

Simulated Exam #6 – Captains/Lieutenants

Answer Key

1. A – This is a theft, if not a burglary, being perpetrated by your officers. You must take firm action in this type of scenario on test day regardless of the reasons it was being committed – Internal Affairs Policy and Procedures, Section 8 Interviewing Members of the Agency – 8.2 When the investigation is criminal and the Officer is a Subject
2. D – Drug Enforcement - Statewide Narcotics Action Plan - Directive 2.36:
Municipal police departments shall ensure that school-zone maps are redrawn and amended as necessary.
3. C – 2C:30-2 & 2C:20-5
4. D – State v. O’Hagen (2007), *N.J.S.* 53:1-20.18
5. D – State v. Montalvo (2017), Montalvo legally possessed a machete in his home. It is of no matter whether his possession was for roofing or for self-defense because either would qualify as a lawful purpose. Using a twelve-inch steak knife in a kitchen to prepare dinner is lawful and possessing it as means of defense in case of a home invasion is lawful as well; carrying the same knife on the street on the way to pick up groceries may not be manifestly appropriate.” Thus, the spontaneity requirement of Kelly “is not applicable to possession of a legal weapon in the home for self-defense purposes.”
Nonetheless, the right to possess a weapon in one’s home “does not mean that it can be used without justification.” “An individual who responds to the door of his home with a concealed weapon that threatens no one acts within the bounds of the law. He need give no justification for what he is lawfully allowed to do.” “On the other hand, an individual may not threaten another with a weapon, even within the confines of his home, without lawful justification. Thus, Montalvo could not answer the door threatening the use of a machete merely for the purpose of inciting fear in another. He could threaten the use of the machete, however, if he had a sincere or reasonable belief that the show of such force was necessary to protect himself or his wife from an imminent attack.”
6. D – Use of Force Policy
7. A – 2C:58-3c
8. A – 2C:20-7
9. A – 2C:14-2
- 10.B – 2C:17-1b(1) and (2)
- 11.B – Domestic Violence Procedural Manual - 3.17. Guidelines on Prosecutorial Procedure Regarding Weapons Seized in Domestic Violence Cases, 3.17.2B
- 12.B – State v. Alessi (2020)
- 13.D – Directive Regarding Retention and Transmittal of Contemporaneous Notes of Witness Interviews and Crime Scene - Section A.2

- 14.C – Bias Incidents-Part 9: Guidelines for Confirming Bias Incidents. Roman numeral V is wrong because it should state "Statements made by the suspects." Other considerations are: Common sense judgment and Statements made by the witnesses
- 15.C – State v. Shaw (NJ Sup. 2012)
- 16.A – A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials - 3.3. Exceptions to Mandatory Reports of Offenses Involving Controlled Substances - 3.3.2. Voluntary Self-Report
- 17.A – 2C:15-1 (1st degree) because of the weapon, even if it was a fake
- 18.A – I, III and IV only. 2C:39-4e (4th degree), 2C:20-1 l (DP), 2C:12-3a (3rd degree)
- 19.C – Not III: 18 is wrong, should be 21- Patricia's Law, 52:17B-212. Definitions relative to missing persons.
- 20.D – Preparing and Conducting Out-Of-Court Eyewitness Identifications -
I. Composing the Identification Procedure, A. Photo Arrays and Live Lineups
5. Additional Composition Recommendations Specific o Photo Arrays
- 21.C – State v. Nyhammer (2009) -Answer choice D is not a true statement. Per *State v. A.G.D.* (2003) determined police must inform the suspect if they have a complaint and/or warrant in hand.
- 22.C – 2C:14-2c4 -victim is at least 13 but less than 16, actor is at least 4 years older
- 23.C – 2C:1-6. Time limitations
- a. (1) A prosecution for any offense set forth in N.J.S.2C:1 1-3 , N.J.S.2C:1 1-4, N.J.S.2C:14-2 Sexual Assault (THIS SCENARIO: 2C:14-2b.11 *actor is guilty of **sexual assault if he commits an act of sexual contact with a victim who is less than 13 years old and the actor is at least four years older than the victim**) or sections 1 through 5 of P.L.2002, c.26 (C.2C:38-1 through C.2C:38-5) **may be commenced at any time.***
 - b. Except as otherwise provided in this section, prosecutions for other offenses are subject to the following periods of limitations:
 - (1) A prosecution for a crime must be commenced within five years after it is committed;
 - (4) A prosecution for an offense set forth in **N.J.S.2C:14-3** or N.J.S.2C:24-4, when the victim at the time of the offense QS below the age of 18 years, must be commenced within five years of the victim's attaining the age of 18 or within two years of the discovery of the offense by the victim, whichever is later
- 2C:14-1. Definitions**
- d. "Sexual contact" means an intentional touching by the victim or actor, either directly or through clothing, of the victim's or actor's intimate parts for the purpose of degrading or humiliating the victim or sexually arousing or sexually gratifying the actor. Sexual contact of the actor with himself must be in view of the victim whom the actor knows to be present.
- 24.A – 2C:16-1 (4th degree) and 2C:17-3 (DP)

25.D – Terroristic Threats 2C:12-3 - a person is guilty of a crime of the third degree if he threatens to commit any crime of violence with the purpose to terrorize another or to cause evacuation of a building, place of assembly, or facility of public transportation, or otherwise to cause serious public inconvenience, or in reckless disregard of the risk of causing such terror or inconvenience.

Answer choice C is incorrect (according to NJ CSC) because Terrorism 2C:38-2 is to cause, by an act of terror, the impairment or interruption of public communications, public transportation, public or private buildings, common carriers, public utilities, or other public services. "Terror" means the menace or fear of death or serious bodily injury by words or actions.

26.B – M.A. v. E.A. (NJ App. 2006) Melissa is not a victim as per the statutory definition set forth in 2C:25-19d for Domestic Violence victims.

27.D – Internal Affairs Policy - Accepting Reports of Officer Misconduct

28.B – Law Enforcement Interactions with Transgender Individuals - II. Interactions Based on Gender, A. Conducting Searches

29.B – Statewide Handle with Care - I. Definitions, D. Traumatic Events. Careful with the wording: A neighborhood mostly refers to the adjoining area or the surrounding area of a city. Community is used more in the sense of groups of people living in a particular area or district. The directive specifically states, "community violence."

30.A – 2C:13-4 (3rd degree)

31.C – Restrictions on the Use of Polygraph Examinations - I. Law Enforcement Agencies, A.

32.A – Heroin and Opiate Investigations / Prosecutions Directive - Part 2a: Reporting Narcan Deployments to the ROIC

33.B – State v. Maltese (2015)

34.D – State v. Hreha (2014)

35.A – State v. Hreha (2014)

36.B – Attorney General Directive 2020-12 – Directive Establishing Policies, Practices, and Procedures to Promote Juvenile Justice Reform – Section III. Juvenile Processing, Fingerprinting, DNA Collection, and Complaint Entry – Subsection A. Juvenile Central Registry, Subsection B. Fingerprinting, Subsection C. Photographs, and Subsection D. DNA Collection

37.C – Attorney General Directive 2020-12 – Directive Establishing Policies, Practices, and Procedures to Promote Juvenile Justice Reform – Section II. Stationhouse Adjustments – Subsection B. Careful: an ordinance violation (Numeral II) is mentioned as a presumption in favor of a Curbside Adjustment (Section I. Curbside Warnings – Subsection B. – Paragraph a.). Also, there is no mention of firearms or other dangerous weapons in the Stationhouse Adjustment section.

38.B – Attorney General Directive 2020-12 – Directive Establishing Policies, Practices, and Procedures to Promote Juvenile Justice Reform – Section V. Determining Whether to Charge by Summons or Warrant – Subsection D. 2.

39. C – Attorney General Directive 2020-12 – Directive Establishing Policies, Practices, and Procedures to Promote Juvenile Justice Reform – Section V. Determining Whether to Charge by Summons or Warrant – Subsection F. Short-term custody and the six-hour rule – short-term custody begins once a juvenile has entered a police department, and does not include when a juvenile is being held at the scene or while in transport.
40. D – Attorney General Directive 2022-1 – Body Worn Camera Policy, Section 3: Police Department Policies Governing Deployment and Use of BWCs and Recordings – Refer to Subsection 3.2 and 3.3
41. A – Attorney General Guidelines for Preparing and Conducting Out-of-Court Identification Procedures (02/09/2021), I. Composing the Identification Procedure, 5. Additional Composition Recommendations Specific to Photo Arrays, section b.
42. B – State v. Stoveken (NJ App 2020)

Court Order

- Telephone billing or toll records

Grand Jury Subpoena

- Bank records
- ISP subscriber information
- Utility records
- Prescription Drug Information

Warrant

- Cell-phone location

Communications Data Warrant

- Pen registers

43. D – Curfew Violation 2A:4A-23
44. C – State v. Andrews (NJ Sup 2020)
45. C – State in Interest A.A. (NJ Sup 2020)
46. D – State v. Ferguson (NJ Sup 2019) In this case, the “conduct charged” refers to the strict-liability offense of a drug-induced death, *N.J.S. 2C:35-9*. That offense is not punishable as a crime in New York. Therefore, “New Jersey does not have territorial jurisdiction to prosecute Ferguson and Potts for Cabral’s drug-induced death because they did not distribute drugs in New Jersey or cause his death in this State.” In addition, the Court held that “New Jersey does not have territorial jurisdiction to prosecute Byrd for Cabral’s death because New York has no criminal law punishing as a strict-liability offense the drug-induced death of Cabral and because the Legislature has not plainly indicated a purpose to prosecute Byrd for a *N.J.S. 2C:35-9* offense in these circumstances.”
47. C – III. should state 24 hours. 2A:4A-22(g)
48. A – Dog Fighting 2:33-31(7)
49. C – Obstruction 2C:29-1
50. A – 4th degree crime 9:6-8.14
51. D – 2A:4A-34(f)
52. B – 2A:4A-60e

53. C – 2A:4A-35 Should be “at least 14 years of age.”
54. C – According to 2A:4A-32 Under no circumstances shall any juvenile taken into short-term custody under section 2A:4A-31 be held more than six hours.
55. D – Criminal Mischief 2C:17-3 Offense defined. A person is guilty of criminal mischief if he:
Purposely or knowingly damages tangible property of another or damages tangible property of another recklessly or negligently in the employment of fire, explosives or other dangerous means listed in subsection a. of N.J.S.2C:17-2.

Questions #56 through #70 pertain to the text, *Basic Handbook of Police Supervision – A Practical Guide for Law Enforcement Supervisors* by Gerald W. Garner

56. C – Page 52: Command presence means visibly being in control and conveying reassurance through composed leadership.
57. B – Page 66: These barriers directly reduce message clarity and reception in this scenario.
58. C – Page 76: Misapplication of legal principles directly reflects a lack of technical understanding required for the role.
59. B – Page 78: Failing to address repeat tardiness can lead to ill will among other employees. Timely, fair intervention protects both accountability and team cohesion.
60. D – Page 92: The text clearly states that officers’ body cameras are very often the best source for determining what actually happened, offering a firsthand, real-time view of the encounter.
61. B – Page 101: The officer acknowledged that he knowingly failed to prepare for duty and repeated the behavior after prior warnings. This reflects intentional misconduct, which the text defines as a mistake of the heart—and it demands formal disciplinary action. The other options offer partial truths but fail to meet the seriousness of repeated, deliberate failure.
62. B – Page 101: Avoiding discipline sends a negative message to high-performing staff.
63. B – Page 123: Leaders must monitor and offer support after trauma.
64. C – Page 132: The list of considerations includes this exact question as an essential evaluation before acting.
65. A – Page 137: Honest evaluation helps supervisors build skill over time.
66. B – Page 150: The text warns against surprising or embarrassing the supervisor.
67. B – Page 157: The text emphasizes that organizational stress is a real threat, comparable to street dangers, and leaders must be intentional about managing it to avoid career-ending outcomes.
68. C – Page 161-162: The text stresses avoiding places where “common sense says you shouldn’t be,” especially risky environments off duty.
69. A – Page 172: The passage encourages leaders to meet criticism with integrity, not deflection or silence.
70. B – Page 190: Advancement typically comes to those who excel in their present role. The officer’s attitude, lack of initiative, and poor team contribution undermine her chances, unlike the newer officers who have proven themselves through consistent performance.

