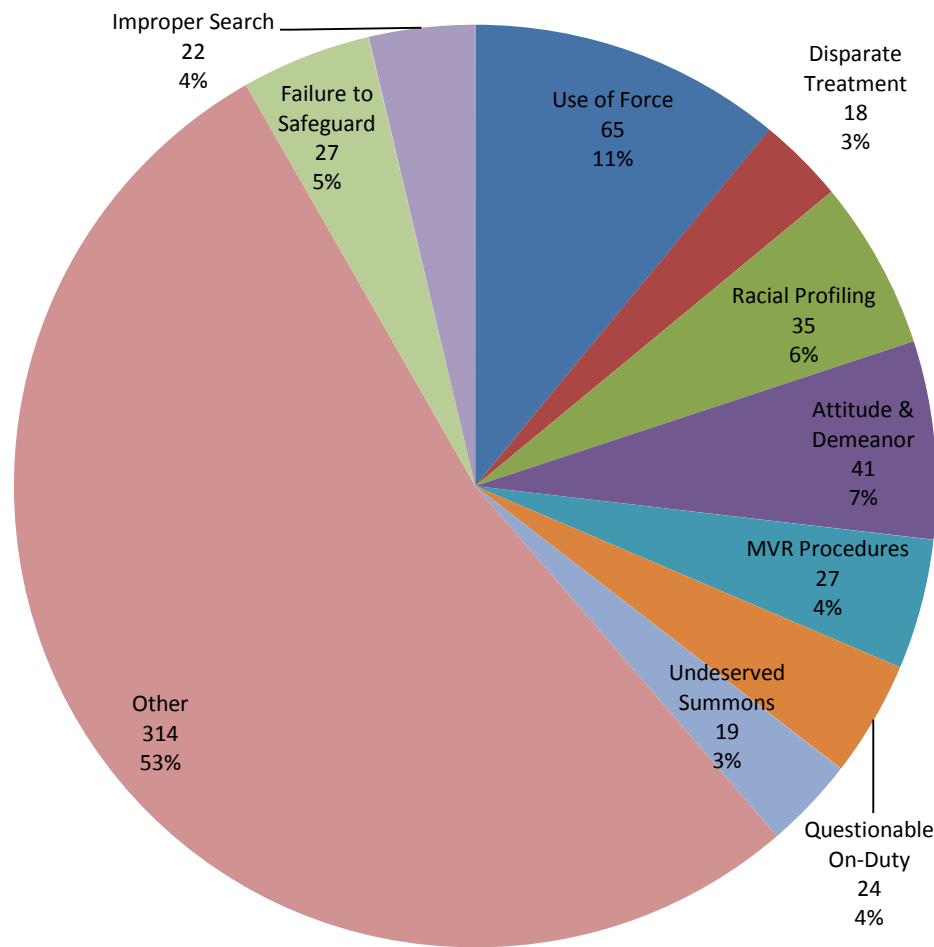
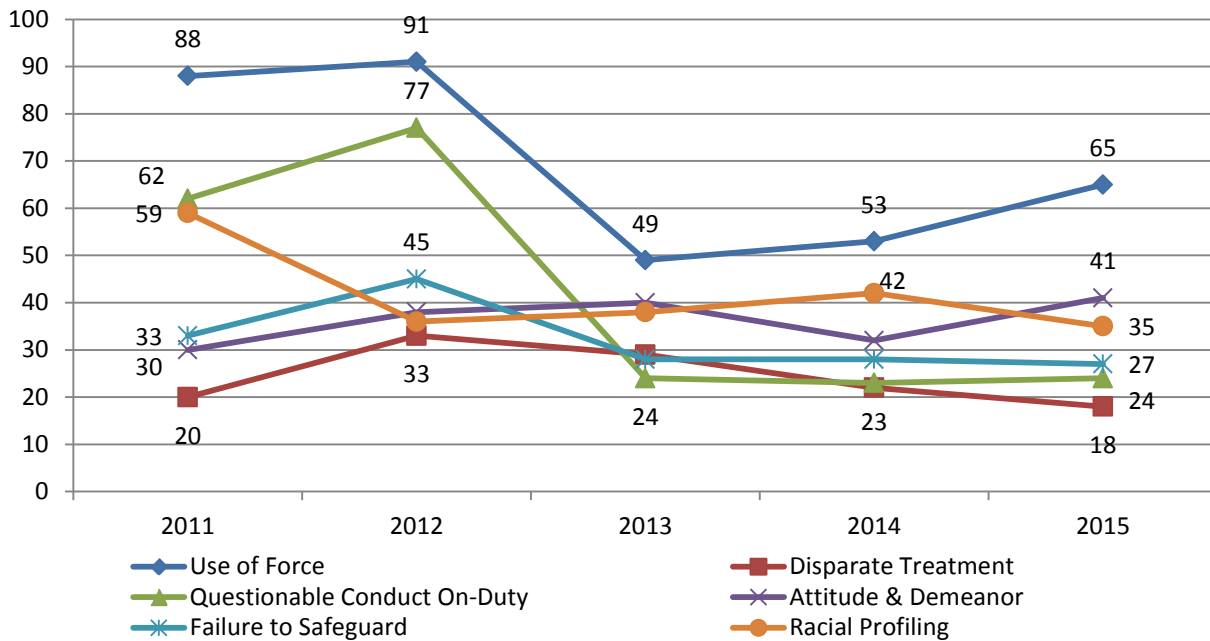


Figure Fourteen depicts the frequencies of each allegation for cases opened in 2015. The category labeled as “Other” is a catch-all category that includes 314 miscellaneous allegations<sup>8</sup> and is technically the most common allegation category. Aside from this catchall category, the most common allegations are those pertaining to the use of force (11%), disparate treatment and racial profiling, when combined (9%), and attitude and demeanor (7%). Allegations of failure to safeguard (5%), those pertaining to MVR procedures (4%), questionable conduct on-duty (4%), improper search (4%), and undeserved summons (3%), are less common.

<sup>8</sup> “Other” allegations can be found in Appendix One.

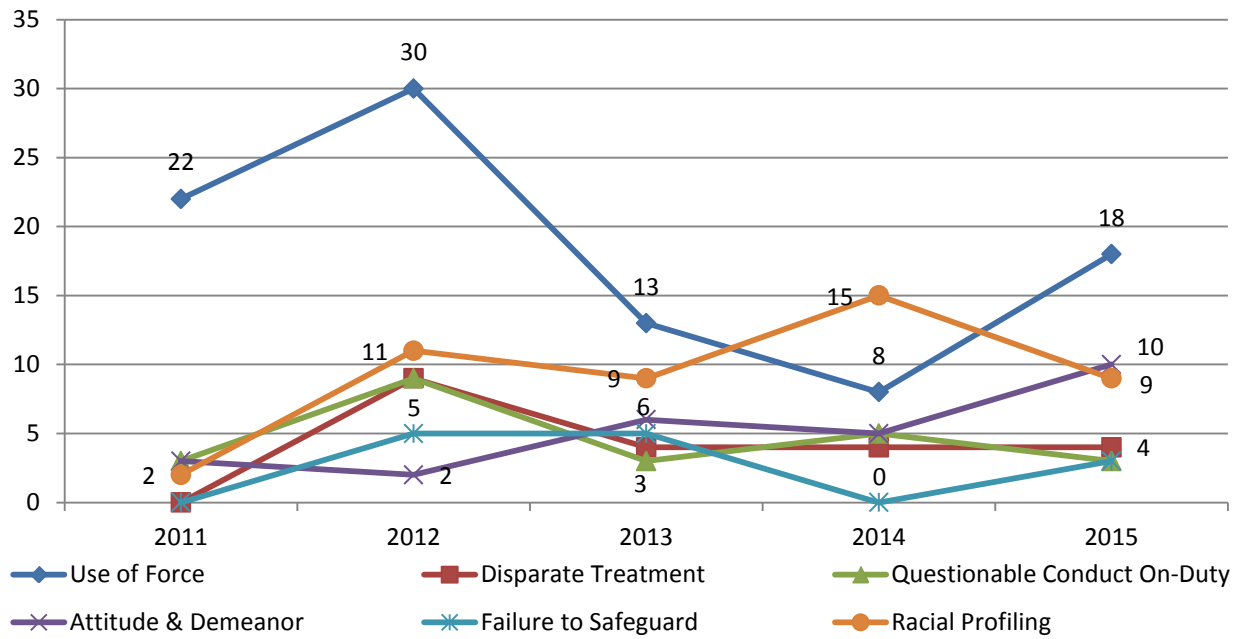
Figure Fifteen depicts the trends for the most common allegations found in misconduct cases. Although there was an overall increase in the number of allegations, some of the common misconduct allegations experienced a decrease from 2014 to 2015. There was a 23% decrease in the number of disparate treatment allegations, a 17% decrease of racial profiling allegations, and 4% decrease of failure to safeguard allegations. There was a 23% increase (12 allegations) in the number of use of force allegations, a 28% increase in attitude and demeanor allegations (nine allegations), and a 4% increase in questionable conduct on-duty allegations (one allegation).

**Figure Fifteen: Trends in Types of Allegations**  
 2011-2015

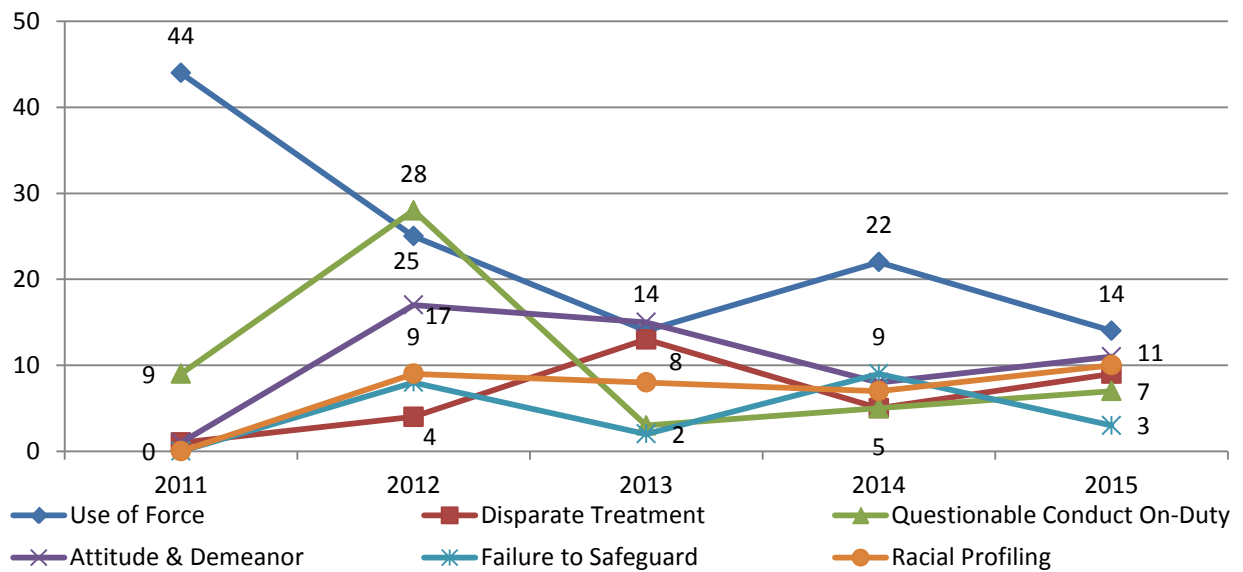


Figures Sixteen through Nineteen also depict trends for the most common allegations, by troop. For Troop A, excessive uses of force allegations generally decreased from 2011 to 2014, but increased considerably in 2015. Allegations of racial profiling increased from 2011 to 2014, but decreased in 2015. Allegations of excessive use of force in Troop B are among the most common allegations each reporting period, but decreased in 2015. All other allegation categories in Troop B are less common, cited in fewer than 12 misconduct cases. Allegations of racial profiling in Troop C have increased from 2011 to 2015 and remain the most common allegation in 2015. Allegations of excessive use of force are also consistently very common in Troop C, as they are in most other troops in 2015. In Troop D, with the exception of failure to safeguard, all allegation categories decreased in 2015. Allegations of attitude and demeanor remain the most common allegations in 2015 in Troop D.

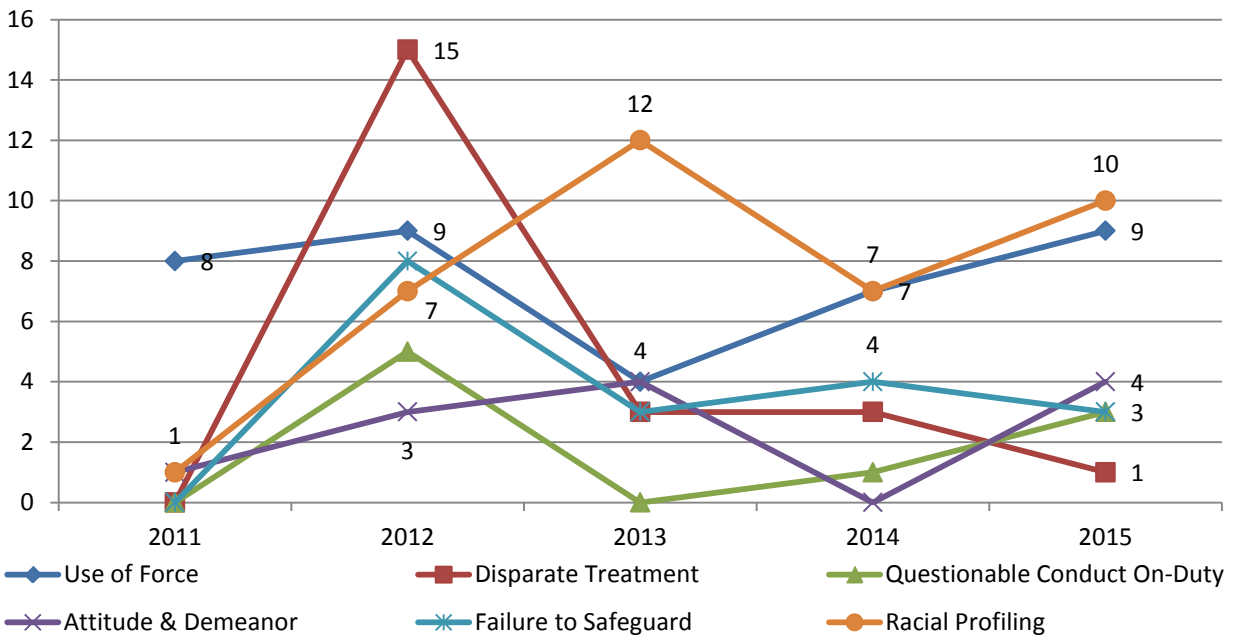
**Figure Sixteen: Troop A Trends in Types of Allegations**  
 2011-2015



**Figure Seventeen: Troop B Trends in Types of Allegations**  
 2011-2015



**Figure Eighteen: Troop C Trends in Types of Allegations**  
 2011-2015



**Figure Nineteen: Troop D Trends in Types of Allegations**  
 2011-2015

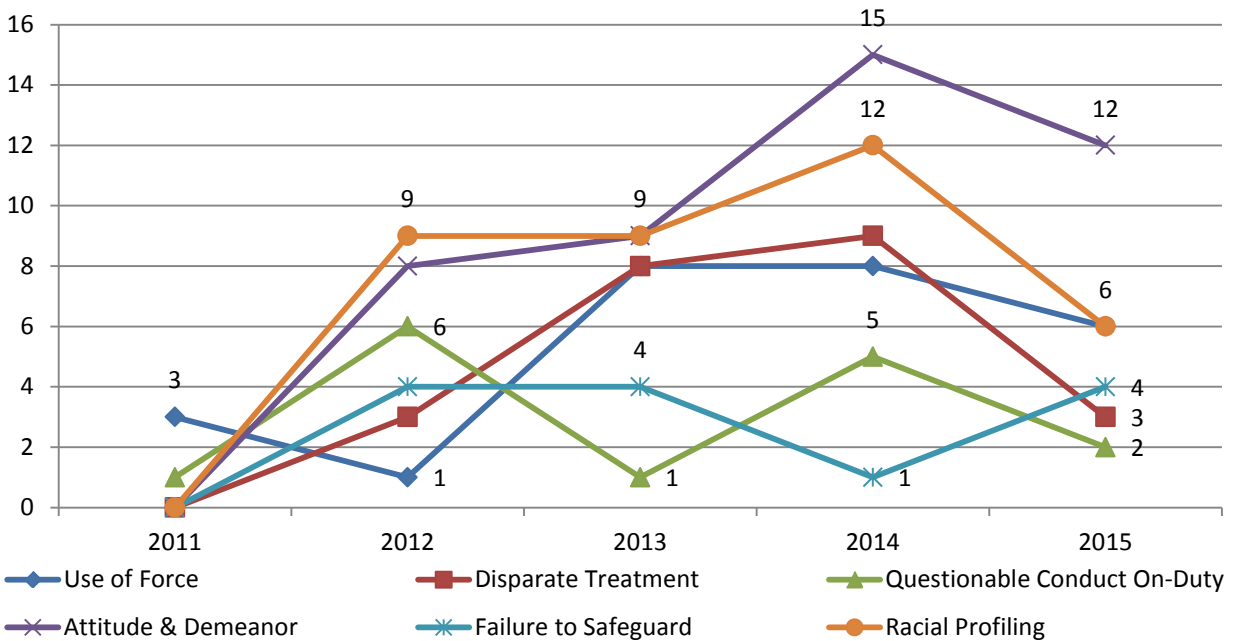
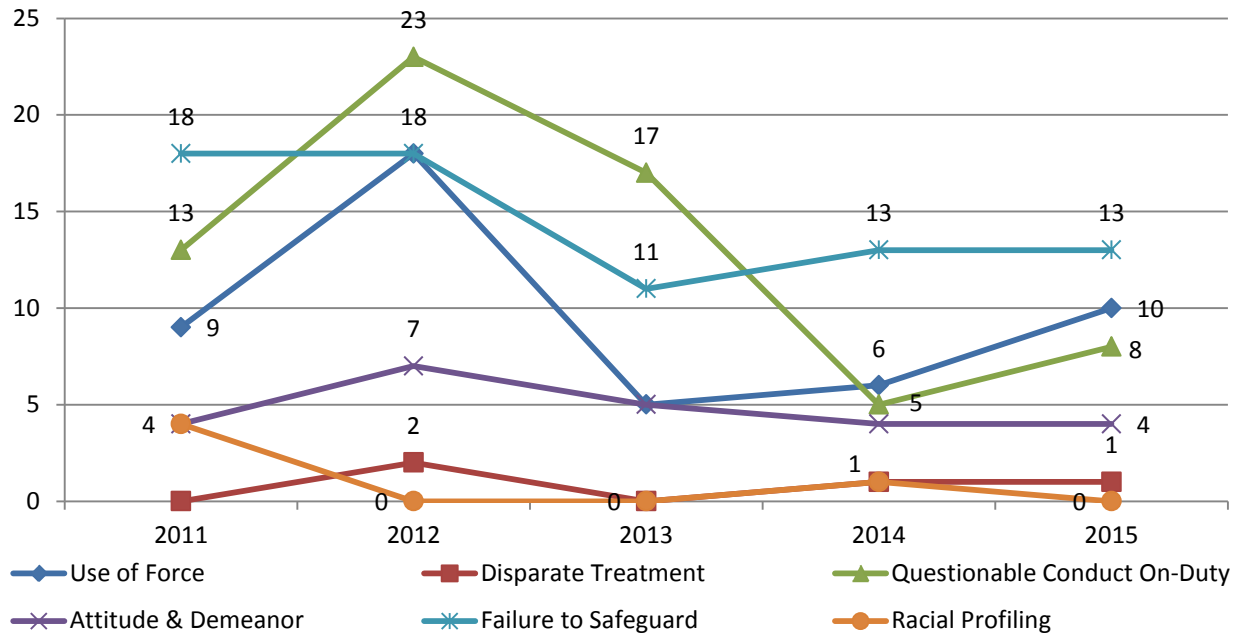


Figure Twenty depicts trends in allegations from troopers assigned outside of Field Operations. Allegations of failure to safeguard were most frequent in 2015. Allegations of excessive use of force increased from 2014 to 2015 as did allegations of questionable conduct on-duty.

**Figure Twenty: Other Assignments Trends in Types of Allegations**  
 2011-2015



**Misconduct Cases Closed in 2015**

*Misconduct Case Status*

A misconduct case is determined to be closed after the investigation has been completed, it has been reviewed, a decision has been made as to whether the findings warrant disciplinary proceedings, and if required, discipline has been administered. In 2015, OPS closed 212 misconduct cases, compared to 181 in 2014. The majority of these cases were opened prior to 2015, but there were 31 cases that were opened and closed in 2015.

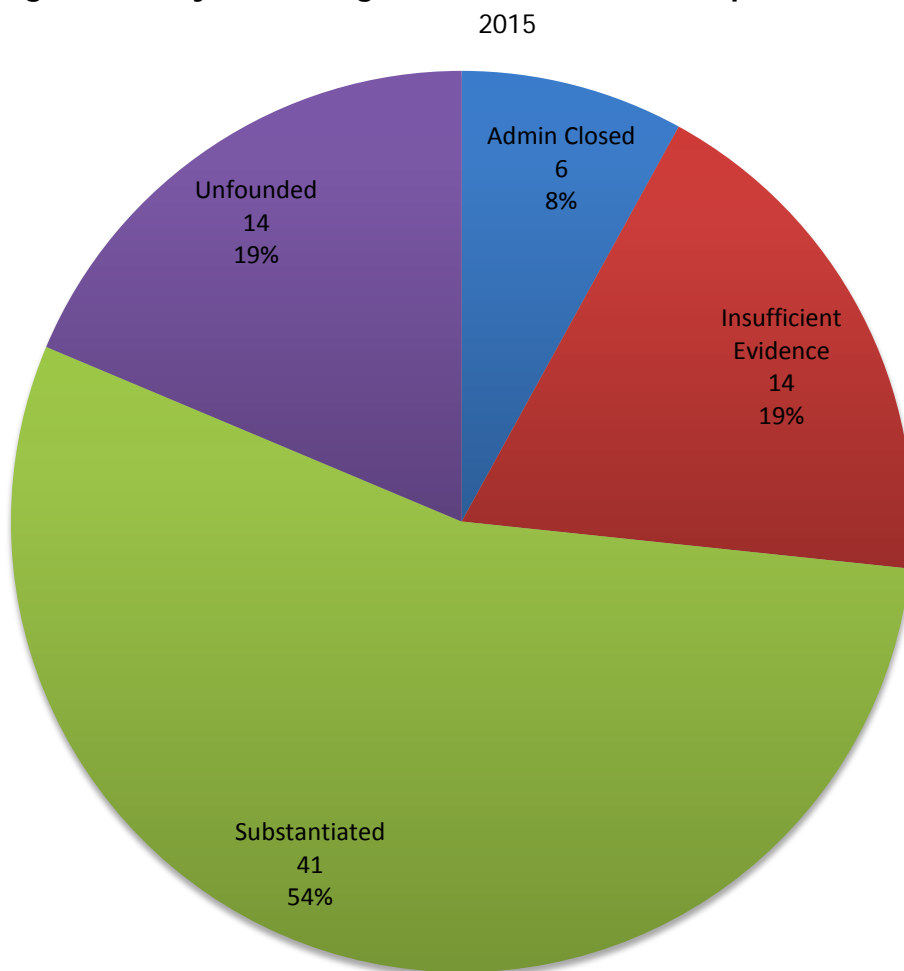
**Table Three: Cases Closed**  
 2015

Year Opened	Number of Cases
2015	31
2014	99
2013	60
2012	14
2011	5
2010	1
2009	2
<b>Total</b>	<b>212</b>

### Allegation Outcomes for 2015 Misconduct Cases<sup>9</sup>

Each allegation in a case is investigated to determine whether the allegation can be substantiated. For each allegation, OPS can reach one of several conclusions. Substantiated allegations are those where OPS has found that, "a preponderance of the evidence shows that a member violated state police rules, regulations, protocols, standard operating procedures, directives, or training." Unfounded allegations are those where, "a preponderance of the evidence shows that the alleged misconduct did not occur." A conclusion of exonerated occurs when, "a preponderance of the evidence shows that the alleged conduct did occur but did not violate state police rules, regulations, standard operating procedures, directives, or training." Allegations are administratively closed when, "there is no indication that a member's behavior, performance, or nonperformance violated criminal laws or any Division rules, regulations, or policies." Finally, OPS may conclude that there is insufficient evidence when, "there is insufficient evidence to determine whether the alleged misconduct occurred."

**Figure Twenty-One: Allegation Outcomes for Completed Misconduct Cases**



As of March, there were 75 allegations which were part of the 31 cases opened and closed in 2015. Figure Twenty-One depicts the number and percentage of outcomes of allegations for cases where the investigation has been completed. The majority of completed cases against troopers were substantiated by evidence uncovered during investigations. While each case may involve multiple allegations, substantiation of even one allegation may result in disciplinary action. Of the cases with completed investigations, there were 41 allegations resulting in substantiation, 14 were unfounded, 14 were found to have insufficient evidence, and six were administratively closed.

The pattern of allegation outcomes for categories of allegations was examined to determine whether certain types of allegations were more likely to result in certain outcomes. Table Four presents

<sup>9</sup> The cases analyzed in this section are only those that were opened in 2015.

allegation categories<sup>10</sup> and outcomes of allegations in cases declared closed. Similar to past reporting periods, police procedure was the most common allegation category in 2015. Of allegations which were substantiated, 30.67% involved allegations categorized as employment obligations, 26.67% were police procedure, and 25.33% were administrative/failure to safeguard. Of the allegations that were administratively closed, 50% pertained to employment obligations. Of the cases resulting in allegations with insufficient evidence, 52% related to police procedure while 24% related to employment obligations. Finally, of the cases where an allegation was unfounded, 50% related to police procedure and 30% related to employment obligations.

**Table Four: Allegation Categories and Outcomes**  
 2015

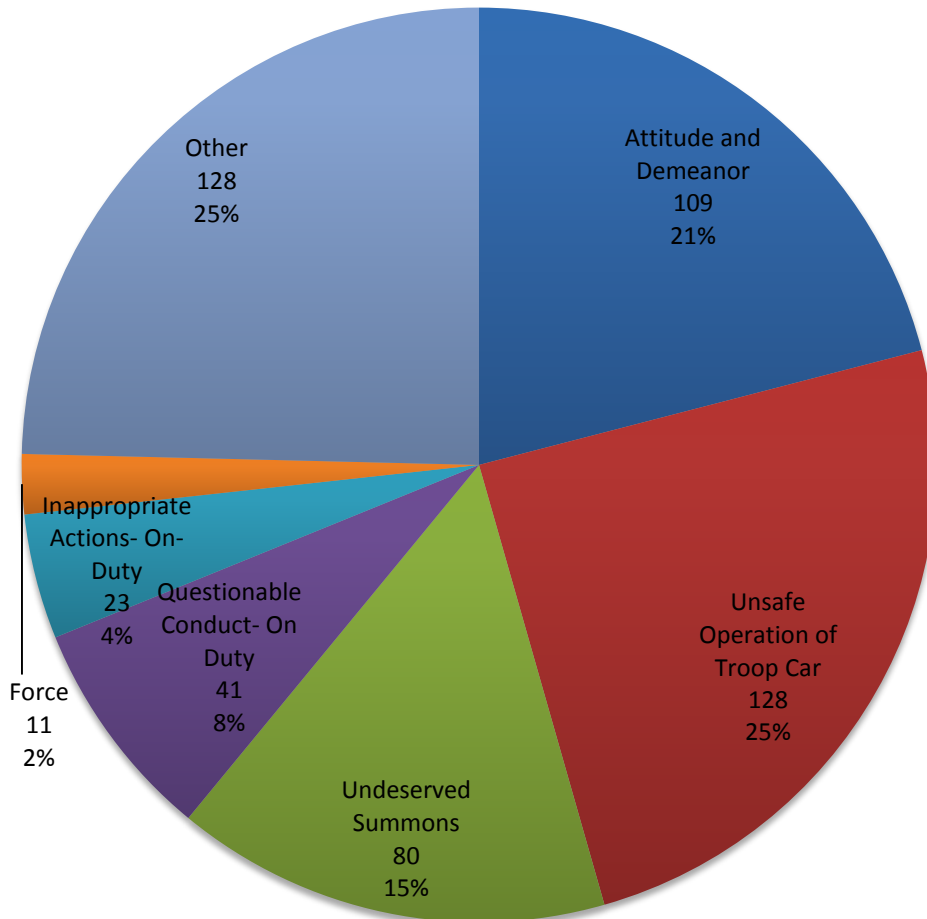
<b>Category</b>	<b>Substantiated</b>	<b>Admin Closed</b>	<b>Insufficient Evidence</b>	<b>Unfounded</b>	<b>Total</b>
Administrative/Fail to Safeguard	19	1	1	3	24
<i>% of cases</i>	25.33%	12.50%	4.00%	15.00%	18.75%
Criminal	8	1	5	1	15
<i>% of cases</i>	10.67%	12.50%	20.00%	5.00%	11.72%
Employment Obligations	23	4	6	6	39
<i>% of cases</i>	30.67%	50.00%	24.00%	30.00%	30.47%
Police Procedure	20	2	13	10	45
<i>% of cases</i>	26.67%	25.00%	52.00%	50.00%	35.16%
Weapons	5	--	--	--	5
<i>% of cases</i>	6.67%	--	--	--	3.91%
<b>Total</b>	<b>75</b>	<b>8</b>	<b>25</b>	<b>20</b>	<b>128</b>

<sup>10</sup> Administrative/Failure to Safeguard- Allegations involving misuse of identification, equipment, Rules & Regulations, or computer not in their possession anymore, either from misplacing, or leaving unattended, etc.  
 Criminal- Allegations involving violations of criminal law, statute, or regulation.  
 Employment Obligations- Allegations of lateness, failure to report for duty, improper conduct, etc.  
 Police Procedures- Allegations of improper arrest, failure to notify citizen of right to file a complaint, failure to appear in court, failure to perform duty, etc.

### Administrative Cases Closed in 2015

As noted previously, when an allegation is received by OPS, the intake office processes and labels the cases either misconduct, performance, administrative, or criminal. If a case is labeled an administrative issue, it does not require a full investigation and is closed as an administrative case.

**Figure Twenty-Two: Allegations in Administrative Cases**  
 2015



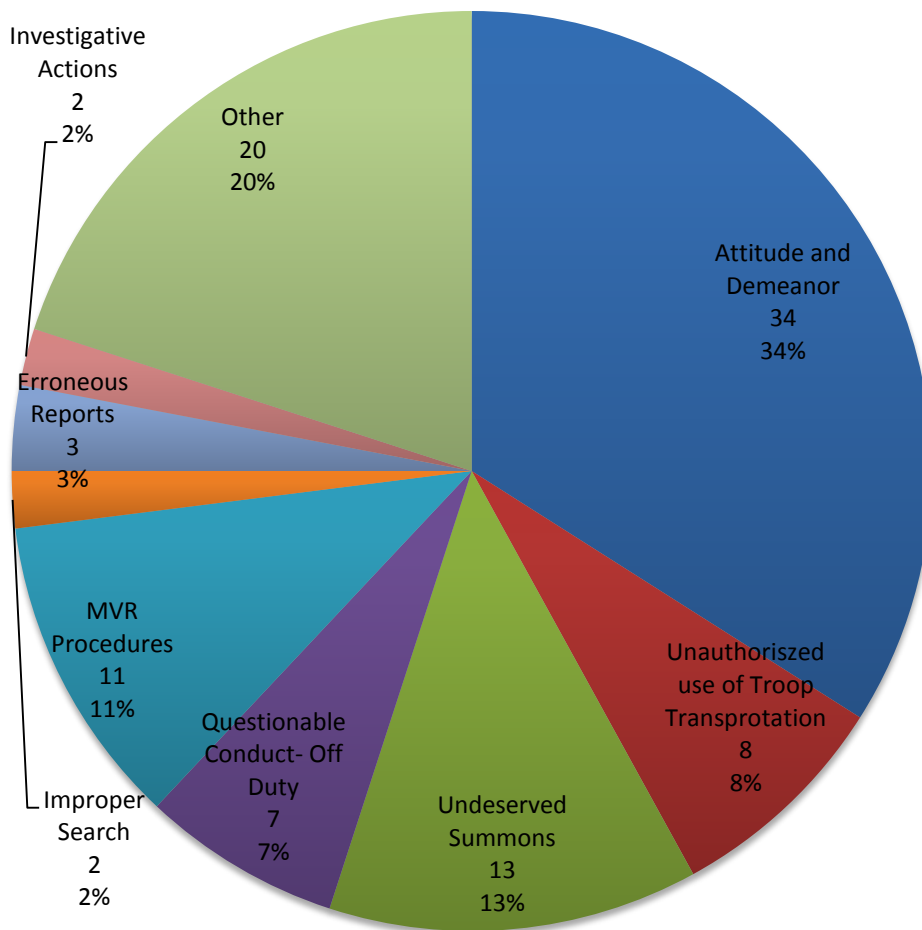
In 2015, there were 422 administrative cases. These administrative cases are separate cases from the 212 misconduct cases OPS received in 2015. Of the 422 administrative cases, 415 cases included administrative allegations, while seven cases did not involve any allegations. There were 412 troopers involved in these closed cases. However, only 403 troopers had allegations. In total, 520 allegations were made in the administrative cases. As depicted in Figure Twenty-Two, the most common allegations in administrative cases were attitude and demeanor, unsafe operation of a troop car, and undeserved summons.

### Performance Cases Closed in 2015

When a complaint is received by OPS and determined to be a minor infraction, the allegations are categorized as performance issues. Performance issues are then returned to the supervisors of the troopers identified in the complaint. Supervisors are required to complete a Performance Incident Disposition Report for the specific allegations detailing any corrective actions, if needed, to resolve the minor infraction(s), and the reports are returned to OPS.



**Figure Twenty-Three: Allegations in Performance Cases**  
2015



In 2015, OPS received 54 complaints that were ultimately classified as performance cases. In the 54 performance cases, there were 100 allegations and 65 troopers involved. Figure Twenty-Three depicts the allegations in performance cases. Excluding allegations categorized as "Other", the most common allegations were attitude and demeanor, undeserved summons, MVR procedures, unauthorized operation of a troop car, and questionable conduct off-duty. All other allegation categories were cited in fewer than 5% of closed performance cases.

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## Summary & Conclusions

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This report illustrates the volume of activity handled by OPS. In 2015, OPS received a total of 688 complaints. These 688 cases were then categorized into 212 misconduct, 422 administrative, and 54 performance cases. This fifth report also includes discussion of misconduct trends from 2011 to 2015. Since the total number of misconduct cases did not change substantially, generally, all other categories of analysis indicated little change as expected.

OPS opened 212 misconduct cases, slightly less than the 219 opened in 2014. The majority of these cases involved multiple allegations and multiple troopers. Most commonly, cases involved allegations of violations of Police Procedures (see Appendix One for specific allegations). The complaints were alleged against troopers from various stations and units across the State Police. Of the cases opened in 2015 that were closed by the date of data selection, slightly more than half of the cases resulted in at least one substantiated allegation while just under twenty percent resulted in unfounded allegations or allegations with insufficient evidence. These proportions are similar to those noted in previous years.

In addition, the frequencies of allegations in closed administrative and performance cases were reported. In 422 administrative cases, there were 520 allegations that involved 403 troopers. There were a total of 54 performance cases that involved 100 allegations and 65 troopers.

To gauge the productivity of OPS and timeliness of investigations, the State Police should close as many cases as it opened in a given calendar year. In 2015, OPS met this goal, opening and closing 212 cases.

## Appendix One

### Misconduct Allegation Categorization

<b>Misconduct Allegation</b>	<b>Allegation Category</b>
Failure to Safeguard- Division Property	Administrative/Fail to Safeguard
Failure to Safeguard- Issued Handcuffs	Administrative/Fail to Safeguard
Failure to Safeguard- NJSP Badge	Administrative/Fail to Safeguard
Failure to Safeguard- NJSP Duty Weapon	Administrative/Fail to Safeguard
Failure to Safeguard- NJSP Flashlight	Administrative/Fail to Safeguard
Failure to Safeguard NJSP ID	Administrative/Fail to Safeguard
Failure to Safeguard- Off-Duty Weapon	Administrative/Fail to Safeguard
Sexual Assault (Other)	Criminal
Simple Assault	Criminal
Simple Assault With Physical Force	Criminal
Theft	Criminal
Theft (Indictable)	Criminal
Abuse of Sick Leave	Employment Obligations
Alcohol Violations	Employment Obligations
Attempting to Use Position to Intimidate and Gain Favor	Employment Obligations
Consume Alcoholic Beverage(s) and Operate Troop Car	Employment Obligations
Disobey a Direct Order	Employment Obligations
Disobey a Written Order	Employment Obligations
Disorderly	Employment Obligations
Domestic Violence	Employment Obligations
Domestic Violence- Assault	Employment Obligations
Domestic Violence- Harassment	Employment Obligations
Domestic Violence- Terroristic Threats	Employment Obligations
Domestic Violence- Victim	Employment Obligations
Drinking on Duty	Employment Obligations
Erroneous Reports	Employment Obligations
Failure to Notify Division of Personal Knowledge of Prohibited Conduct by Another Trooper	Employment Obligations
Failure to Report For Duty	Employment Obligations
Failure to Report Motor Vehicle Accident	Employment Obligations
Falsification of Reports and Records	Employment Obligations
Gratuities, Rewards, Gifts	Employment Obligations
Hostile Work Environment	Employment Obligations
Improper Investigative Actions	Employment Obligations
Insubordination	Employment Obligations
Intentional False Reports	Employment Obligations
Intentional False Statements	Employment Obligations
Intentionally Providing False Information During a Misconduct Investigation	Employment Obligations
Interfering with an Internal Investigation	Employment Obligations

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Misleading Statements	Employment Obligations
Motor Vehicle Violations	Employment Obligations
Off-Duty Incident- Alcohol Related	Employment Obligations
Providing False Information on Any Log, Report, or Transmittal	Employment Obligations
Public Intoxication	Employment Obligations
Questionable Associations	Employment Obligations
Receiving Stolen Property	Employment Obligations
Reporting Requirements	Employment Obligations
Sexual Harassment	Employment Obligations
Shoplifting	Employment Obligations
Sleeping on Duty	Employment Obligations
Threats	Employment Obligations
Unauthorized Release of Information	Employment Obligations
Unauthorized Use/Access of Law Enforcement Databases	Employment Obligations
Uniform and Grooming Standards	Employment Obligations
Use of Position to Intimidate or Gain Favor	Employment Obligations
Violation of Traffic Law	Employment Obligations
Attitude and Demeanor	Police Procedure
Contempt of Court	Police Procedure
Culpable Inefficiency	Police Procedure
Culpable Inefficient Supervision	Police Procedure
Cursing	Police Procedure
Discouraging Civilian Complaint	Police Procedure
Disparaging Statements	Police Procedure
Disparate Treatment	Police Procedure
Excessive Use of Force	Police Procedure
Failure to Accept Civilian Complaint	Police Procedure
Failure to Call in Motor Vehicle Stop	Police Procedure
Failure to Facilitate Medical Treatment	Police Procedure
Failure to Follow MVR Procedures	Police Procedure
Failure to Follow Radio Procedures	Police Procedure
Failure to Investigate Motor Vehicle Accident/Boat Accident	Police Procedure
Failure to Notify Citizen of Right to File Complaint	Police Procedure
Failure to Notify the Division of Information to Which the Division Would Take Cognizance	Police Procedure
Failure to Perform Duty	Police Procedure
Failure to Provide a Compliment/Complaint Form	Police Procedure
Failure to Provide Name and Identification Upon Civilian Request	Police Procedure
Failure to Safeguard- Evidence	Police Procedure
Failure to Take Appropriate Police Action	Police Procedure
False Arrest	Police Procedure
Harassment	Police Procedure
Improper Care and Handling of Prisoner	Police Procedure

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Improper Handcuffing	Police Procedure
Improper Handling of Evidence/Property	Police Procedure
Improper Handling of Firearms	Police Procedure
Improper Handling of Prisoner	Police Procedure
Improper Search	Police Procedure
Improper Supervision	Police Procedure
Inappropriate Actions- Off Duty	Police Procedure
Inappropriate Actions- On Duty	Police Procedure
Inappropriate Actions Towards Another Member	Police Procedure
Inappropriate Search Mechanics	Police Procedure
Leaving the Scene of a Motor Vehicle Accident	Police Procedure
MVR Procedure/Audio	Police Procedure
MVR Procedure/Pre-Op Check	Police Procedure
Questionable Conduct- Off Duty	Police Procedure
Questionable Conduct- On Duty	Police Procedure
Racial Profiling	Police Procedure
Unauthorized Person in Troop Car	Police Procedure
Unauthorized Use of Troop Transportation	Police Procedure
Undeserved Summons	Police Procedure
Undeserved Warning	Police Procedure
Unsafe Operation of Troop Car- Causing Damage	Police Procedure
Unsafe Operation of Trooper Car	Police Procedure
Use of Troop Car Off Duty	Police Procedure
Use of Troop Car Off Duty with Accident Involved	Police Procedure
Violation of State Statute	Police Procedure

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**Appendix Two**

**Misconduct Allegation Status by Station- 2015**

<b>Station</b>	<b>Total Substantiated</b>	<b>Total Unfounded</b>	<b>Total Insufficient Evidence</b>	<b>Total Open</b>	<b>Total Admin Closed</b>
Atlantic City Expressway	1	0	0	3	0
Bellmawr	0	0	0	4	2
Bloomfield	2	0	3	7	0
Bordentown	0	1	1	13	1
Bridgeton	5	0	0	21	0
Buena Vista	0	0	0	10	0
Cranbury	3	0	1	7	0
Galloway	6	0	3	15	0
Hamilton	1	0	1	5	0
Holmdel	1	0	0	9	0
Hope	1	0	0	16	2
Kingwood	0	0	0	3	0
Metro North	0	0	3	0	0
Metro South	0	0	0	65	0
Moorestown	2	0	0	4	0
Netcong	8	0	0	10	2
Newark	0	3	2	8	0
Other	33	9	3	62	5
Perryville	3	2	1	10	0
Port Norris	0	0	0	3	0
Red Lion	0	0	0	29	0
Somerville	1	0	0	19	0
Sussex	1	0	0	22	0
Totowa	5	2	5	23	0
Troop A Other	0	0	0	7	0
Troop B Other	0	1	0	10	0
Troop C Other	16	1	4	6	0
Troop D Other	1	1	2	13	0
Unknown	0	0	0	15	1
Washington	0	0	0	7	0
Woodbine	0	0	0	6	0
Woodstown	2	0	0	5	1
<b>Grand Total</b>	<b>92</b>	<b>20</b>	<b>29</b>	<b>437</b>	<b>14</b>

**Common Misconduct Allegations by Station- 2015**

Station	Total Force	Total Questionable On-Duty	Total Racial Profiling	Total Disparate Treatment	Total Attitude & Demeanor	Total Failure to Safeguard	Total MVR Procedures	Total Improper Search	Total Undeserved Summons	Total Other
Atlantic City Expwy	0	0	1	0	0	0	0	1	1	1
Bellmawr	0	0	1	1	2	0	0	0	1	1
Bloomfield	0	0	2	1	3	0	0	0	1	5
Bordentown	2	0	4	1	1	0	2	0	2	4
Bridgeton	1	1	0	2	4	1	2	0	1	14
Buena Vista	1	1	0	1	1	0	0	0	0	6
Cranbury	0	1	0	0	0	1	0	0	0	9
Galloway	1	0	0	0	3	0	3	0	1	16
Hamilton	1	0	0	0	0	0	0	0	0	6
Holmdel	0	0	0	0	0	1	1	0	0	8
Hope	0	3	2	2	2	1	2	0	3	4
Kingwood	0	0	1	0	0	0	0	0	0	2
Metro North	0	0	1	0	0	0	0	0	0	2
Metro South	15	0	2	0	2	0	7	12	0	27
Moorestown	0	0	0	0	0	2	1	0	1	2
Netcong	0	2	1	1	2	0	1	3	1	9
Newark	1	1	3	1	2	0	0	0	4	1
Other	10	8	0	1	4	13	0	0	0	76
Perryville	1	0	3	1	0	0	0	1	2	8
Port Norris	0	1	1	0	0	0	0	0	0	1
Red Lion	6	3	1	0	2	0	0	2	0	15
Somerville	3	0	0	2	2	0	1	0	0	12
Sussex	6	0	0	3	0	1	5	1	0	7
Totowa	4	2	2	0	5	0	2	2	0	18
Troop A Other	0	0	1	0	0	0	0	0	0	6
Troop B Other	0	0	0	0	0	1	0	0	0	10
Troop C Other	0	0	4	0	1	3	0	0	0	19
Troop D Other	4	0	1	1	4	0	0	0	0	7
Unknown	8	1	0	0	0	1	0	0	0	6
Washington	0	0	1	0	0	0	0	0	0	6
Woodbine	1	0	1	0	1	0	0	0	0	3
Woodstown	0	0	2	0	0	2	0	0	1	3
<b>Grand Total</b>	<b>65</b>	<b>24</b>	<b>35</b>	<b>18</b>	<b>41</b>	<b>27</b>	<b>27</b>	<b>22</b>	<b>19</b>	<b>314</b>

**Misconduct Allegation Categories by Station- 2015**

<b>Station</b>	<b>Total Criminal</b>	<b>Total Police Procedure</b>	<b>Total Employment Obligation</b>	<b>Total Administrative/Fail to Safeguard</b>	<b>Total Weapons</b>
Atlantic City					
Expressway	0	3	0	0	1
Bellmawr	0	6	0	0	0
Bloomfield	0	11	1	0	0
Bordentown	0	15	1	0	0
Bridgeton	2	19	3	2	0
Buena Vista	0	8	2	0	0
Cranbury	0	5	4	2	0
Galloway	0	18	4	1	1
Hamilton	1	3	1	2	0
Holmdel	0	3	6	1	0
Hope	0	14	4	1	0
Kingwood	0	3	0	0	0
Metro North	0	3	0	0	0
Metro South	0	64	1	0	0
Moorestown	0	3	1	2	0
Netcong	0	15	5	0	0
Newark	0	11	2	0	0
Other	4	47	42	18	1
Perryville	0	10	4	1	1
Port Norris	0	1	2	0	0
Red Lion	0	24	5	0	0
Somerville	0	15	5	0	0
Sussex	0	21	1	1	0
Totowa	1	30	4	0	0
Troop A Other	0	5	2	0	0
Troop B Other	0	5	5	1	0
Troop C Other	2	11	9	4	1
Troop D Other	0	16	1	0	0
Unknown	0	12	1	3	0
Washington	0	5	2	0	0
Woodbine	0	5	0	1	0
Woodstown	0	5	1	2	0
<b>Grand Total</b>	<b>10</b>	<b>416</b>	<b>119</b>	<b>42</b>	<b>5</b>



**Appendix Three**

**Allegations in Administrative Cases by Station- 2015**

Station	Attitude and Demeanor	Disparate Treatment	Excessive Use of Force	Questionable Conduct On-Duty	Undeserved Summons	Unsafe Operation of Troop Car	All Other Allegations	Total
<b>A</b>	<b>22</b>	<b>2</b>	<b>2</b>	<b>5</b>	<b>10</b>	<b>4</b>	<b>54</b>	<b>99</b>
Atlantic City	2	2	0	1	0	0	5	10
Bellmawr	2	0	1	0	2	0	4	9
Bridgeton	3	0	0	1	1	0	21	26
Buena Vista	5	0	0	1	4	2	8	20
Metro South	1	0	0	0	0	0	2	3
Port Norris	2	0	0	0	1	2	4	9
Woodbine	2	0	0	0	1	0	3	6
Woodstown	3	0	1	2	0	0	5	11
Troop A Other	2	0	0	0	1	0	2	5
<b>B</b>	<b>39</b>	<b>1</b>	<b>3</b>	<b>8</b>	<b>26</b>	<b>16</b>	<b>36</b>	<b>129</b>
Hope	1	0	0	0	2	1	5	9
Netcong	7	0	0	0	4	4	11	26
Perryville	8	0	0	1	4	4	4	21
Somerville	7	1	0	2	4	2	4	20
Sussex	6	0	0	3	4	1	6	20
Totowa	8	0	1	2	7	1	3	22
Washington	0	0	2	0	1	3	1	7
Troop B Other	2	0	0	0	0	0	2	4
<b>C</b>	<b>11</b>	<b>0</b>	<b>4</b>	<b>8</b>	<b>17</b>	<b>23</b>	<b>46</b>	<b>109</b>
Bordentown	4	0	3	2	4	1	10	24
Hamilton	1	0	0	2	6	6	8	23
Kingwood	2	0	0	2	2	5	6	17
Red Lion	3	0	1	2	5	2	10	23
Tuckerton	0	0	0	0	0	0	6	6
Troop C Other	1	0	0	0	0	9	6	16
<b>D</b>	<b>28</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>25</b>	<b>17</b>	<b>20</b>	<b>96</b>
Bloomfield	6	0	0	1	5	4	2	8
Cranbury	2	0	0	0	6	1	4	8
Galloway	1	0	0	0	1	1	1	14
Holmdel	4	0	0	0	2	4	1	8
Moorestown	3	0	0	1	1	1	1	13
Newark	7	0	0	3	3	0	10	12
Troop D Other	5	0	0	1	7	6	1	6
<b>Other</b>	<b>9</b>	<b>1</b>	<b>2</b>	<b>14</b>	<b>2</b>	<b>29</b>	<b>30</b>	<b>87</b>
<b>Total</b>	<b>109</b>	<b>4</b>	<b>11</b>	<b>41</b>	<b>80</b>	<b>89</b>	<b>186</b>	<b>520</b>