

**SIMULATED  
EXAM #1**

**Answer Key**

**All Ranks**



## Simulated Exam #1

1. B – Arrestee’s Dependents Model Policy - 3.0 Procedure - 3.2.0 Whenever a person is arrested or taken into custody and is likely to be detained more than two hours, that person shall be questioned as to whether or not any child or other person is dependent solely upon the arrestee for care, sustenance or supervision.
2. A – Correct amount should be \$10,000 – not \$100,000
3. C – 8. Bias Incident Follow-Up Investigation  
Investigator Responsibilities, #9
4. D – Part One: Victim Rights and Services During Criminal Investigations  
I. Information, C. Procedures, Commentary 2.2.  
2.1 states: Immediate telephone notification upon the arrest of an offender to victims of crimes of or relating to homicide, arson, robbery, domestic violence, death by auto, aggravated assault, sexual offenses, child abuse, stalking, carjacking, kidnapping or attempts to commit said offenses.
5. D – Domestic Violence Procedures Manual  
V. Law Enforcement, G. Domestic Violence Complaint Process  
A victim may file a domestic violence civil complaint/TRO at any time pursuant to N.J.S. 2C:25-28, as follows:
  1. During regular court hours (8:30 a.m. – 3:30 p.m.), the victim should be transported or directed to the Family Division of the Superior Court. Where transportation of the victim to the Superior Court is not feasible, the officer must contact the designated court by telephone for an emergent TRO in accordance with established procedure.
  2. On weekends, holidays, and any time when the Superior Court is closed, including closures due to health pandemics, natural disaster, or during a declared State of Emergency<sup>7</sup>, the victim may apply for a TRO by presenting to a police department and the police must facilitate a call to the municipal court. N.J.S. 2C:25-28(a)

The victim may file a civil complaint/TRO and/or may file a criminal complaint (CDR-1 or CDR-2) in any of the following locations pursuant to N.J.S. 2C:25-28(a):

- Where the alleged act of domestic violence occurred;
- Where the defendant resides; or
- Where the victim resides or is sheltered.
  - “Sheltered” means any police department from which the victim seeks help. Therefore, victims should not be referred to another county or department.

6. A – Domestic Violence Procedures Manual

V. Law Enforcement, K. Guidelines on Prosecutorial Procedure Regarding Weapons Seized in Domestic Violence Cases

When a law enforcement officer, who is authorized to carry weapons pursuant to N.J.S. 2C:39-6, is involved in an act of domestic violence, the seizure of weapons shall be governed by Attorney General Directives 2000-3: Directive Implementing Procedures for the Seizure of Weapons from Municipal and County Law Enforcement Officers Involved in Domestic Violence Incidents and Directive 2000-4: Directive Implementing Procedures for the Seizure of Weapons from All State Law Enforcement Officers Involved in Domestic Violence Incidents.

- If a law enforcement officer is required by departmental regulations to personally purchase their official duty firearm, that firearm shall be considered the same as if it had been departmentally issued for purposes of applying the provisions of Attorney General Directives 2000-3 and 2000-4 and provisions of Federal law, 18 U.S.C. § 922(g).

7. C – Article 2. Liasons; Law Enforcement Units

2.3. Safe Schools Resource Officers

The presence of a police officer can be a deterrent in fighting drug use and sales and other forms of criminal behavior in schools. Besides enhancing school safety and security and facilitating the handling of delinquency complaints, they can help to enhance the working relationship between education and law enforcement officials. They have an opportunity to interact with children in positive and constructive ways.

8. B –III. Notification of Drug Testing Procedures

C. Sworn Law Enforcement Officers

A sworn law enforcement officer who resigns or retires after receiving a lawful order to submit a urine specimen for drug testing and who does not provide the specimen shall be deemed to have refused to submit to the drug test.

9. C – Found in Semi-Annual Firearms Qualification and Requalification Standards for New Jersey Law Enforcement

Be careful where the stem of the question is asking from.

10.C – Homicide and Sudden Death Survivor Guidelines

II. Notification of Death

In the event that the victim's next of kin reside outside of the investigating law enforcement agency's jurisdiction, the investigating officer should contact the appropriate law enforcement agency in the other jurisdiction. That agency should be requested to make the in-person notification of death as described herein.

11.A – Word “all” should be “the negative”

2. Fundamentals of the Disciplinary Process - 2.0.1 through 2.0.3

## 12. B – Statewide Mandatory Early Warning Systems

### II. Implementation

#### D. Initiation of Early Warning Process

At a minimum, an agency's EW System policy shall provide that three separate instances of performance indicators (as listed in Section C, above) within any twelve-month period will trigger the EW System review process. If one incident triggers multiple performance indicators, that incident shall not be double- or triple-counted, but instead shall count as only one performance indicator. The agency's chief executive may in his or her discretion determine that a lower number of performance indicators within a twelve-month period (i.e., one or two performance indicators) will trigger the EW System review process.

## 13. D – Juvenile Matters

### I. Curbside Warnings

B. Presumption in favor of curbside warnings for certain minor, non-violent conduct.

#### 1.a. & 1.b.

C. Other curbside warnings – For unlawful conduct more serious than described in Section I.B above, such as petty disorderly persons offenses, disorderly persons offenses, and fourth-degree crimes, there is no presumption in favor of a curbside warning, but an officer may nonetheless engage in a curbside warning at the officer's discretion, provided that the conduct did not cause serious or significant bodily injury to another.

## 14. A – Juvenile Matters

### 3. Law Enforcement Guidelines on the Use of Juveniles as Informants

#### 3.6. Written Authorization

*Be careful with the wording: Section 3.5. Consent Required. States that written **consent** of both the juvenile and a parent or legal guardian must be obtained before using a juvenile informant. Here the question is asking for **“authorization.”***

## 15. C – K-9 Training Standards and Qualification Requirements

### In-Service Training and Re-Evaluation

*NOTE: In-service training must be conducted a minimum of 4 times annually in addition to the canine team's re-evaluations.*

## 16. B – Definitions

“High risk missing person” means a person whose whereabouts are not currently known and the circumstances of the person's disappearance suggest that the person may be at imminent or likely risk of injury or death. The circumstances that indicate that a person is a high risk missing person shall include, but not be limited to:

- a. the person is missing as a result of a confirmed abduction or under circumstances that indicate that the person's disappearance was not voluntary;

- b. the person is missing under known dangerous circumstances;
- c. the person is missing more than 30 days;
- d. there is evidence that the person is at risk because:
  - (1) the person missing is in need of medical attention or prescription medication such that it will have a serious adverse effect on the person's health if he or she does not receive the needed care or medication;
  - (2) the person missing does not have a pattern of running away or disappearing;
  - (3) the person missing may have been abducted by a non-custodial parent;
  - (4) the person missing is mentally impaired;
  - (5) the person missing is a person over the age of 13 and under the age of 21 years and any other risk factor is known or
  - (6) the person missing has been the subject of past threats or acts of violence ; and
- e. any other factor that may indicate, in the judgment of the lead law enforcement agency, that the missing person may be at risk.

#### 17.D – Records of Police Departments

Executive Order No. 69 – Paragraphs 2 & 3

#### 18.C – 7. Technical Support Services

If technical support staff persons are employed by a non-law enforcement agency, someone within the agency must be designated to supervise the functions performed by the support staff. At a minimum, the law enforcement supervisor should maintain a current list of all users and their level of system access.

#### 8. Background Checks for Technical Support Staff

If employed by the law enforcement agency, or a non-law enforcement agency, a background investigation must be conducted on all technical support staff hired after the effective date of this memorandum. This does not apply to private contractors employed for short-term purposes such as to perform installations or repairs.

The investigation will include completed state and federal applicant fingerprint cards submitted to the State Bureau of Identification (SBI). The employing agency must check the following state and national arrest and fugitive files prior to the submission of state and federal applicant fingerprint cards.

- New Jersey Computerized Criminal History (NJCCH) New Jersey Wanted Person System (NJWPS)
- NCIC Interstate Identification Index (III)
- NCIC Wanted Person File
- National Law Enforcement Telecommunication System (NLETS) Criminal History Record Information (CHRI) for non III participant states

#### 19.A – A. Criminal search warrants.

##### 1. Scope of Directive

## 20.D – Strip Search and Body Cavity Search Requirements and Procedures

II. Persons detained without arrest or persons arrested without custodial confinement (summons; ROR; posting bail).

A. Strip search. A person (i) detained pursuant to a reasonable and articulable suspicion of criminal activity,<sup>3</sup> or (ii) arrested for the commission of a crime not requiring incarceration,<sup>4</sup> or the commission of a crime requiring incarceration but who will be released on his or her own recognizance or by the posting of bail within a reasonable time, should not be subjected to a strip search unless:

1. The officer in charge of the station house expressly authorizes the search;
2. The search is:
  - a. Conducted under the authority of a search warrant, or
  - b. Conducted pursuant to a valid consent, or
  - c. Supported by:
    - (1) A clear showing of **probable cause** to believe that the person is concealing a weapon, contraband or evidence of crime, and
    - (2) Exigent circumstances which prevent obtaining a search warrant or approval of the officer in charge of the station house.

## 21.C –Definitions

**Active Assailant.** A person who is using or imminently threatening the use of force, with or without a weapon, in an aggressive manner that poses a substantial risk of causing bodily injury to an officer or another person. A threatening assailant becomes an active assailant when the threat becomes imminent.

**Threatening Assailant.** A person who is threatening the use of force against an officer or another person, with or without a weapon, in an aggressive manner that may cause bodily injury. Examples may include a person armed with a weapon who fails to disarm, and an unarmed person who advances on an officer or any other person in a threatening manner thereby reducing the officer’s time to react, putting the officer in reasonable fear of a physical attack.

## 22.A – I. Scope of Directive

A. Types of Incidents. This Directive applies to investigations involving the following types of incidents (“Law Enforcement Incidents”) occurring within the State of New Jersey:

1. Any use of force by a law enforcement officer resulting in death;
2. Any use of force by a law enforcement officer resulting in serious bodily injury;

*NOTE: § 2C:11-1. Definitions. In chapters 11 through 15, unless a different meaning plainly is required:*

*a. “Bodily injury” means physical pain, illness or any impairment of physical condition;*

*b. “Serious bodily injury” means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ;*

*d. “Significant bodily injury” means bodily injury which creates a temporary loss of the function of any bodily member or organ or temporary loss of any one of the five senses.*

3. Any use of deadly force (including the discharge of a firearm) by a law enforcement officer, regardless of whether such force resulted in injury;
  4. The death of any civilian during an encounter with a law enforcement officer; and
  5. The death of any civilian while in the custody of law enforcement.
- 23.B – II. Guidelines, B. a semi-automatic pistol that has an ability to accept a detachable magazine and has at least 2 of the following:
1. an ammunition magazine that attaches to the pistol outside of the pistol grip;
  2. a threaded barrel capable of accepting a barrel extender, flash suppressor, forward handgrip, or silencer;
  3. a shroud that is attached to, or partially or completely encircles, the barrel and that permits the shooter to hold the firearm with the nontrigger hand without being burned;
  4. manufactured weight of 50 ounces or more when the pistol is unloaded; and
  5. a semi-automatic version of an automatic firearm;

24.D - I. Guidelines

B. Application of the Standard

(2) Extent of the deviation

25.B – Submission and Analysis of Information Relating to Seized and Recovered Firearms

2. e-Trace Data Entry

When a law enforcement agency on or after the effective date of this Directive seizes or recovers a firearm that was unlawfully possessed or used, or that was recovered from a crime scene or is otherwise reasonably believed to have been involved in the commission of a crime, or that was found property (e.g., abandoned or discarded), the agency shall enter e-Trace-related information directly into the NJ Trace System, which is part of the Criminal Justice Information System (CJIS) available to all law enforcement agencies. The information shall be entered as soon as practicable, but no later than within twenty-four hours of the time that the weapon was recovered.

26.A – Directive Instructing All Law Enforcement Agencies in New Jersey to Participate in the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives eTrace System “Collective Data Sharing” Program

5. The goal of this Directive is for agencies to share trace information to further investigations and efforts to combat gun violence and trafficking in New Jersey. Nevertheless, there may be cases where a law enforcement agency has a concern about sharing information in a particular trace report. In such instances, the law enforcement agency may contact the ATF National Tracing Center, through the “Contact Us” link located in the email accompanying the eTrace report, to designate the trace report being submitted as “Sensitive.”



Upon such designation, ATF removes the Sensitive Report from any shared database. Law enforcement agencies should exercise this option only where the agency's chief law enforcement officer determines that sharing the trace information would jeopardize the safety of individuals involved in an investigation or otherwise compromise an investigation.

27. A – The Property and Evidence Function - Property Storage Facility

28. B – Mandatory In-Service Law Enforcement Training

1. Mandatory In-Service Training for All Law Enforcement Officers.

b. Domestic Violence. N.J.S.A. 2C:25-20 requires annual in-service training of at least four hours on domestic violence. Officers transferring to a new agency must receive training within 90 days from the date of transfer.

29. B – C. Qualifying Courses That Satisfy Other In-Service Training Requirements.

30. C – 1.2 Safe Haven Applicability Determination

1.2.2 A law enforcement officer shall ask the person who delivers the infant to the police station or equivalent:

- whether that person is the parent of the infant; and
- whether the infant is no more than 30 days old; and
- whether the infant is being delivered voluntarily; and
- whether the parent intends to return for the infant.

1.3 Safe Haven Procedures

1.3.3 The person delivering the infant shall be permitted to leave and shall not be detained while awaiting medical clearance regarding the condition of the infant. The person delivering the infant shall not be required to accompany the infant to the hospital.

31. D – Attorney General Guidelines for Law Enforcement for the Implementation of Sex Offender Registration and Community Notification Laws (Megan's Law)

IV. Notice to Offenders of Duty to Register

Verification of Address: Offenders who have been found to be repetitive and compulsive must verify their address with the appropriate law enforcement agency every 90 days. All other offenders must verify their address annually.

32. A – POTENTIAL LIABILITY WARNING FORM – RELEASE OF DWI ARRESTEE & 12 HOUR IMPOUNDMENT OF THE VEHICLE OF A DWI ARRESTEE

Completion of the POTENTIAL LIABILITY WARNING - N.J.S.A. 39:4-50.22 (Rev. 2-20-2004) Form

(3) Ask the summoned person for some form of positive, and verifiable, identification. It is not required or necessary to make a copy of the identification provided, that decision is left to the determination of each law enforcement agency.

If the summoned person refuses to appropriately identify himself or herself to the law enforcement officer, then the defendant should not to be permitted

to leave with that person. In that circumstance, the defendant may elect to contact another person to transport or accompany him or her.

### 33. B –Mandatory 12-Hour Impoundment of Motor Vehicles

Summary of N.J.S.A. 39:4-50.23

Although the first provision of the statute, N.J.S.A. 39:4-50.23a, calls for an immediate impoundment of the vehicle being operated by the person arrested, that provision of the statute does not negate the Constitutional right of the arrested person to make other arrangements for the removal of the vehicle by another person who is present at the scene of the arrest. Thus, if there is a passenger in the vehicle at the time the operator is arrested, the arrestee may permit that passenger to operate the vehicle or to make arrangements for its removal without the vehicle being impounded. Of course, the person remaining with the vehicle must possess a valid driver's license, be capable of operating the vehicle or making arrangements for its removal, and not be in violation of the motor vehicle laws of this State.

### 34. C –Implementation of Insurance Fraud Laws N.J.S. 39:3-29 & 39:3-29.1 — Warrant of Impoundment

Presentation to the Court to Obtain a Warrant of Impoundment

If a law enforcement officer intends to seek a Warrant of Impoundment under the provisions of N.J.S. 39:3-29.1a, the officer must complete the Certification portion of the standardized form and present it, along with a copy of the Written Notice of Possible Impoundment and a copy of the MVC printout pertaining to the vehicle to be impounded, to a Judge

### 35. C –Electronic Recordation of Stationhouse Confessions

NJ Court Rule 3:17 – Recording of Custodial Interrogations

(a) Unless one of the exceptions set forth in paragraph (b) are present, all custodial interrogations conducted in a place of detention must be electronically recorded when the person being interrogated is charged with murder, kidnapping, aggravated manslaughter, manslaughter, robbery, aggravated sexual assault, sexual assault, aggravated criminal sexual contact, criminal sexual contact, second degree aggravated assault, aggravated arson, burglary, violations of Chapter 35 of Title 2C that constitute first or second degree crimes, any crime involving the possession or use of a firearm, or conspiracies or attempts to commit such crimes.

(b) Electronic recordation pursuant to paragraph (a) must occur unless:

(i) a statement made during a custodial interrogation is not recorded because electronic recording of the interrogation is not feasible,

(ii) a spontaneous statement is made outside the course of an interrogation,

(iii) a statement is made in response to questioning that is routinely asked during the processing of the arrest of the suspect,

(iv) a statement is made during a custodial interrogation by a suspect who indicated, prior to making the statement, that he/she would participate

- in the interrogation only if it were not recorded; provided however, that the agreement to participate under that condition is itself recorded,
- (v) a statement is made during a custodial interrogation that is conducted out-of-state,
  - (vi) a statement is given at a time when the accused is not a suspect for the crime to which that statement relates while the accused is being interrogated for a different crime that does not require recordation,
  - (vii) the interrogation during which the statement is given occurs at a time when the interrogators have no knowledge that a crime for which recording is required has been committed.

The State shall bear the burden of proving, by a preponderance of the evidence, that one of the exceptions is applicable.

(c) If the State intends to rely on any of the exceptions set forth in paragraph (b) in offering a defendant's unrecorded statement into evidence, the State shall furnish a notice of intent to rely on the unrecorded statement, stating the specific place and time at which the defendant made the statement and the specific exception or exceptions upon which the State intends to rely. The prosecutor shall, on written demand, furnish the defendant or defendant's attorney with the names and addresses of the witnesses upon whom the State intends to rely to establish one of the exceptions set forth in paragraph (b). The trial court shall then hold a hearing to determine whether one of the exceptions apply.

(d) The failure to electronically record a defendant's custodial interrogation in a place of detention shall be a factor for consideration by the trial court in determining the admissibility of a statement, and by the jury in determining whether the statement was made, and if so, what weight, if any, to give to the statement.

(e) In the absence of an electronic recordation required under paragraph (a), the court shall, upon request of the defendant, provide the jury with a cautionary instruction.

In jury trials, if the trial judge determines that the police inexcusably failed to electronically record the defendant's statement, a new "Jury Charge" will be given.

36. B –Refer to 4<sup>th</sup> WHEREAS", 1. Training Requirement on the Safe Return Program and 3. Confirmation of In-Service Training

37. C –Driving While Impaired Last Drink Location Report

4. Within two business days, the completed form LD-1 shall be faxed to the Division of Alcoholic Beverage Control. For the convenience of the law enforcement officer, the Division of Alcoholic Beverage Control receiving fax number shall be noted on the form. The Division of Alcoholic Beverage Control may change or update the method the report shall be transmitted

should the Director of the Division determine that a different method is more efficient and cost effective.

38.C – This is a 3<sup>rd</sup> Degree Offense

APPENDIX A (Revised September 27, 2019)

For the purposes of Sections II.B.5 and II.B.6, the term “violent or serious offense” is defined as follows:

1. Any first- or second-degree offense, as defined in N.J.S. 2C:43-1;
2. Any indictable domestic violence offense defined in N.J.S. 2C:25-19, as well as any domestic violence assault defined in N.J.S. 2C:25-19a.(2);
3. Any other indictable offense listed in the chart below; or
4. Any indictable offense under the law of another jurisdiction that is the substantial equivalent to an offense described in paragraphs 1-3 above.

Chart of Additional Violent & Serious Offenses (For indictable offenses as referenced in Paragraph 3 Above)

<b>Statute</b>	<b>Description</b>
2C:12-1	Assault
2C:12-1.1	Knowingly Leaving Scene of Motor Vehicle Accident Involving Serious Bodily Injury
2C:12-10	Stalking
2C:12-13	Throwing Bodily Fluid at Officers
2C:14-3	Criminal Sexual Contact
2C:14-4B	Exposing Genitals to Minors Under the Age of 13 and Other Vulnerable Populations
2C:16-1	Bias Intimidation
2C:17-1	Arson
2C:17-2	Causing Widespread Injury or Damage
2C:18-2	Burglary of a Dwelling
2C:24-4	Endangering the Welfare of Children
2C:28-5	Witness Tampering and Retaliation
2C:29-2B	Eluding a Law Enforcement Officer
2C:29-3a(5), 3b(2), 3b(3)	Hindering Apprehension or Prosecution
2C:29-9	Criminal Contempt (Violation of Restraining Orders, Domestic Violence Orders, Etc.)
2C:39-3, -5, 2C:39-7, -9	Manufacture, Transportation, or Possession of Weapons
2C:40-3b	Aggravated Hazing

39.D – Directive Protecting Tenants from Illegal Evictions

I. Law Enforcement Response to Reports of Illegal Evictions

B. Step 2: Issue Warnings to Responsible Persons. If a violation has occurred or appears likely to occur, then the officers should instruct the relevant

persons to immediately cease their illegal conduct and warn them that failure to do so will result in charges. As soon as practicable, the officers should document in writing who received the warning, when the warning was issued, and what conduct was covered in the warning.

40. B – Answer choice “A” is incorrect as the times should be 5:00 a.m. and 10:00 p.m.. Answer choice “C” is incorrect as the words “probable cause” should be reasonable, particularized suspicions. Plus, the NJ Attorney General’s directive allows no-knock warrants only for protection of officer safety or safety of another person. Answer choice “D” is incorrect as the words “command-level superior officer” should be “approving County Prosecutor’s Office”

41. D – Submissions of Information into the ViCap Database

I. Data to be entered into the ViCAP database

On or after the effective date of this Directive, all law enforcement agencies in the States shall directly enter into the ViCAP database, in accordance with the procedures, guidelines, and/or restrictions established by the FBI, case information concerning:

- A. Solved or unsolved homicides or homicide attempts, especially those that involve abduction; appear to be random, motiveless or sexually motivated; or are known or suspected to be part of a series (N.J.S.53:1-20.11).
- B. Missing persons, where the circumstances indicate possible foul play (N.J.S.53:1-20.11).
- C. Unidentified dead bodies, where the manner of death is known or suspected to be homicide (N.J.S.53:1-20.11).

42. C – Revised Amber Alert Plan

Criteria for activation of the AMBER Alert system

The following criteria shall be met before an AMBER Alert is activated:

- 1. There is reason to believe that a child **under the age of 18** has been abducted.
- 2. There is reason to believe that the abducted child may be in danger of death or **serious bodily injury**.
- 3. There is reason to believe that an AMBER Alert would assist in locating the child considering all relevant circumstances, including whether there is enough descriptive information available, and the amount of time that has elapsed since the child was last seen and was reported missing.

43. D – Attorney General Guidelines for the Retention of Evidence –

3. Narcotic Evidence – g.

44. A – Directive 2023-1 – III. Procedures for Law Enforcement Tracking, Storage, Retention, of Sexual Assault Forensic Examination (SAFE) Kits, C. SAFE and DFSA Kit Retention Policy

All SAFE/DFSA kits taken from a victim who has not reported the crime to law enforcement or has not released the collected evidence to law enforcement, shall be retained for a minimum of 20 years from the date of collection, and where the

victim is a minor, for a minimum of 20 years after the victim reaches the age of 18.

45.B – I. Compliance with Attorney General Standards for Providing Services to Victims of Sexual Assault, Third Edition

Under the Standards, victims may seek the assistance of a Sexual Assault Response Team, or SART, which is available to any victim 13 years or older who reports an assault within five days of an incident. Each SART consists of a confidential sexual violence advocate (CSVA), a forensic nurse examiner (FNE), and a law enforcement officer.

II. Immediate Notification of Sexual Assault Incidents by Law Enforcement Agencies to County Prosecutors' Office

To be most effective, County Prosecutor's Offices must be involved in the investigation from the very beginning. Doing so ensures that all of the participating agencies are communicating regularly and following the best practices described in the Standards.

III. Promptly Advising Sexual Assault Victims of Available Resources, Regardless of Whether Case Results in Criminal Charges

From the moment a victim reports a sexual assault, law enforcement agencies should be working with the victim to determine what, if any, support services he or she requires.

46.B – A. DEFINITIONS. For the purposes of this Directive:

2. The term "witness interview" means an interview of a witness done in the course of investigating a crime of the first, second, third, or fourth degree under New Jersey law, whether committed by an adult or a juvenile.

47.B – A.G. Directive 2022-12 – Updated Directive Regulating Use of Automated License Plate Recognition (ALPRs) Technology

3. BOLO Lists

3.3. Updating BOLO Lists

A BOLO list may be revised at any time. Updates to a BOLO list shall be done at the start of each shift for mobile ALPRs attached to police vehicles, and as frequently as possible, but at least daily, for ALPRs at stationary locations.

48.C – A. Definitions

3. "Law enforcement activity" means investigations, operations and intelligence-gathering activity conducted by a law enforcement agency or officer. The term does not encompass non-investigatory conduct, including but not limited to participation in training classes or exercises, execution of child-support warrants, or transportation of incarcerated persons to and from this State.

49.D –Directive 2012-2 – Investigation of Human Trafficking

III. Requirement to Conduct Prompt and Thorough Investigations or to Promptly Refer Matters for Investigation by Another Agency.

A. Investigation or Referral of Possible Human Trafficking Violations

Whenever a law enforcement officer: (a) develops reasonable articulable suspicion to believe that the crime of human trafficking is being or has been committed; (b) receives any information from an anonymous or confidential source concerning a possible human trafficking violation under circumstances where the information does not on its face constitute reasonable articulable suspicion; or (c) determines, while in the course of investigating a prostitution- related offense pursuant to Section IV(B) of this Directive, that any of the relevant circumstances that are specified in the investigation standards and protocols promulgated by the Director of the Division of Criminal Justice pursuant to paragraph (1) of Section IV(A) of this Directive exist; the officer or another member of the officer's agency shall either:

- (1) promptly investigate the possible human trafficking violation in accordance with the provisions of this Directive; or
- (2) promptly refer the matter to the appropriate County Prosecutor's Office, or to the Division of Criminal Justice, for investigation by the County Prosecutor or the Division.

IV. Investigation Standards

B. Special Responsibilities When Investigating Prostitution Offenses

2. Where the prostitution offense involves a "house of prostitution" as defined in N.J.S. 2C:34-1a.(3), or is otherwise associated with a specific commercial premises (e.g., a massage parlor, "strip club," bar, restaurant, etc.), the agency or officer shall, whenever feasible and lawful, examine the physical premises to determine whether it is being used for residential purposes. If the prostitution investigation reveals that persons may have used a commercial premises as a place of residence, the agency conducting the prostitution investigation shall comply with the investigation, referral, and reporting requirements set forth in Section III (A) of this Directive.

50. C – Answer choice “A” would be true if Luis was not a bona fide registered qualifying patient.

Source: Interim Guidance Regarding Marijuana Decriminalization

<b>Possession – 2C:35-10</b>			
<b>Marijuana</b>	<b>Hashish</b>	<b>Subsect.</b>	<b>Degree</b>
More than 6 oz.	More than 17 g.	3(b)	Fourth
6 oz. or less	17 g. or less	4(b)	Not a crime
<b>Distribution – 2C:35-5(b)</b>			
<b>Marijuana</b>	<b>Hashish</b>	<b>Subsect.</b>	<b>Degree</b>
25 lbs. or more	5 lbs. or more	10(a)	First
5 lbs. or more	1 lbs. or more	10(b)	Second
More than 1 oz.	More than 5 g.	11(b)	Third
1 oz. or less	5 g. or less	12(b)	[See below]

Attorney General Medical Marijuana Enforcement Guidelines for Police  
 2.7 Statutory Limitation on Amount of Medical Marijuana That May Be Dispensed

CUMMA generally provides that an Alternate Treatment Center may only dispense two or less ounces of useable medical marijuana to a qualifying patient or primary caregiver at any one time. (The maximum amount that may be dispensed may be less than two ounces depending upon the written instruction of the patient’s physician). This is the maximum amount of medical marijuana that may be lawfully dispensed to the patient or caregiver in a thirty-day period. See N.J.S. 24:6I-10. However, the statute does NOT impose a limit on the total amount of medical marijuana that the patient or caregiver may possess at any given time.

51. A – 4. Uniform Statewide Enforcement Policy Where Multiple Persons Collaborate in a Request for Medical Assistance

The literal text of the statute affords immunity only to the specific individual who actually sought medical assistance (e.g., the person who placed a 9-1-1 telephone call) and to the person who experienced a drug overdose and was the subject of a good faith request for medical assistance made by another. There may be situations, however, where two or more persons are present when the request for medical assistance is made. Consistent with the spirit of the law and its overriding purpose to reduce disincentives to seeking prompt medical help, where it can reliably be determined that two or more persons were present at the time that the request for medical assistance was made and were aware of and participating in that request, police and prosecutors should proceed as if those persons had collaborated in making the request for medical assistance, even though only one of them actually placed the call to the 9-1-1 emergency system or otherwise made the request for medical assistance. Persons who in this manner collaborated in making the request for medical assistance should not be arrested or prosecuted for an offense.



52. C – Directive Requiring Prosecutorial and Judicial Approval of the Proactive Use of Probationers To Conduct Law Enforcement Investigations

2. Definitions.

“Proactively support a law enforcement investigation” means to commit any act or engage in any course of conduct at the express request of a law enforcement officer or agency where that act or course of conduct

1) would constitute a criminal offense, or an attempt or conspiracy to commit a criminal offense, if committed or engaged in by a person not expressly authorized by a law enforcement officer or agency to commit that act or engage in that course of conduct, or 2) would constitute a violation of a term or condition of probation.

Examples of proactive support of a law enforcement investigation include but are not limited to purchasing illicit drugs to be turned over to a law enforcement officer or agency (i.e., a “controlled buy”), or wearing an electronic surveillance device supplied by a law enforcement officer or agency during a meeting or conversation with a subject or target of an investigation.

The term does not include providing information to law enforcement authorities about past, ongoing, or future criminal acts committed by others provided that the officer or agency has not used, instructed, encouraged, or authorized a probationer to violate any term or condition of probation, including the requirement to refrain from associating with specified persons or persons involved in criminal activity. Nor does the term include testifying as a cooperating witness.

53. C – Attorney General Law Enforcement Directive Regarding Police Body Worn Cameras (BWCs) and Stored BWC Recordings

7. Circumstances When BWC Activation/Use is Subject to Special Considerations/Restrictions

7.1. Special Restrictions When Recording in Schools, Healthcare/Treatment Facilities, and Places of Worship.

Unless the officer is actively engaged in investigating the commission of a criminal offense, or is responding to an emergency, or reasonably believes that he or she will be required to use constructive authority or force, the officer shall not activate a BWC, or shall de-activate a BWC that has been activated, while the officer: 1) is in a school or youth facility or on school or youth facility property under circumstances where minor children would be in view of the BWC; 2) is in a patient care area of a healthcare facility, medical office, or substance abuse treatment facility under circumstances where patients would be in view of the BWC; or 3) is in a place of worship under circumstances where worshipers would be in view of the BWC. See also Section 9.3 (notation (i.e., “tagging”) of certain events/encounters raising privacy or other special issues)

54.C – Attorney General Law Enforcement Directive Regarding Police Body Worn Cameras (BWCs) and Stored BWC Recordings

8. Retention of BWC Recordings

8.3 Three-Year Retention Period Upon Request. Subject to any applicable retention periods established in Section 8.4 to the extent such retention period is longer, a BWC recording shall be retained for not less than three years if voluntarily requested by:

- a) law enforcement officer whose BWC made the video recording, if that officer reasonably asserts the recording has evidentiary or exculpatory value;
- b) a law enforcement officer who is a subject of the BWC recording, if that officer reasonably asserts the recording has evidentiary or exculpatory value;
- c) any immediate supervisor of a law enforcement officer whose BWC made the recording or who is a subject of the BWC recording, if that immediate supervisor reasonably asserts the recording has evidentiary or exculpatory value;
- d) any law enforcement officer, if the BWC recording is being retained solely and exclusively for police training purposes;
- e) any member of the public who is a subject of the BWC recording;
- f) (any parent or legal guardian of a minor who is a subject of the BWC recording; or
- g) a deceased subject's next of kin or legally authorized designee.

To effectuate subparagraphs (e), (f), and (g) of this Section, the member of the public, parent or legal guardian, or next of kin or designee shall be permitted to review the BWC recording to determine whether to request a three-year retention period, in accordance with the provisions of the Open Public Records Act, N.J.S. 47:1A-1 et seq., to determine whether to request a three-year retention period.

55.A –7. Conflict Resolution

D. General Principles for Resolving Conflict Alerts.

Disputes between agencies with a shared interest in a target/suspect should be resolved amicably by the parties within their respective chains of command. The resolution should be based on all equitable considerations, including in particular the amount of resources that already have been expended in their respective investigations and the potential for the most significant charges and sentencing outcomes that would have the greatest impact on public safety. The agency that submits target/suspect or event location information to the system first does not automatically have primary or superior rights to investigate that target/suspect, or to conduct a planned operation at that location. However, to encourage agencies to submit deconfliction information pursuant to this Directive as early as possible, the timing of data submission to the system is a relevant consideration.

E. Resolution of Disputes by County Prosecutor or Director.

In the event that a dispute between agencies operating under the authority of the laws of the State of New Jersey cannot be resolved by the management/executive leadership of those agencies, if all the agencies are subject to the jurisdictional authority of a single County Prosecutor, the matter shall be referred to that County Prosecutor for resolution. If one of the agencies operates outside the jurisdictional authority of the County Prosecutor, or is a State agency, the dispute shall be referred to the Director of the Division of Criminal Justice for resolution. The County Prosecutor or Director is hereby authorized to resolve the dispute, and that resolution shall be final and binding on any agency operating under the authority of the laws of the State of New Jersey.

#### 56.C –Bail Reform

##### 4.2.2 Law Enforcement Obligation to Consider Known Relevant Information Not Accounted for in the Automated Pretrial Risk Assessment.

The automated pretrial risk-assessment process may not account for all relevant circumstances. For example, it does not account for the fact-sensitive manner in which the present offense was committed that might suggest that the defendant is especially dangerous (e.g., the defendant inflicted more serious harm than that required to establish the elements of the charged crime; a firearms offense was not limited to “simple possession,” but rather involved possession for an unlawful purpose, or involved brandishing or pointing the firearm, thereby creating a heightened risk of violence; the offense was committed against a particularly vulnerable victim; the offense was committed in the presence of children or otherwise posed a heightened risk to children, etc.). Nor does the automated pretrial risk-assessment process account for the strength of the case, which might suggest that the defendant would have greater incentive to avoid a likely conviction by fleeing (e.g., where the offense conduct is captured on an audio/video recording; the defendant confessed to the crime; the offense conduct was personally observed by a police officer; contraband was found on the person of the defendant, etc.)

Furthermore, for purposes of informing the law enforcement decision whether to issue a complaint-summons or apply for a complaint-warrant, the automated pretrial risk-assessment software does not account for a pending charge or conviction from another state, although the computer system administered by the AOC will indicate to law enforcement that out-of-state criminal history information exists with respect to the defendant. See subsection 4.5.8 (explaining how out-of-state charges/convictions should be considered).

Furthermore, as addressed specifically in subsection 4.5.7, the automated pretrial risk-assessment process does not account for a defendant’s juvenile justice history, even if the defendant recently was adjudicated delinquent for a serious violent crime. The automated pretrial risk-assessment process also does not account for expunged records.

57. B –Attorney General Directive Pursuant to the Extreme Risk Protective Order Act of 2018

Under the Act, a court would consider evidence presented whether the respondent: has a history of threats or acts of violence; has a history of use (including attempted and threatened use) of physical force; is subject to or violated any protective orders; has been arrested, charged, or convicted of any violent indictable crime or disorderly-persons offense, stalking offense, or domestic violence offense; has been charged with crimes of animal cruelty; has a history of substance abuse; or has recently acquired a firearm or ammunition.

58. B –Law Enforcement Interactions with Transgender Individuals

II. Interactions Based on Gender

A. Conducting Searches

1. For the purpose of conducting a search, officers shall treat a transgender woman as they would treat any other woman, and officers shall treat a transgender man as they would treat any other man, regardless of the gender that individual was assigned at birth and/or their anatomical characteristics.

For most searches, the gender of the person being searched will not be relevant because the search may be conducted by officers of any gender. That includes, but is not limited to, searches conducted under exigent circumstances—such as an immediate search in the field for weapons, when officer and public safety are paramount—and searches incident to arrest. Under this Provision, nothing will change for these kinds of searches: as before, a male officer can search a man or a woman (transgender or cisgender), and a female officer can search a man or a woman (transgender or cisgender).

But certain searches exist for which cross-gender searches are prohibited (e.g., non-exigent custodial strip searches) and where the gender of the person being searched thus matters. In those cases, where only a female officer can search a cisgender woman and only a male officer can search a cisgender man, then it is also the case that only a female officer can search a transgender woman and only a male officer can search a transgender man.

59. A – I. Definitions

A. “Child” or “children” refers to any student, regardless of age, enrolled in pre-school through twelfth grade at either a public or private school.

B. “Handle with Care Notice” or “HWC Notice” is a form completed by a law enforcement officer after responding to, or encountering, an incident involving a traumatic event where a child is present. To protect the privacy of affected children, the HWC Notice shall only include the following information: the child’s name, age, grade, school of enrollment, and date and time of the incident. The HWC Notice shall be sent immediately to the appropriate point of contact at the child’s school of enrollment. To protect the parties involved, the notice shall never include details of the incident.

D. “Traumatic event” shall be broadly construed and may refer to, but is not limited to, the following incidents when a child is a victim or witness:

- the arrest of an individual who resides in the home where the child is present;
- a search warrant executed at the residence;
- drug/alcohol overdose of an individual who resides in the home where the child is present;
- suicide, or attempted suicide, of an individual who resides in the home where the child is present;
- an incident of domestic violence;
- physical/sexual abuse;
- community violence;
- a bullied child or a child who is bullying others;
- forced displacement from the residence;
- involvement with the Department of Child Protection & Permanency (DCP&P);
- house fires;
- any incident where a child is identified at the scene as being exposed to trauma (i.e. crime/drug activity at the scene); or
- the sudden death of an immediate family member or guardian of the child of which the police are made aware.

## II. Implementing the HWC Policy

### A. Complete HWC Notice

When a law enforcement officer responds to, or encounters, an incident involving a traumatic event where a child is present, the officer must complete a HWC Notice promptly following the encounter. To the extent practicable, HWC Notices shall be completed regardless of whether the child attends a public school or a private school. When more than one child is present, the law enforcement officer shall complete the HWC Notice for each child, and the HWC Notice shall be sent to each child's school.

60. C – See list D on question 59

61. C – Officers Gladly, Onyx and Perez are on leave the date the class is to be held, January 15<sup>th</sup>. You must then cover the shift with ten non-probationary officers (as per the chief's stipulation) which leaves all the probationary officers (four) and one other officer.

62. C – There a total of 18 officers. Three are on leave on January 15<sup>th</sup> (the date the class is scheduled for) leaving the correct number of officers at fifteen. In this question, you are to include probationary officers as it is asking how many officers will be on post, this would include these officers.

63. D – From the list of personnel, you must eliminate Officer Ramirez (the scheduled officer) and Officer Gladly (already approved leave for January 17<sup>th</sup>, the date of the class). Officers Mickey, Gomez, Anthony and Garvin are probationary officers, they should not have been considered as the question specifically asks to exclude officers below the rank of sergeant and those on probation.

64. B – Officers Garvin and Anthony may be scheduled for this training. You must eliminate Officer Rodman as he is scheduled on sick leave. After accounting for ten non-probationary officers, you are left with another two non-probationary officer who may be scheduled for the training in addition to Officers Garvin and Anthony.
65. C – Officer Garvin must be among those scheduled as he is a probationary officer. Officer Rodman is scheduled on leave on the date of the training. The officers from the other answer choices may be among those listed but Officer Garvin is a definite.