

# **SIMULATED EXAM**

## **#5**

**Sergeant Candidates**



1. A suspect takes a 2007 BMW by pushing the driver into the passenger seat and pulls away. He proceeds to an empty lot under a major highway in a secluded area and proceeds to rape the vehicle's owner. He then flees the scene, leaving her in the back seat. Besides carjacking, which offense did the suspect commit?
  - A. Criminal Restraint
  - B. False Imprisonment
  - C. Kidnapping
  - D. No offense – the Carjacking statute includes the element of the illegal restraint
  
2. Claire Johnson circulates a report of an impending catastrophe knowing the report is baseless. The report causes her office building to be evacuated. She may be charged with
  - A. False Public Alarm 3<sup>rd</sup> degree
  - B. False Public Alarm 4<sup>th</sup> degree
  - C. Terroristic Threats 3<sup>rd</sup> degree
  - D. Terroristic Threats 2<sup>nd</sup> degree
  
3. The vice squad in your police department is making a raid at "Gene's Club" where an illegal gambling operation is taking place. The investigating officer needs to complete an affidavit in order to get a search warrant. When describing those individuals who are legal gambling participants (individuals who receive personal gains for themselves) what word should he use to describe them?
  - A. Participator
  - B. Contributor
  - C. Conspirator
  - D. Player
  
4. Which of the following would constitute the need to have a motor vehicle accident report completed?
  - I. Accident resulting in injury
  - II. Accident resulting in death
  - III. Accident resulting in damage to property of any one person in excess of \$400
  - A. I and III only
  - B. I and II only
  - C. II and III only
  - D. All of the above

5. An off-duty police officer is home with his wife sleeping and he hears a crash downstairs in his residence. He goes downstairs with his gun drawn and sees a male standing next to his new stereo. The suspect is wearing a bulletproof vest. Having no other information available, what charge(s) could the male be charged with?
- A. Unlicensed Entry of Structures
  - B. Burglary
  - C. Burglary and Unlawful Wearing of Body Vest
  - D. Burglary, Theft and Unlawful Wearing of a Body Vest
6. Don Robertson is a patrolman with the River Bay Police Dept. He does not like the newly installed police camera in his patrol car. He proceeds to disable the camera in the patrol vehicle while on duty. He may be charged with:
- A. There is no offense, but he can be charged administratively.
  - B. 2C:28-7 Tampering with Public Records 3<sup>rd</sup> Degree
  - C. 2C:28-7 Tampering with Public Records 4<sup>th</sup> Degree
  - D. 2C:28-7 Tampering with Public Records Disorderly Persons Offense
7. No person shall drive a vehicle across a sidewalk in excess of \_\_\_\_\_ mph.
- A. 2
  - B. 4
  - C. 5
  - D. 3
8. Christine purposely sets Mark on fire and causes his death. Charge Christine with:
- A. Murder
  - B. Murder and Arson
  - C. Murder and Aggravated Arson
  - D. Murder, Arson and Compounding
9. Mr. Spencer is enraged that Coach Stella has not put in his son into the homecoming football game at the Bluefield High School stadium. Spencer proceeds to slap the coach in the head region in front of his son who is 15 ½ years old. Charge the defendant with
- A. 4<sup>th</sup> degree Simple Assault
  - B. 4<sup>th</sup> degree Aggravated Assault
  - C. 3<sup>rd</sup> degree Aggravated Assault
  - D. 3<sup>rd</sup> degree Aggravated Assault / 4<sup>th</sup> degree Endangering the Welfare of a Child

10. James Dressel, dressed in camouflage and wearing a bandana with the words “AMERICA WAS NEVER GREAT” is observed videotaping a federal building within your jurisdiction. Several calls are made to police saying this man has appeared there over the past three days, always videotaping the building. Officer Zucker approaches the man and simply says “hello, can I talk to you a minute.” The man tells the officer “screw you too” and takes his video camera and smashes it over the officer’s head causing him to fall to the ground unconscious. A well-to-do citizen reports the incident to police and six officers respond in three units. While placing the suspect in a police car he strikes three officers and then runs up to Zucker, who is still unconscious on the ground, and kicks him in the groin. Five of the responding officers struggle with the man and receive minor scratches and one officer is punched in the face. You may charge this individual with:
- A. One count Resisting Arrest
  - B. One count Resisting Arrest and one count Terrorism
  - C. Five counts Resisting Arrest and one count Terrorism
  - D. Six counts Resisting Arrest
11. A 17-year-old female is brought in for possession of OC spray (2 canisters). Which of the below is accurate concerning this issue?
- I. You must be 18 years old to possess OC spray
  - II. The canister can only have  $\frac{3}{4}$  oz. of liquid
  - III. You may possess up to 12 canisters if packaged in original box
  - IV. One must be certified to possess OC spray
  - V. Violation of this statute constitute a fourth-degree crime
- A. I and II only
  - B. I, II and III only
  - C. I, II, III and IV only
  - D. All of the above
12. Gabe Maslow prints out a computer image of child pornography from an internet web site for personal observation. Charge him with
- A. Computer Criminal Activity
  - B. Possession of Unlawful Materials
  - C. Endangering Welfare of Children
  - D. Sexual Assault

13. Nancy works for Harry at a furniture store. One day Harry asked Nancy to prepare a bed at the store so he could take pictures of the bed to sell it online. As she began changing the bedding, he told her that the bed would look better with her laying on it naked. While saying this, he moved closer to Nancy, placed his left hand on her shoulder, put his right hand on her breast over her clothes, and tried to kiss her. Nancy pulled away from Harry, gathered her belongings, punched out her timecard and left the store. What could Harry be charged with?
- A. Sexual assault
  - B. Aggravated Criminal Sexual Contact
  - C. Harassment
  - D. Criminal Sexual Contact
14. Tony unlawfully enters a waste treatment facility. This is considered a:
- A. 3<sup>rd</sup> Degree Crime
  - B. 4<sup>th</sup> Degree Crime
  - C. Disorderly Persons Offense
  - D. Petty Disorderly Persons Offense
15. Jeff pulls up to J.J., who is 11 years old, and begins a conversation. As the young girl walks up to his car she sees that Jeff has his pants open and his penis in his hand. He asked her if she would like “this” as he looks down at his penis. J.J. runs away and Jeff is ultimately arrested. What can Jeff be charged with?
- A. Aggravated Sexual Contact, 2<sup>nd</sup> degree
  - B. Aggravated Sexual Contact, 3<sup>rd</sup> degree
  - C. Sexual Assault, 3<sup>rd</sup> degree
  - D. Sexual Assault, 2<sup>nd</sup> degree
16. Kathy Marciano has moved into the neighborhood from Florida. In Florida she was a beauty queen who has won numerous beauty pageants. Kenny Mossey has noticed his new neighbor and has daydreamed numerous times of marrying her. One day he positions himself in the bushes across the street from her residence and watches her swimming in her pool for over one hour. Kenny may be charged with:
- A. Stalking 2<sup>nd</sup> degree
  - B. Stalking 3<sup>rd</sup> degree
  - C. Stalking 4<sup>th</sup> degree
  - D. None of the above

17. Cliff is a gambler who has fallen on tough times. He comes up with a plan to rob a Braun armored car on Main Street. Cliff goes down to the local store and purchases a Richard Nixon mask and gloves to wear during his anticipated armored car robbery. During the week leading up to his anticipated robbery he conducts a surveillance of the armored car's daily route. On the planned day, he packs his car up with his supplies and heads toward the last armored car drop off point. Officer Downing stops Cliff for a motor vehicle violation and observes, in plain view, all of Cliff's materials. Cliff begins to cry and confesses that he was going to rob the armored car. Officer Downing should charge Cliff with
- A. Robbery, Conspiracy and Attempted Robbery
  - B. Conspiracy
  - C. Conspiracy and Robbery
  - D. None of the above
18. Terrorism is a crime of the 1<sup>st</sup> degree. Which of the below crimes are included within the terrorism statute?
- I. Burglary 2C:18-2
  - II. Kidnapping 2C:13-1
  - III. Racketeering 2C:41-1
  - IV. Unlicensed Entry of Structures ( specifically research, power generation, public sewerage, water treatment or public water facilities; or nuclear electric generating plant; or facilities which store, generate, or handle any hazardous chemical or chemical compounds) 2C:18-3
  - V. Carjacking 2C:15-2
- A. II and IV only
  - B. I, II, III and V only
  - C. I, II and V only
  - D. All of the above
19. Ed causes a substantial interruption that affects 12 homes of gas service using his computer. What could Ed be charged with?
- A. Interference with Public Utilities
  - B. Wrongful Access
  - C. Criminal Mischief
  - D. Computer Criminal Activity

20. Sam Jackson owns the Jackson Funeral home on Hawthorne Street. Stuart Sampson is a homeless man who passed away last Thursday and was cremated just yesterday. Since the deceased had no known next of kin, Sam drives down to the Wildwood shoreline and spreads Stuart's ashes into the Atlantic Ocean while saying a prayer. Beach patrol Officer Faldo stops Jackson in the act of disposing the ashes. The officer is thinking of charging him with Chapter 22 under Title 2C:, Desecration of Human Remains but is not so sure of the exact paragraph. Which of the below constitutes the crime in which Mr. Jackson may have committed?
- A. Unlawfully Disturbing, Moving, or Concealing Human Remains
  - B. Unlawfully Desecrating, Damaging or Destroying Human Remains
  - C. Purposely or Knowingly Failing to Dispose of Human Remains in a Manner Required by Law.
  - D. No crime
21. Jimmy is unable to provide for his family. He photographs of his fourteen-year- old daughter engaged in sexual acts with her cousins at a party. He decides to scan the photographs and sell the digital images on the internet. Jimmy markets the items cleverly and makes a small fortune. Jimmy can be charged with
- A. Use of 17-year-old or Younger to Commit Criminal Offense
  - B. Sexual Assault
  - C. Endangering Welfare of Children
  - D. Invasion of Privacy
22. No juvenile 11 years of age or under shall be placed in detention unless he is charged with an offense which, if committed by an adult, would be which of the following?
- I. 1<sup>st</sup> degree crime
  - II. 2<sup>nd</sup> degree crime
  - III. Motor Vehicle Theft
  - IV. Arson
- A. All of the above except I
  - B. All of the above except II
  - C. All of the above except III
  - D. All of the above except IV

23. Officers are in the process of making an arrest and securing a crime scene. Jason Blum is recording them on his cell phone. Jason is standing in the middle of the crime scene which the officers are about to secure. Which of the below may the officers do?

- I. Perform an investigatory stop on Jason.
- II. Direct Jason to move from the crime scene to a position that will not interfere with their operations.
- III. Order Jason to stop recording.
- IV. Charge Jason with Obstructing Administration of Governmental Function (2C:29-1)

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

24. According to 39:4-50, first time offenders whose BAC is 0.08% or higher but less than 0.10% will lose their driver's license for three months. If their BAC is 0.10% or higher, they will lose their license for

- A. 7 months to one year
- B. 6 months to one year
- C. 3 months to one year
- D. 5 months to one year

25. A man calls the police and says he placed a cylindrical shaped container containing poisonous gas inside a building and the device is set to release the gas in an hour. Police arrive at the scene and evacuate the 28 residents of the building and the device is neutralized. If the man is caught, what can he be charged with?

- A. Criminal Attempt / Causing Widespread Injury
- B. Criminal Attempt / Criminal Mischief
- C. Improper Use of Hazardous Materials
- D. False Public Alarms

26. Two men set a garbage can on fire and hide behind a building. While firefighters are exterminating the small blaze the men point a laser at the firefighters and yell, "we're gonna kill you!" The police arrive and arrest the men. What can they be charged with?

- I. Arson
- II. Terroristic Threats
- III. False Public Alarms
- IV. Aggravated Assault
- V. Reckless Endangerment

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

27. Capt. Connors is conducting training on juvenile informants. He correctly begins his presentation stating that juvenile informants should be used only when there is no practical alternative that will enable a law enforcement agency to end illegal activity that is endangering the community. Which of the below are accurate statements concerning juvenile informants?

- I. Under no circumstances shall a juvenile under the age of 14 be used as an informant.
- II. 13-year-old Bobby cannot be used as an informant.
- III. In most circumstances, juveniles under the age of 16 should not be used as an informant.
- IV. These guidelines do not apply to the use of juvenile informants to attempt to purchase cigarettes from local retailers.

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

28. Consider the below scenarios. Which would qualify for an Amber Alert?

- I. A 14-year-old girl is seen by neighbors returning to her home after school. Her father arrives home several hours later and determines the girl is not home. There is no sign of foul play, and a check with neighbors reveals that no one saw the girl leave, nor did anyone see anything unusual or suspicious at the residence. The police are called, and further investigation reveals no information regarding the girl's location.
- II. A 21-month-old child is playing in his own yard, while his mother attends to chores in and around the house. The mother does not see her son in the yard. She then notices an unfamiliar vehicle parked near her driveway. As the mother exits the house the vehicle pulls away, and the child is not found. The police respond and conduct an area search but cannot locate the child.
- III. Two children, ages 3 and 5, are picked up by their father for weekend visitation. He is under court order to return the children to their mother at the end of the weekend but fails to appear. The mother calls police and they obtain information that the father is preparing to flee the country with the children. There is no history of inappropriate behavior by the father, and no indication that the children are in any danger.
- IV. The father of a 4-year-old girl arrives at her home in violation of an order of protection. He is highly intoxicated and removes the girl from the home in spite of the babysitter's protests. He has been physically abusive to the child in the past, is despondent over his pending divorce, and makes comments to the sitter that if he cannot have custody of his child, no one will. He puts the child in his car and leaves at a high rate of speed.

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

29. Doug is 15 years old; Jane is 17 years old. Doug and Jane are dating. Doug has a child with Betty, who is 16 years old. Jane is thinking about joining the Marines. Which of the below statements is most accurate concerning Doug, Jane, and Betty under the Domestic Violence Protection Act?

- A. Jane is emancipated, Doug is not.
- B. Both Jane and Doug are emancipated as they are in a dating relationship.
- C. Neither Jane nor Doug is emancipated as they are juveniles.
- D. Doug and Betty are emancipated, Jane is not.

30. Bias incidents are very serious in nature and must be handled according to the Attorney General Guidelines pertaining to Bias Incidents. At roll call, Officer Jeter asks you when the Bias Crimes Unit at the DCJ must be immediately notified. You would correctly answer

- I. “a biased incident has resulted in a simple assault”
- II. “the incident has the potential for large scale unrest”
- III. “a bias incident involves sexual assault”
- IV. “an offender is a 20-year veteran of the department”

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

31. You are at the police desk and answer the phone. Sgt. Juno of the East Hanover Police Department (Morris County) tells you that Officer Minch of your department (Bergen County) has been arrested for domestic violence and his weapons have been seized. Which of the below is your next step?

- A. Report the incident to the Morris County Prosecutor’s Office.
- B. Report the incident to the Internal Affairs Unit.
- C. Report the incident to the Chief.
- D. Report the incident to the Bergen County Prosecutor’s Office.

32. No undercover school operation may be conducted that entails the placement of an undercover officer as a certified member of the school community without prior written approval of the

- A. Attorney General
- B. Commissioner of Education or Chief School Officer (non-public schools)
- C. County Prosecutor
- D. All of the above

33. Officer Salla comes into an in-service training seminar and announces to over 20 officers that he just found out that Officer Thompson has been chosen for a random drug test. Which of the below is Officer Salla subject to, specifically, according to the Drug Screening guideline?
- I. Monetary fine
  - II. Discipline
  - III. Transfer
  - IV. Immediate suspension
- A. I only  
B. II only  
C. I, II and III only  
D. All of the above
34. Who has the responsibility of dealing with officers who fail to qualify and ultimately take action against these officers who fail to qualify?
- I. The County Prosecutor
  - II. The Chief
  - III. The Police Training Commission
  - IV. The Attorney General
  - V. The Range Master
- A. II and V only  
B. I, II and V only  
C. I and III only  
D. II only
35. Which of the below offenses is not one listed as a domestic violence offense?
- A. Criminal Restraint
  - B. False Imprisonment
  - C. Lewdness
  - D. Theft

36. Mike, a 10<sup>th</sup> grade student was suspected of being under the influence of drugs he told Assistant Principal Hasty he bought from an 18-year-old senior, Brad. Mike said he ingested a “green pill.” Hasty met with Brad and searched his pockets. The search uncovered three white capsules in his pants pocket, but no green pills. Hasty then searched Brad’s locker but discovered no pills. Brad had permission to drive to school and park his car in the school lot. Hasty searched the passenger compartment and retrieved a liquid-filled syringe, a bottle of pills, a bag of suspected marijuana, a bag containing a white powdery substance, and some paraphernalia. Hasty contacted the school resource officer to advise him of the situation. The officer took control of the items removed from Brad’s car and charged Brad with various drug-related offenses. Which of the below statements is true regarding this scenario?

- A. Hasty’s search was not justified. There was no probable cause for suspecting that the search would turn up evidence that Brad violated any rules or laws.
- B. Hasty’s search of Brad’s pockets and locker were justified however the search of his car violated Brad’s 4<sup>th</sup> Amendment right against unreasonable searches.
- C. Hasty should have involved the school resource officer from the outset of the investigation in order that the officer could apply for a search warrant and properly seize all the items retrieved on Brad’s person and from his car.
- D. Hasty’s actions were proper in that school officials may conduct a search whenever they reasonably suspect that contraband or evidence of illegal activity will be found. This would include a search of a student’s automobile parked on school property.

37. Following up on an anonymous tip of Hank selling cocaine, officers responded to a motel room, knocked on the door and identified themselves. In response, one of the occupants pulled back the drapes to the window and the officers, from the vantage point of the hallway, could see a plastic bag containing a white powdery substance on top of a microwave oven. Recognizing the substance as cocaine, the officers entered the room, seized the bag, and arrested the occupants. Was the officers’ entry into the motel room lawful?

- A. Yes, although the exigent circumstances which justified entry were police-created.
- B. No, the anonymous tip did not establish probable cause to justify entry.
- C. Yes, the information contained in the anonymous tip justified entry.
- D. No, because the exigent circumstances were police-created.

38. Officer Jones secures certain property that must be placed into the control of the property officer. All of the below are correct procedures to follow except:
- A. A property description report shall be completed.
  - B. The officer will present the labeled property description report to the officer in charge for review.
  - C. The officer-in-charge shall review the article(s) to ensure that they are properly labeled, and the property description report is accurately completed. The officer in charge will then initial the property description report to indicate the evidence or recovered property has been processed correctly.
  - D. The officer in charge will submit the property, along with the property description report, to the property officer for safekeeping.
39. For each stationhouse adjustment the quarterly report shall contain all of the below except:
- A. Juvenile's name
  - B. Juvenile's age at time of the offense
  - C. Ethnicity (as reported by the juvenile)
  - D. Juvenile's gender
40. Sergeant Romano of the Internal Affairs Division is investigating possible criminal activity in which Officer Blart was involved in. The sergeant needs to get certain information from Officer Blart and calls him into his office. When notified of the investigation Officer Blart invokes his right to remain silent. What should Sergeant Romano do next?
- A. Read Officer Blart his *Miranda* rights and have the officer sign a form indicating he understands those rights and wishes to remain silent.
  - B. Call the Prosecutor's Office to have *use immunity* granted to Officer Blart.
  - C. Instruct the officer that he has a duty to cooperate during an interview or face disciplinary action separate and apart from the allegations under investigation.
  - D. Conduct a bifurcated investigation.

41. Donkey Donuts is giving away free 22 oz. mugs with the purchase of a large coffee. Sam Gules orders a mug of coffee and begins to drink it as he walks away from the counter. The coffee is bitter and tastes “burnt.” Sam goes back to the cashier and demands his money back. The cashier tells Sam he has to fill out a form and Sam becomes infuriated and hits the cashier with the mug, breaking her nose. Which of the below can Sam be charged with?

- A. Endangering an Injured Victim – 2C:12-1.2
- B. Unlawful Possession of a Weapon – 2C:39-5
- C. Possession of a Weapon for an Unlawful Purpose – 2C:39-4d
- D. Causing Fear of Unlawful Bodily Injury – 2C:33-10

42. The State Toxicology Laboratory has reported that Officer Custard’s urine specimen tested positive for cocaine. Which of the below statement is true regarding the officer?

- I. The officer shall be reported by his or her employer to the Central Drug Registry maintained by the Division of State Police
- II. The officer shall be immediately suspended from all duties
- III. The officer shall be terminated from employment as a law enforcement officer, upon final disciplinary action
- IV. The applicant shall be precluded from consideration for future law enforcement employment by any law enforcement agency in New Jersey for a period of two years.

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

43. All individual packages of medical marijuana dispensed by an Alternate Treatment Center must bear a firmly affixed label that contains specific information including:

- I. qualifying patient's name, date of birth and home address
- II. THC level and whether the product is designated as low, medium, or high strength strain
- III. name and address of the Alternate Treatment Center
- IV. quantity of the medical marijuana contained within the package
- V. date of dispensing to the qualifying patient or primary caregiver

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

44. Automated License Plate Reader (ALPR) stored data shall be retained for a minimum period of \_\_\_\_ years.

- A. 2
- B. 3
- C. 5
- D. 10

45. Any agency receiving a subpoena or court order for the disclosure of ALPR data shall, before complying with the subpoena or court order, provide notice to:

- A. The agency's legal advisor
- B. The County Prosecutor
- C. Both A& B
- D. The Attorney General

46. Harry calls the police when his friend, Tommy, begins seizing after snorting cocaine. He tells the dispatcher that he is afraid because he ingested cocaine from the same batch. When police arrive, Harry is still tending to Tommy. In plain view, one officer sees cocaine on the coffee table and another officer seizes, also found in plain view, a sawed-off shotgun from the couch. What can Harry and Tommy be charged with?
- A. Possessing Prohibited Weapons and Devices
  - B. Possession of Cocaine
  - C. Being under the Influence of Cocaine
  - D. All of the above
47. What age is considered a “child” under the N.J. Attorney General’s *Statewide Handle with Care* directive?
- A. 13 and under
  - B. 14 and under
  - C. 17 and under
  - D. Any age if the student is enrolled in pre-school through twelfth grade
48. As per the *Attorney General’s Guidelines on Domestic Violence Procedures Manual; Selected Provisions*, the Anytown Police Department’s SOP delineate those domestic violence incidents in which the arrest of the actor is mandatory. Those are:
- I. A victim is displaying signs of injury
  - II. A victim informs the officer of a restraining order however the officer cannot immediately verify same
  - III. A warrant is in effect for the suspect
  - IV. There is reasonable suspicion that a weapon was involved in the act of domestic violence
- A. I, III and IV only
  - B. I, II and IV only
  - C. I and III only
  - D. I, II and III only
49. Who must complete a report for the reason(s) a strip search of an arrestee is conducted?
- A. The officer in charge of the station house
  - B. The arresting officer
  - C. The arresting officer’s supervisor
  - D. The officer who performs the strip search

50. Mary has a final restraining order against her soon-to-be-ex-husband, David. While Mary is at work, David burns half the marital home down and calls her up saying, "I burned my half of the house down." Mary calls the police, and they respond to the fire call. Upon their arrival, Mike is sitting in his car, watching the inferno. Mike then speeds away with officers in pursuit. What was the justification for the officers to pursue Mike?
- A. Burglary
  - B. Arson
  - C. Violation of Restraining Order
  - D. Contempt of Court

Questions # 51 through # 53 pertain to the below scenario

You are Sgt. Vega of the Union City Police Department in Hudson County. Officer Maria Rivera lives in your town but is a police officer for the Fort Lee Police Department in Bergen County. One night, Maria becomes involved in a heated argument with her husband Raul during which she assaults him about the head and body with her ASP. Officers DePlasma and Aquos respond and, because Raul is bleeding heavily from the mouth and has welts all over his arms, arrest Maria pursuant to the Domestic Violence guidelines for mandatory arrests. The officers properly secure Maria's department issued Glock and her off-duty Sig Sauer.

51. What notification must be made first?
- A. Your immediate commanding officer.
  - B. The Bergen County Prosecutor's Office.
  - C. The Hudson County Prosecutor's Office.
  - D. Your chief.
52. According to the N.J. Attorney General's Directive implementing *Procedures for the Seizure of Weapons from Municipal and County Law Enforcement Officers Involved in Domestic Violence Incidents*, what must Maria do at this time?
- A. Immediately report the fact that she has been arrested to the Hudson County Prosecutor.
  - B. Immediately report the fact that she has been arrested and her weapons have been seized to her departmental supervisor.
  - C. Immediately report the fact that she has been arrested and her weapons have been seized to Bergen County Prosecutor's Office.
  - D. Immediately report the fact that she has been arrested and her weapons have been seized to the Fort Lee Police Department's Internal Affairs Unit.

53. What is the proper disposition of Maria's weapons which have been seized?
- A. Her Glock and Sig Sauer would be returned to the Fort Lee Police Department.
  - B. Her Glock and Sig Sauer would be turned over to the Hudson County Prosecutor's Office.
  - C. Her Glock and Sig Sauer would be turned over to the Bergen County Prosecutor's Office.
  - D. Her Glock would be returned to the Fort Lee Police Department and her Sig Sauer would be forwarded to the Hudson County Prosecutor's Office.
54. Joe's Pawn Shop buys second-hand jewelry to resell. Which of the below is required from the business?
- A. Maintain, for five years, a record of the name, address, and telephone number of the person from whom it was purchased.
  - B. Deliver, on a weekly basis, to the police department having jurisdiction in the location of that person's place of business a copy of the record of all used jewelry purchased by that person during the preceding week.
  - C. Maintain in his possession any used jewelry purchased for not less than 10 business days following the delivery of the record of the purchase of that jewelry to the police department.
  - D. All of the above.
55. A group of friends, ages 18 to 22, learn that a Hispanic family is moving into their neighborhood which consists primarily of white families. On the evening of the day the family moves in, the friends dress in black with black ski masks, approach the family's front yard and yell out "Your kind is not welcome here – move out or else!" The male occupant of the home exits and catches one of the friends and holds him until police arrive. As it turns out the male occupant is Mr. Henry Smith, and he explains to the police that the Rodriguez' deal with the realtor fell through and he bought the house at a discounted price for cash. He tells the police he was not offended by the racial slurs made by the group. What could the friends be charged with?
- A. Criminal Mischief
  - B. Bias Intimidation
  - C. Defiant Trespassing
  - D. Terrorism

56. Jimmy voluntarily surrendered some cocaine to Principal Burns at Emerson High School and tells him he wishes to “go straight.” The school has a School Resource Officer, Officer Jones. Which of the below is incorrect regarding this scenario?

- A. Officer Jones should conduct a search of Jimmy’s locker for more drugs.
- B. Principal Burns shall turn the cocaine over to Officer Jones.
- C. Principal Burns need not inform Officer Jones who the cocaine was obtained from.
- D. Jimmy must participate in an appropriate treatment or counseling program.

57. Eddie shoplifts a bottle of Jack Daniels from Harry’s House of Liquors. Harry sees Eddie hide the bottle under his coat and immediately locks the front door locking Eddie in. Eddie produces a gun and tells Harry “Let me out or I’ll kill you”. Harry notices that the gun appears (and later turns out) to be fake and informs Eddie of this. Eddie drops the gun, runs to the back of the store, curls up into a fetal position and begins to cry. What would Eddie be charged with?

- A. Robbery
- B. Criminal Restraint
- C. Kidnapping
- D. Terrorism

58. Considering the facts in question # 57, what else can Eddie be charged with?

- I. Possession of a Weapon for Unlawful Purpose (Imitation Firearm)
- II. Unlawful Possession of a Weapon
- III. Shoplifting
- IV. Terroristic Threats

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

59. What factors are included in determining if someone is a high-risk missing person?

- I. The person is missing for more than 30 days
- II. The person missing does not have a pattern of running away or disappearing
- III. The person missing is over 13 years of age and under 18 years of age and any other risk factor is known
- IV. The person missing is mentally impaired
- V. The person missing may have been abducted by a non-custodial parent.
- VI. The person missing has been the subject of past threats or acts of violence.

- A. Only 3 of the above are correct
- B. Only 4 of the above are correct
- C. Only 5 of the above are correct
- D. All of the above are correct

60. Identification evidence is often crucial in identifying perpetrators and exonerating the innocent. However, recent cases, in which DNA evidence has been utilized to exonerate individuals convicted almost exclusively on the basis of eyewitness identifications, demonstrate that this evidence is not fool proof. The N.J. Attorney General's Guideline on *Preparing and Conducting Out-Of-Court Eyewitness Identifications* makes several recommendations regarding these lineup procedures. Which of the below is incorrect regarding photo lineups?

- A. When possible, sequential lineups should be used.
- B. Include only one suspect in each identification procedure.
- C. View the array, once completed, to ensure that the suspect does not unduly stand out.
- D. Include a minimum of six fillers (nonsuspects) per identification procedure.

61. During the course of a sexual abuse investigation, an investigator telephoned John Nieder and asked if he would be willing to discuss allegations that Nieder's uncle, Glenn Green, had sexually abused his 9-year-old grandniece. Nieder, then 28 years old, expressed his willingness to speak with the detective. The detective did not tell Nieder that his 9-year-old niece also implicated him in the sexual abuse. As agreed, the next day, at approximately 10:30 a.m., Nieder was brought to the police department. Upon his arrival, he was given the *Miranda* warnings. He indicated that he understood the warnings, and signed a *Miranda* warning card, which contained in writing each of the rights read to him. Thereafter Nieder gave a formal taped statement regarding what he had witnessed. Afterwards, the detective advised Nieder that the victim had made several sexual accusations against him as well. At first, Nieder cried and had trouble speaking. He was not given the *Miranda* warnings a second time. Ultimately, Nieder confessed to sexually assaulting his 9-year-old niece and gave a second formal taped statement regarding the confession. What is the result of the confession?
- A. The confession was unlawfully obtained as police must inform a person, at the outset of any questioning, that he is a suspect.
  - B. The confession was unlawfully obtained as the police did not re-read the suspect his *Miranda* warnings immediately prior to his second statement.
  - C. The confession was lawfully obtained because neither the Fifth Amendment nor our state-law privilege against self-incrimination compels the suppression of a statement by a person, who has voluntarily chosen to speak to the police after being fully advised of his *Miranda* rights.
  - D. The confession was lawfully obtained, even if the police had in their possession a criminal complaint and a warrant for his arrest, as he was not in custody during the taping of both statements.
62. Joe is 19 years old. Suzie is 13 years old, but she will be 14 in two weeks, and she is very mature both physically and mentally for her age. Suzie's mom walks in on the two having sex. Suzie tells her mom that she consented to the sex. What could Joe be charged with?
- A. No crime
  - B. Aggravated Sexual Assault
  - C. Sexual Assault
  - D. Lewdness

63. When James was eight years old his twenty-year-old cousin, Mike, intentionally touched James' penis, through his clothing, in front of a group of Mike's friends while yelling "let's see if this guy has what it takes for the ladies later in life!" James mentally blocked this out of his mind until it surfaced during counseling at the age of 16. According to New Jersey's statute of limitation laws, which of the below statements is true if James wants to proceed with criminal charges against Mike?
- A. James must sign the complaint within two years of discovering the offense.
  - B. James must sign the complaint within five years of turning 18 years of age.
  - C. James may sign the complaint at any time as there is no statute of limitation for sexual assault.
  - D. It is too late for James to sign any type of complaint against Mike.
64. Brian draws a swastika on the Kesselmann's family car with a permanent marker. The Kesselmanns are Jewish. Brian gets caught on video by the Kesselmann's security camera and now Abraham Kesselmann wants to sign a complaint. Once arrested, Brian readily admits he hates Jews and wanted to terrorize the family. What would Brian be charged with?
- A. Bias Intimidation and Criminal Mischief
  - B. Bias Intimidation and Terrorism
  - C. Terrorism and Deprivation of Civil Rights
  - D. Deprivation of Civil Rights and Harassment
65. Roy is angry that airplanes fly over his house at all hours of the day and night. One day he calls the control tower and tells them that if they don't change the flight patterns, he will bomb the airport. What do you charge Roy with?
- A. Harassment
  - B. Interference with Transportation
  - C. Terrorism
  - D. Terroristic Threats

66. Several officers responded to Michelle's home in reference to a report that her current husband, Earl had sexually assaulted her daughter Melissa, age 15, on multiple occasions, with the most recent assault occurring two days earlier. The allegations included vaginal intercourse and fellatio, which Melissa contended had been occurring with Earl since she was age eight or nine. Michelle advised them that she had been unaware of the sexual assaults until her daughter had reported them to her earlier that day. The officers also learned that Michelle had given birth to Melissa with her first husband, Jack. Earl was arrested and charged with aggravated sexual assault upon his stepdaughter. On behalf of her daughter, Michelle sought a Domestic Violence restraining order against Earl. Was this a proper request?

- A. Yes, however Melissa can sign the restraining order along with Michelle's signature besides hers.
- B. No. Melissa is not a victim as per the statutory definition set forth in 2C:25-19d for Domestic Violence victims.
- C. Yes. Melissa is a victim of Domestic Violence and therefore entitled to a restraining order. Due to her age, her signature would not legally bind such a document and therefore Michelle would have to sign on her behalf.
- D. No. The only person able to grant Melissa a restraining order would be a superior court judge during Earl's first appearance before said judge.

67. It is Saturday evening and at 11:45 p.m., fifteen minutes prior to the change of shifts, Mrs. Francis Hamm calls the police desk and speaks to Lt. Gregs. She wishes to make a demeanor complaint against an officer, Officer Centnik, states she does not wish to come into HQ and demands a superior come to her house as she will not speak on a "taped line". Officer Centnik and his immediate supervisor are currently at roll-call and should be at the desk area in approx. 10 minutes. Internal Affairs personnel are not available. The lieutenant's shift ends in fifteen minutes. What is the best course of action for him to take at this time?

- A. Accept the complaint over the phone.
- B. Instruct Mrs. Hamm to respond to the Internal Affairs Unit on Monday.
- C. Obtain Mrs. Hamm's information and inform her that Officer Centnik's immediate supervisor will be calling her back shortly.
- D. Delegate the road sergeant to respond to Mrs. Hamm's home to take the complaint.

68. Which of the below statements is accurate with reference to the Attorney General's directive on *Interaction with Transgender Individuals*?
- A. In a non-exigent, custodial strip search, a female officer may conduct the search of a transgender male.
  - B. In a non-emergency situation, an officer may ask a transgender individual their preference as to the gender of the searching officer and the search can be performed according to that preference
  - C. In a search incident to arrest situation, only a male officer can search a transgender male.
  - D. All of the above statements are accurate
69. Which of the below is not a listed "traumatic event" in the N.J. Attorney General's *Statewide Handle with Care* directive?
- A. A search warrant executed at the residence
  - B. Neighborhood violence
  - C. The death of an immediate family member
  - D. A child who is bullying others
70. Joe Brock picks up his 8-year-old son, Eric, from home for one of his visitation weekends (as outlined in his divorce agreement). Eric is suffering from Muscular Dystrophy and his mother has stopped all modern medication as she as converted to a religion which does not believe in it. At the end of his visitation weekend, Joe calls his ex-wife, Martha, and threatens to run away with Eric unless she agrees to continue treatments for Eric. She refuses however the next day calls Joe and agrees. Joe returns Eric on the third day. What could Joe be charged with?
- A. Interference with Custody
  - B. No charge
  - C. Terroristic Threats
  - D. Kidnapping

71. Detective Jones is investigating a sexual assault where Gina Restro is the victim? The detective is having doubts as to whether the crime even happened and wishes to have Gina submit to a polygraph examination prior to continuing his investigation. Which of the below statements is true regarding this scenario?

- A. Gina may voluntarily submit to a polygraph examination however cannot be forced to take it.
- B. The detective may seek an administrative warrant to compel Gina to take the examination.
- C. The detective shall not ask Gina to submit to the examination.
- D. The detective should contact the County Prosecutor for a court order treating Gina as a hostile witness.

72. Officer Jones is equipped with Narcan and utilizes same to assist an overdose victim and later completes his department's Naloxone Deployment Reporting Form. The form is eventually forwarded to the county Narcan coordinator. The Narcan coordinator shall report all deployments of Narcan to \_\_\_\_\_ within 24 hours.

- A. The Regional Operations Intelligence Center's Drug Monitoring Initiative
- B. The Attorney General
- C. The State Police Laboratory for Drug Interdiction Services
- D. The County Prosecutor

73. Joe Green agreed to submit to a polygraph test during a missing persons investigation of his parents where police suspected that Joe killed them. A sergeant read Joe his *Miranda* rights. During the polygraph examination, Joe denied knowing the victims' whereabouts. After scoring the polygraph test, the sergeant told Joe that, "no doubt you know exactly where your mother and father are right now." By that time, some of Joe's family members were at the police station. During the video recorded interview that followed, and in response to the sergeant's questions implying that Joe knew where his parents were, Joe asked to speak with his uncle six times as he considered his uncle better than an attorney. When Joe asked a seventh time, the sergeant agreed to permit him to speak to his uncle. The sergeant told Joe's uncle that Joe had failed the polygraph test, that he knew where his parents were, and that although Joe requested that the camera be turned off, the camera would actually be left on. Joe's uncle agreed to help with the investigation. The sergeant then returned to the interview room and told Joe that he would shut off the camera. He also stated that Joe's uncle was aware of the results of the polygraph exam, and knew Joe was responsible for his parent's disappearance. During the conversation with his uncle, Joe admitted that he knew where his parent's bodies were buried. After taking a break and receiving *Miranda* warnings for a second time, Joe admitted to detectives that he and his father had a fight and that he had strangled his parents and buried them in the woods behind a park. Which of the below statements is true regarding this scenario?

- A. The responses to the interview before Joe spoke to his uncle are inadmissible as Joe was invoking his right to a lawyer. The responses after the second reading of his *Miranda* rights are admissible as they were properly waived.
- B. The statement to police was the fruit of the unconstitutionally obtained statement to Joe's uncle. Not even the second reading of *Miranda* warnings removed the taint of the first constitutional violation.
- C. All statements are admissible as Joe did not indicate that he was invoking his right to remain silent.
- D. The statements to the police are inadmissible however Joe's statements to Joe's uncle are admissible as Joe's uncle is not required, constitutionally, to honor Joe's right to remain silent or his right to a lawyer.

74. The NJ Supreme Court instructed that an officer's promise of leniency is properly viewed as one additional factor to be considered in light of the totality of the circumstances. A court may conclude that a defendant's confession was involuntary if interrogating officers extended a promise so enticing as to induce that confession. When deciding whether a promise of leniency may have overborne a defendant's will courts will consider the circumstances surrounding the promise. Factors relevant to that analysis include:

- I. The context in which the promise was made
- II. The nature of the promise
- III. The characteristics of the defendant
- IV. Whether the defendant was informed of his rights
- V. Whether counsel was present

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

75. Considering question #74, how many factors would need to be present for a court to conclude that a confession was involuntary?

- A. 1
- B. 2
- C. 3
- D. 4