

SIMULATED EXAM

4

Sergeants

Simulated Exam #4

1. Sammy and Danny are celebrating their recent election win in their union election. They begin to argue about politics at which point Sammy grabs a beer bottle and slams it across his friend's face. Danny is rushed to the hospital. For four days, he suffers from ringing in the ears, on the fifth day the ringing subsides. The victim suffered:
 - A. significant bodily injury
 - B. serious bodily injury
 - C. bodily injury
 - D. temporary loss of the function of a bodily organ
2. Jim was arrested by Officer Waldo for a warrant out of Newark. Jim is HIV positive. While the officer is transporting Jim to police HQ, Jim tells the officer that when they exit the police car he is going to spit in the officer's eyes and the officer will die of AIDS just like him. During the booking procedure, Jim grabs the officer, throws him to the ground and bites his arm causing ten puncture wounds which begin bleeding. Charge the suspect with
 - A. Aggravated Assault on a Police Officer
 - B. Aggravated Assault and Terroristic Threats
 - C. Criminal Attempt Murder
 - D. Terroristic Threats and Reckless Endangerment
3. Officer Baskets asks you how many hours prior to implementing a roadside checkpoint must the County Prosecutor be given a copy of the checkpoint's administrative plan. Your correct response will be:
 - A. 24
 - B. 36
 - C. 72
 - D. 12
4. Which of the below is an exception to the written warrant requirement?
 - A. Inevitable Discovery Exception
 - B. Homicide Exception
 - C. Serious Crime Scene Exception
 - D. Open Fields Exception

5. Sea Bright Township wishes to implement a municipal ordinance that prohibits a person from knowingly loitering in any public place where C.D.S. is being distributed unlawfully. Which of the following is most accurate concerning this issue?
 - A. This ordinance must be approved by the public during an election.
 - B. This ordinance is lawful and should be used appropriately with coordinated 2C Statutes.
 - C. This ordinance must be approved by the Attorney General.
 - D. This ordinance is pre-empted by provisions in Title 2C.

6. Sammy is arrest for D.W.I. While being processed he offers Officer Jackson \$409 and a gold bracelet if the officer releases him without charging him. If the officer accepts the money and the jewelry, the officer may be charged with:
 - A. Bribery only
 - B. Bribery and Acceptance/Receipt of Unlawful Benefit by Public Servant
 - C. Unlawful Official Business Transaction
 - D. Acceptance/Receipt of Unlawful Benefit by Public Servant only

7. Jason is an informant who furnishes Jane with crack cocaine for resale to a law enforcement officer. Jason is working in concert with the police. Jane is a victim of:
 - A. Official Misconduct
 - B. Due Process
 - C. Entrapment
 - D. No crime

8. Mr. Reagan brandished a 9mm Glock to protect his family from an intruder in his home. Mr. Reagan then discharges the weapon. What is this considered?
 - A. Deadly force
 - B. Use of force
 - C. Mechanical force
 - D. None of the above

9. Raul had been drinking and was loitering outside of Mike's house. Raul asked Mike why he had punched Greg in the eye. Mike responded that Greg was his uncle and that the family dispute was none of his business. Raul then asked Mike if he wanted to fight. Mike told him that he was drunk and should go home. Mike went inside his house, closed the front door, went into the kitchen, picked up a screwdriver, placed it in his pocket, and returned to the front door. He retrieved the screwdriver because he knew Raul wanted to fight and in case he had something in his pocket. Raul was still standing outside of Mike's front door when Mike partially opened the door. Raul again asked Mike if he wanted to fight and then swung his radio at Mike, hitting the edge of the door. Mike opened the door and swung his fist at Raul. Raul grabbed Mike by the hair as Mike attempted to strike him. The two struggled for quite a while. Raul hit Mike a couple of times on top of the head. Mike tried to strike Raul with his fists but was unable to land any punches because Raul was holding his head down by the hair. Ultimately, Mike reached into his pocket, pulled out the screwdriver and stabbed Raul several times, inflicting fatal stab wounds to his heart and lung. Raul later stated to police that, "even after I stabbed him, he kept fighting me." Which of the below statements is true regarding this scenario?

- A. Mike is guilty of Manslaughter (Heat of Passion Crime)
- B. A person need not retreat when attacked in his own dwelling, however the term "dwelling" does not include a porch or other similar appurtenance. Mike was not justified in using deadly force to prevent his attack.
- C. A person who is attacked at the doorway, or on the porch, of his home, is lawfully permitted to stand his ground and resist the attack. If that person reasonably believes that he is in danger of losing his life or suffering serious bodily harm, he is under no duty to retreat but may stand his ground and resist the attack even to the extent of employing deadly force. Mike was justified in his actions.
- D. Mike was duty-bound to retreat into the safety of his home and seek assistance from law enforcement authorities. There was no justification to open the door to the house and exit outside the confines of his residence.

10. What is the required mental state that must apply to all elements of Criminal Restraint, which also includes the risk of serious bodily injury?

- A. Purpose
- B. Knowledge
- C. Negligence
- D. Recklessness

11. Screwy Louie owns a "head shop." Officer Davis has obtained information that Louie sells, in small paper bags, a glass tube (about the size of a cigarette) containing a small fake rose, a small piece of steel wool and a small screen. The officer confirms this with an informant of his, "Crackhead Casey," who tells the officer that she buys these items from the "head shop" for convenience to make a "crack pipe". She further tells the officer that Screwy Louie secretly tells crack users about the package and what they could do with it but sells only to those over 18 years of age. If Officer Davis obtains probable cause to charge Louie, what would be the most serious appropriate charge?

- A. Delivering Drug Paraphernalia to Persons Under 21 Years of Age
- B. Possession of Drug Paraphernalia
- C. Advertising to Promote Sale of Drug Paraphernalia
- D. Distributing Drug Paraphernalia

12. Officers stage inside Jackson Park which is across the street from Mike Hinders' home. They have a no-knock warrant to search the apartment and the person of Mike Hinders. As two groups of officers approach the premises, the perimeter team sees Mike across the street from his apartment building and immediately moved to secure him while the search team forces its way into the apartment. Mike is arrested, handcuffed, and brought into the apartment. Inside officers find Mike's wife in the kitchen and their five-year-old son hiding under a bed. During the search officers find cocaine and some other drug evidence, \$7,000 in cash, and a .22 caliber revolver loaded with five hollow point bullets. What could you properly charge Mike with?

- I. Possession of a Firearm during a Drug Offense
- II. Possession of CDS with the Intent to Distribute
- III. Wandering
- IV. Employing a Juvenile in a Drug Distribution Scheme
- V. Distribution of CDS within 500 feet of a Public Park

- A. II only
- B. II and IV only
- C. I, II and V only
- D. I, II, III and V only

13. 29-year-old Brian takes his fiancée's daughter, 4-year-old Melissa on a trip to Jersey City to purchase heroin to feed his drug habit along with his fiancée's. Brian obtains the drugs and injects some into his veins. Brian brought the child with him in because he figures if the police see him, they will not stop him due to the child in the car. Brian may be charged with:

- A. Distribution of C.D.S.
- B. Employing a Juvenile in a Drug Distribution Scheme
- C. Both A & B
- D. Neither A or B

14. Barbara is arrested for D.W.I. She is inside police headquarters being processed. She provides one breath sample in which she yields a .06% B.A.C. at that point she refuses to submit a second sample. In this situation you should:
- A. Charge her with D.W.I. only based on the reading you obtained
 - B. Take blood from her
 - C. Administer a urine test
 - D. Charge her with Refusing to Submit a Breath Sample
15. Lydia buys an ounce of cocaine to split evenly among herself and her three friends. Lydia brings it home. She lives 600 feet from Public School #5. She calls her friends and they come to her home where they split the drugs equally among the four and pay Lydia for their share. Can Lydia be charged with 2C:35-7: Distribution On or Within School Property?
- A. Yes. She may be charged accordingly.
 - B. No. The N.J. Supreme Court has decided that those in private residences within the school zone cannot be charged with 2C:35-7.
 - C. Yes. She would have to prove, by a preponderance of the evidence, that she has an affirmative defense for the charge.
 - D. No. She lives further than statutory 500 feet from the school.
16. Albert is driving his car westbound on Route 80. He is stopped by Officer Franks for weaving. Albert is obviously intoxicated and admits to drinking at least 8 Margaritas at Jose's Restaurant. In the backseat is Albert's 13-year-old son, Albert Jr. Which of the below statements is true concerning this scenario regarding the charge(s) the officer may sign against Albert at this time?
- I. Driving while intoxicated
 - II. Refusal to Give Samples of Breath
 - III. Driving Under the Influence with a Minor as a Passenger
 - IV. Endangering the Welfare of Children
- A. I only
 - B. I and III only
 - C. I, III and IV only
 - D. All of the above
17. Officer Danielle Rowland is the sex crimes detective of the Westview Police Department. At her yearly training seminar on sex crimes, she states that a "tender, years" Sexual Assault case has three elements. It is Sexual Contact with a certain victim under an age that is critical. A suspect who is at least four years older than the victim and the victim is less than _____ years old.
- A. 16
 - B. 14
 - C. 12
 - D. 13

18. Wally is standing nude in front of his large bay window at his residence. Incredibly, there are 10 children waiting at a school bus that can clearly see Wally through the window. All the children are currently in the 1st grade. Wally should be charged with:

- A. Sexual Assault
- B. Sexual Contact
- C. Lewdness
- D. Both A&B

19. Donna possesses some C.D.S. and proceeds to destroy all the CDS after noticing a police officer on patrol. She may be charged with:

- A. Drug Possession only
- B. Drug Possession and Tampering with Physical Evidence
- C. Tampering with Physical Evidence only
- D. None of the above

20. Harold entered a convenience store while holding a hypodermic syringe in his hand. He motioned it toward the clerk, stating, "Give me all the money unless you want to get AIDS and if you look at anybody weird, like there is something going wrong, I'll jump over the counter and kill you. Just start pushing buttons, and don't call anyone." What would Harold be charged with?

- A. Theft
- B. Robbery, 1st degree because of the weapon
- C. Robbery, 2nd degree
- D. Possession of a Hypodermic Syringe

21. Ralph borrows his dad's Mercedes to "cop some coke and get high" with his friend, Mark. They purchase cocaine in Fort Lee and leave the area. At a traffic light, Frankie approaches the automobile on the passenger side. He starts yelling that he got ripped off in a prior drug deal. He said he wants the drugs the two men currently possessed. The men exit the vehicle to argue with Frankie. When they refused to turn over the drugs, Frankie pushes them to the side, gets into the vehicle, locks the doors, and drives away. Frankie keeps the car for two weeks and put different license plates on it. Frankie should be charged with:

- A. Auto Theft
- B. Unlawful taking of Means of Conveyance
- C. Carjacking
- D. Burglary/Theft

22. Ed Brinkley, a newspaper reporter from The Daily Gazette is trying to get the scoop on an ongoing police scandal. He contacts Mrs. Pomona, sister of one of the officers involved in the scandal and identifies himself as the medical examiner from Morris County to attempt to obtain personal information from this individual. Charge Ed with:

- A. Impersonating a Public Servant
- B. Harassment
- C. Identity Theft
- D. No Crime

23. Police lawfully arrest Anthony during which Anthony throws and breaks a 12-oz. bottle of cough syrup containing narcotics. He may be charged with:

- A. Obstruction of Justice
- B. Evidence Tampering
- C. Possession of CDS with the Intent to Distribute and Evidence Tampering
- D. Resisting Arrest

24. Jan and Dean unlawfully take a 1998 Mercedes Benz. Charge them with:

- I. Theft
- II. Criminal attempt
- III. Burglary
- IV. Criminal mischief

- A. I & IV only
- B. I, II & III only
- C. I & III only
- D. All the above

25. Mac just obtained a Temporary Restraining Order against Peggy. Peggy enters the residence, in violation of the order, to get her favorite slippers. Charge Peggy with:

- I. Burglary
- II. Theft
- III. Theft from spouse
- IV. Contempt of Court

- A. I only
- B. I & IV only
- C. III Only
- D. IV only

26. Mr. Tenille matches the description of a suspect wanted for a recent armed robbery and is ordered to stop by Officer Jensen. Mr. Tenille refuses to stop and the officer grabs him by the arm. While trying to conduct a pat-down search for weapons, Mr. Tenille continually turns his body around so that the officer could not check the area he intends. Mr. Tenille should be charged with:
- A. Resisting Arrest
 - B. Resisting Arrest and Robbery
 - C. Obstructing the Administration of Law or Other Governmental Function
 - D. Evidence Tampering
27. A juvenile, _____ or older, charged with an offense that would be a crime if committed by an adult, shall be fingerprinted by the charging agency.
- A. 14
 - B. 15
 - C. 13
 - D. 17
28. Gerry and Vinnie are partying after learning that their company has surpassed the \$1,000,000 sales mark. As a little prize for themselves they "score" some cocaine and are traveling south on the parkway to go to Joey's Strip Club. Officer Dwyer notices their vehicle speeding. He activates his overhead lights and siren in an attempt to stop the vehicle. Vinnie dangles the bag of cocaine outside the car window, dissipating the C.D.S. into the air onto the roadway. The officer can charge Vinnie with:
- A. Evidence Tampering
 - B. Obstruction of Justice
 - C. Evidence Tampering and Escape
 - D. Obstruction of Justice and Escape
29. Two friends enter Wal-Mart each holding a lighter. They get some Lysol aerosol cans and light the spray on fire turning them into torches. In the magazine aisle, one of the magazines began to smoke after being hit by one of the flames. The two friends then run out of the store and the store burns down to the ground. Luckily, no one was hurt. What can the two friends be charged with?
- A. Arson, 3rd degree.
 - B. Failure to Report/Control a Dangerous Fire
 - C. Aggravated Arson, 2nd degree
 - D. None of the above

30. Connor allowed his bookkeeper, Sal, to temporarily stay at his home until he can get on his feet. Twice Sal was peeping at Connor as Connor exited the shower. Connor threw Sal out. The total time Sal lived with Connor was seven months. Ten months later, Connor then found a hidden camera in his pickup truck and upon reviewing it, he found that Sal had been spying on him. Does Connor qualify as a victim of Domestic Violence?

- A. No, for there was no familial, emotional, or financial ties between the parties.
- B. Yes, the Domestic Violence Act applies in all instances of parties living in close quarters.
- C. No, the Domestic Violence Act does not apply because, although Sal may have sought a homosexual liaison, it did not occur.
- D. Yes, the fact that Sal was so focused on Connor that, after living apart, he planted a camera in Connor's truck is evidence of the type of preoccupation often found in relationships in which domestic violence occurs.

31. Generally, the law prohibits photographing juveniles under the age of:

- A. 12
- B. 13
- C. 14
- D. 15

32. Brian and Mary Hoffman were married for seven years. Brian engaged in a course of conduct that led to the issuance of a final restraining order. The final order prohibited Brian from committing further acts of domestic violence, prohibited him from having contact with Mary and her three children from her prior marriage, barred him from the home, prohibited him from making harassing communications to Mary, her three children from the prior marriage, and her mother, and directed him to pay child support. Eventually Brian was committed to the county jail for violating the restraining order. While serving time, Brian mailed a package to Mary. The envelope contained a Notice of Motion to modify a support order that had been entered a year earlier as part of the couple's divorce proceedings, a financial statement, and a torn-up copy of the support order. Two days later, Mary received, by certified mail, another torn-up copy of the same support order and the other documents that she had received two days earlier. Which of the below statements is true regarding this scenario?

- A. The mailings did not constitute harassment however did violate the restraining order.
- B. The mailings constituted harassment however did not violate the restraining order.
- C. The mailings constituted harassment and violated the restraining order.
- D. The mailings did not constitute harassment and did not violate the restraining order.

33. Which of the below is not a mandatory in-service training topic for all law enforcement officers?
- A. Blood Borne Pathogens
 - B. Use of Force
 - C. Vehicular Pursuit
 - D. Domestic Violence
34. According to 2C:12-1.2, Endangering an Injured Victim, “physically helpless” includes which of the following?
- I. An intoxicated person
 - II. A person unable to flee
 - III. A person unable to appraise the situation
 - IV. A person who is unconscious
- A. II only
 - B. II and IV only
 - C. I, III and IV only
 - D. All of the above
35. Chester is a registered sex offender living in Warwick, New York. He will be moving to Sussex, New Jersey. Chester must notify the chief law enforcement officer of Sussex, or the State Police, _____ his arrival in New Jersey?
- A. within 10 days of
 - B. 10 days prior to
 - C. within 5 days of
 - D. 5 days prior to
36. As per *The Property and Evidence Function*, an audit should begin with:
- A. a complete inventory
 - B. the chief executive officer
 - C. a complete inventory of all items in the property vault
 - D. the evidence officer
37. All officers shall attend in-service vehicular pursuit training:
- A. annually
 - B. twice annually
 - C. quarterly
 - D. in conjunction with domestic violence training

38. Which of the below statements is true regarding strip and body cavity searches?
- A. Strip searches and body cavity searches are governed generally by the Fourth Amendment to the United States Constitution, and Article I, paragraph 7, of the New Jersey Constitution.
 - B. A person arrested for the commission of a crime not requiring incarceration should not be subjected to a strip search unless it is supported by consent, a search warrant or reasonable suspicion to believe that the person is concealing a weapon, contraband, or evidence of a crime, along with exigent circumstances.
 - C. A strip search is to be conducted in a medically acceptable manner and environment.
 - D. With certain exceptions, a body cavity search is not appropriate without custodial confinement.
39. Stefano is an off-duty police officer. He shoplifts from Target and gets arrested. Which of the below can he be charged with?
- A. Shoplifting only
 - B. Shoplifting and Official Misconduct only
 - C. Official Misconduct only
 - D. Shoplifting and Public Corruption Profiteering
40. A structure may be any _____ and structure also means any place adapted for overnight accommodations of persons, or for carrying on business therein.
- I. ship
 - II. car
 - III. airplane
 - IV. motorcycle
- A. All but I
 - B. All but II
 - C. All but III
 - D. All but IV
41. Bill is a handgun enthusiast. He is with some friends and in the process of showing a gun he just purchased. While attempting to place the gun in its holster, he accidentally discharges the weapon. The round grazes Anna in the ankle causing a small abrasion. Bill should be charged with:
- A. Reckless Endangerment
 - B. Aggravated Assault
 - C. Attempted Manslaughter
 - D. Simple Assault

42. Most registered sex offenders must verify their addresses annually. Those sex offenders whose conduct was found to be repetitive and compulsive must verify their address with the appropriate law enforcement agency every _____ days.
- A. 30
 - B. 60
 - C. 90
 - D. 120
43. Audits are essential to maintaining the integrity of the property function. When should there be a complete audit?
- I. At random times
 - II. When there is a change of property officer
 - III. When there is a change of unit supervisor
 - IV. When there is a change of chief
 - V. When there is an indication of a breach of integrity
- A. II and III only
 - B. II, III and V only
 - C. II, III, IV and V only
 - D. All the above
44. Two officers have been assigned to transport prisoners to the county jail. They provide transportation three times per shift. Manny Pardini was arrested for 3rd degree aggravated assault. They suspect the prisoner may be hiding CDS from them. What level of suspicion is necessary to justify a lawful stripsearch?
- A. Probable cause
 - B. Preponderance of evidence
 - C. Reasonable suspicion
 - D. Stimuli of reason
45. All reports pertaining to strip searches or body cavity searches are not public records. These shall be made available, upon request only to the:
- I. person searched
 - II. County prosecutor
 - III. Attorney General
 - IV. Division of Criminal Justice
 - V. Commissioner of the Department of Corrections
- A. I, II, and III only
 - B. I, II, III & IV only
 - C. I, II, III, and V only
 - D. All of the above

46. Mr. Klein is exiting a cash checking establishment when Tyrone Taylor approached him. Taylor said he was from Zimbabwe and needed help because he was just evicted from his apartment. Mr. Klein offers to give Taylor a telephone number of an organization that assists foreigners. Taylor rejected the offer and asked Mr. Klein to accompany him to Jones Street to see a priest. Mr. Klein was then approached by James Smalls, who chided him on his unwillingness to help a foreigner. As Smalls spoke to Mr. Klein, Taylor circled behind Mr. Klein. At this point, Mr. Klein began to feel uncomfortable and sensed that Smalls and Taylor knew each other. Mr. Klein then felt a bump above his jacket. He thought it may have been Taylor, but he did not see him bump him. Taylor then told Smalls that they had to leave, and the two men walked away quickly. As soon as they left, Mr. Klein checked his jacket and noticed that his wallet, containing \$35, was missing. He chased the men on foot, found them in a store, and confronted them. He grabbed them by the collar and demanded the return of his property. Shortly thereafter, an officer arrived and arrested both men. What is the appropriate charge?

- A. Robbery, 2nd degree
- B. Theft, 3rd degree
- C. Robbery, 3rd degree
- D. Theft, Disorderly Persons offense

47. According to the NJ Attorney General directive on Submission and Analysis of Information Relating to Seized and Recovered Firearms, certain information must be submitted to the below databases. Which of the below is that information required to be submitted as soon as practicable, but no later than twenty-four hours of the weapon and/or shell casing being recovered?

- A. National Crime Information Center (NCIC) System
- B. ATF e-Trace Data System
- C. National Integrated Ballistics Identification Network (NIBIN)Data System
- D. All of the above

48. Tony has a wife, five children, one girlfriend and three businesses. Needless to say, Tony is under a lot of stress and is having a hard time making ends meet. He owns an eight-family row house in Montclair. In a scheme to make money, and collect on some insurance money, he sets the building on fire at 0700 hours. He comes to his senses and feels badly for the residents and begins to panic. He proceeds to scream for everyone to get out of the building and he carries out Mr. and Mrs. Jones to safety. Tony would be charged with:

- A. Reckless Endangerment and Arson
- B. Arson
- C. Aggravated Arson
- D. Criminal Mischief and Arson

49. Michael Peters, age 19, is not a student at Bloomfield High School and is arrested on school property. What is the proper procedure?
- A. Notify the building principal before Michael is taken off school grounds.
 - B. Notify the youth aid bureau.
 - C. Book the offender accordingly.
 - D. The principal shall be advised of the circumstances of the arrest and the identification of the offender.
50. Melissa Tobia is 17 years old. Her 16-year-old boyfriend, Richard Miceli has struck her in the head with a brick, causing serious physical injury. You are the supervisor in charge. Which of the following statements is most correct concerning this situation?
- A. Regardless of either the victim's or suspect's age, the boyfriend shall be arrested and appropriately charged with Aggravated Assault under Domestic Violence Laws.
 - B. Richard Miceli shall be prosecuted under juvenile delinquency laws and not charged with Domestic Violence.
 - C. This is a mandatory arrest situation. Ensure the suspect is arrested and charged with criminal attempted murder because of the severity of the injury.
 - D. A victim of domestic violence must be over 18 years old, and the assailant must be 18 years of age or older.
51. The New York Mets have just defeated the New York Yankees in the World Series. At the Townhouse Café, Mike, Gene, Brian and Eric are celebrating by drinking hard liquor. After drinking for six hours, the friends exit the bar and proceed to smash windows, flip garbage cans and ring residential doorbells. They are throwing beer bottles at passing vehicles. Officers Bilkey and Adams respond to the area and the men pelt their patrol cruiser with bottles. The officers order the men to disperse and they refuse to. They are hollering at oncoming traffic, and not allowing vehicles to proceed through. The responding officers detain the guys and ask you what to charge the men with. You will advise them that the appropriate charge will be
- A. Riot
 - B. Failure to Disperse
 - C. Menacing
 - D. Disorderly Conduct

52. In late August, at about 6 pm, a 13-year veteran of the Wildwood Police Department was on West Wildwood Ave. when he noticed Mike on a bicycle, who the officer recognized talking to Frank, who the officer also recognized as a known drug dealer. The officer observed Mike and Frank make some type of hand-to-hand exchange. The officer concluded, considering his training and experience, that he had witnessed a drug transaction. After the exchange, Mike and Frank left the area, heading in separate directions. The officer called for backup to stop Frank, while he stopped Mike. As he approached Mike, the officer noticed that he had a blue plastic baggie in his hand which he placed in his mouth, chewed and swallowed. The officer could see white residue in Mike's mouth because he was biting at the baggie trying to chew the bag to swallow the CDS. The officer then grabbed Mike about the neck to prevent him from swallowing the evidence. The officer informed Mike that he was under arrest. As the officer prepared to place the handcuffs on him, Mike began to swing his arms and refused to be handcuffed. After a struggle and the intervention of a backup officer, Mike was subdued and placed into custody. What could the officer charge Mike with?

- A. Distribution of CDS; Wandering; and Resisting Arrest
- B. Resisting Arrest
- C. Possession of CDS; Wandering; Evidence Tampering; and Resisting Arrest
- D. Possession of CDS; Wandering; and Resisting Arrest

53. Officer Urbano is a very nervous individual. He has great difficulty in qualifying with his service weapon. He has failed to qualify after numerous attempts. Range Master Falco, the supervising firearms instructor, shall:

- A. offer the officer additional remedial instruction
- B. report this information to the chief or agency executive
- C. counsel the officer
- D. provide written notice to the county prosecutor

54. Officer Canton is running radar on the Palisade Interstate highway. Incredibly, a vehicle is clocked at 122 mph in a 65-mph zone. The officer attempts to catch up to the vehicle. It is learned that the vehicle is a 2007 Ferrari capable of a top speed of 189 mph. The officer's vehicle cannot perform anywhere near the capabilities of the sports car. What should the officer do?

- A. Terminate the pursuit
- B. Contact communications
- C. Relinquish the pursuit to a better performing police vehicle
- D. Request permission to continue the pursuit from a supervisor

55. Officer Bowa stops a vehicle driven by Gina Lolita, a 22-year-old exotic dancer. As Bowa approaches her vehicle, he notices her beauty. Gina proceeds to offer the officer various sexual favors so that he will not issue a speeding summons. After thinking about it, the officer agrees. What could the officer be charged with?

- I. Prostitution
- II. Bribery
- III. Sexual Assault
- IV. Official Misconduct
- V. Tampering with Evidence

- A. I, II, and IV only
- B. II and IV only
- C. II, III and IV only
- D. All of the above

56. You are working the midnight shift. At 0439 hours, you overhear Officers Spencer and Thompson responding to Sam's Smoke Shop, on an alarm call. You decide to take a ride to the call. You pull up to the scene with your lights out. You observe the officers loading cases of cigars into the trunks of their patrol vehicles. You confront the officers and Officer Thompson breaks down and starts crying. He states that he was going to sell the goods in hopes to raise money for his severely mentally ill child's medical bills. He proceeds to show you a picture of the child while openly sobbing. He apologizes and states he will put everything back. What is the appropriate action you should take now?

- A. Take possession of the cigars and initiate an internal affairs complaint.
- B. Allow the officers to place the goods back and admonish their actions.
- C. Notify the State Police immediately.
- D. Refer the officer to an Employee Assistance Program.

57. Corporal Martin is conducting a seminar on drug enforcement. He is conducting the seminar at the local middle school. He proceeds to speak about school zone maps and states that these maps are to be redrawn and amended by the:

- A. County Prosecutor's Office
- B. Attorney General's Office
- C. Division of Criminal Justice
- D. Municipal police department

58. Chief Gooden is a corrupt police chief. The council, mayor, and local store owners want extra protection in the downtown area. Fed up with the situation, the Chief drives down to the local stores and explains to the store owners that they will need to pay him and his son, a police sergeant, for extra police protection. Sal, the barber, complains and states he cannot afford the \$500 monthly fee. The chief tells Sal that the health department will close his barber shop down if he doesn't pay. What could the chief be charged with?

- I. Wrongful Impersonation
- II. Official Misconduct
- III. Fraud
- IV. Obstructing the Administration of Law
- V. Theft by Extortion

- A. I, II and IV only
- B. II only
- C. II and V only
- D. III and V only

59. The New Jersey DNA Database and Databank Act requires that every person convicted or found not guilty by reason of insanity of a crime shall have a blood sample drawn or other biological sample submitted for the purpose of DNA testing. DNA databanks are an important tool in criminal investigations and in deterring and detecting recidivist acts. The DNA test results are to be used for the following purposes:

- I. For development of a population database
- II. To support identification research and protocol development of forensic DNA analysis methods
- III. For research, administrative and quality control purposes
- IV. For criminal defense purposes, on behalf of a defendant, who shall have access to relevant samples and analyses performed in connection with the case in which the defendant is charged

- A. I only
- B. II and IV only
- C. II, III and IV only
- D. All of the above

60. Following an argument Christopher had with his downstairs neighbor, Jim, about noise, Christopher broke a small outdoor table belonging to Jim. Sometime thereafter, Jim knocked on Christopher's front door. Fearing reprisal for the damage to the table, Christopher answered the door with a machete in his hand. Christopher never raised the machete at Jim and never exited his apartment with it. Rather, he held the machete down behind his leg so as not to scare Jim. Jim called the police. What can Christopher be charged with?

- A. Possession of a Weapon for Unlawful Purpose
- B. Unlawful possession of a weapon
- C. Both A & B
- D. Neither A nor B

61. You backup Officer Schmidt in a dimly lit parking garage in response to a report that an unidentified man is attempting to steal a car. You and Schmidt get out of your cars and walk slowly and cautiously inside the parking garage looking for a possible car thief. You and Schmidt have your firearms drawn. You see that there are several people in the parking garage, walking to and from some of the parked cars. Suddenly, a car with no headlights on accelerates and pulls quickly out of a dimly lit parking stall toward you and your partner. The two of you are about 30 feet from the car, walking in the center of the lines of parked cars. You both jump safely out of the way of the speeding car, which continues past you toward the garage exit. Would you be authorized to use deadly force?

- A. Yes. A law enforcement officer is justified in using deadly force when the officer reasonably believes such action is immediately necessary to protect the officer or another person from death or serious bodily injury.
- B. No. The officers must first exhaust all other options prior to the use of deadly force.
- C. Yes. Both officers reasonably believed their lives were in imminent danger.
- D. No. Both officers were safely out of the way of the car. They were not in imminent danger of death or serious bodily injury at the time they would have fired their weapons.

62. No handgun purchase permit or firearms purchaser identification card shall be issued to
- I. Doug, a habitual drunkard
 - II. Sam, who was confined for a mental disorder but has satisfactory proof he is no longer suffering from his disability
 - III. Danny, age 22, who as a juvenile was adjudicated delinquent for a disorderly persons offense involving harassment
- A. I only
 - B. I and II only
 - C. I, II and III only
 - D. None of the above
63. Nicky is a car dealer that owns several dealerships on the eastern seaboard. He has been in business for 33 years. He usually purchases vehicles privately and then resells them. The prosecutor's office is conducting a sting operation and they discover that 11 of the cars on Nicky's property have their VIN numbers altered and have been reported stolen. Nicky should be charged with:
- A. Receiving stolen property
 - B. Criminal Simulation
 - C. Theft
 - D. Forgery
64. Jimmy is 12 years old, so is Mary. They have consensual sexual intercourse. What, if any, charges can be brought forth?
- A. Jimmy and Mary could both be charged with Aggravated Sexual Assault
 - B. Jimmy and Mary could both be charged with Sexual Assault
 - C. Jimmy can be charged with Sexual Assault
 - D. No charge, the sex was consensual
65. Henry is the class prankster. On "Senior Day", he plans on having some fun to celebrate the end of the school year. During lunch, he places a cherry bomb in Joey Clinton's locker. The cherry bomb explodes and starts a small fire. This results in the evacuation of over 1000 students. No one was injured and there was no damage. Charge Henry with:
- A. Aggravated Arson
 - B. Arson
 - C. False Public Alarm
 - D. Disrupting Meetings and Processions

66. Officers respond to a domestic call and secure a weapon for safekeeping. The victim requests a TRO and is denied. The County Prosecutor determines not to institute action to seize the weapon. The owner of the weapon is now at the police desk and asks you, "What's going on with my weapon?" Your best response would be:
- A. "It will be returned within 30 days."
 - B. "It will be returned within 45 days."
 - C. "It will be returned within 6 months."
 - D. "I will contact the property officer to give you your weapon."
67. Donna Alessi was stopped by the police because an investigating detective believed she may have information regarding the improper acquisition of a personnel file by her former boyfriend, Phil Izzo, a Raritan Township construction official. During the stop, the detective questioned Alessi for about an hour. Alessi ultimately admitted that, at Izzo's behest, she mailed the personnel file to the Township to get a certain Township construction employee "in trouble" with his superiors. Alessi explained how Izzo wanted to create the appearance that the employee committed official misconduct by stealing the personnel file to help with his whistleblower lawsuit, which named Izzo as a defendant. Which of the below statements is true regarding this scenario?
- A. The stop was unconstitutional however Ms. Alessi's statements can be introduced at trial.
 - B. The stop was unconstitutional and Ms. Alessi's statements must be suppressed at trial.
 - C. The stop was constitutional and Ms. Alessi's statements can be introduced at trial.
 - D. The stop was constitutional however Ms. Alessi's statements must be suppressed at trial.

68. Regarding *NJ Attorney General's Directive 2011-2 on Contemporaneous Notes*, the term "witness interview" means an interview of a witness done in the course of investigating:
- A. A crime of the first, second, third degree committed by an adult.
 - B. A crime of the first, second, third degree whether committed by an adult or a juvenile.
 - C. A crime of the first, second, third, or fourth degree committed by an adult.
 - D. A crime of the first, second, third, or fourth degree whether committed by an adult or a juvenile.
69. To assist law enforcement officers in confirming whether a suspected bias incident is actually motivated by bias, which of the following criteria shall be applied:
- I. The absence of any other apparent motive for the bias incident.
 - II. Display of any bias symbols, words, graffiti or other types of evidence.
 - III. A commonsense review of the facts and circumstances surrounding the incident.
 - IV. How the suspect(s) feels about the incident.
 - V. Prior history of similar incidents in the same area affecting the same victim group.
- A. II, IV, and V only
 - B. I, II, IV and V only
 - C. I, II, III, and V only
 - D. All of the above

70. Several police officers, all part of a special task to apprehend fugitives, set out to execute an arrest warrant on a named fugitive who resided in a multi-unit apartment complex at 123 Main Street. The task force was a joint effort by federal, state, and local law enforcement officials. A state police detective was leading one team of officers; and another team was also in operation that evening. Each team had a list of primary targets—such as the fugitive to be arrested at 123 Main Street however if participating officers encountered non-primary targets—other fugitives with outstanding warrants, including parole violators—they too would be arrested. One of the names on the list of parole violators was Henry Islop. As the state police detective’s team approached 123 Main Street, the detective observed two unknown individuals, Islop and Nelson Mann, exit from the common entrance of the building and walk in different directions. The detective stopped Islop, and other detectives stopped Mann. At the time, the detective had the name and description of the person identified in the arrest warrant, but the only features that he could say that Islop shared in common with the targeted fugitive were that both were black, and both were men. The detective’s purpose in detaining Islop and Mann was to determine whether either one was the fugitive he sought. In response to the detective’s request for his name, Islop would not answer. A few moments later, members of the second team, which included a parole officer, arrived on the scene. These officers identified Islop as one who was wanted on a parole warrant. Islop was then arrested and a search incident to arrest uncovered two bricks of heroin.

Which of the below statements is true regarding this scenario?

- A. The detective had reasonable suspicion to believe that Islop may have been the fugitive sought named on the list and therefore the investigative stop was proper.
- B. Although the investigatory stop was unconstitutional, the parole warrant was able to serve as an intervening circumstance that would break the chain between the improper stop and the discovery of the drugs.
- C. Islop was seized within the meaning of our federal and state constitutions, and the officers did not have a reasonable and articulable suspicion to justify that seizure. The evidence would be suppressed at trial.
- D. Because the evidence seized from Islop after his arrest on the parole warrant must be suppressed Islop would be provided relief for any preexisting violation of his parole or any charges arising from the warrant.